

Legislature of Ontario Debates

Tuesday, April 15, 1969–Friday, May 16, 1969

RODERICK LEWIS, Q.C., Clerk of the House

No. 83

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 15, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 15, 1969

Election Act, bill to amend, Mr. Shulman, first reading 3053
Niagara River diversion, questions to Mr. Simonett, Mr. Nixon 3053
Physicians Services Incorporated, questions to Mr. Dymond, Mr. Nixon and Mr. MacDonald 3053
Hall report, question to Mr. Dymond, Mr. Ben 3054
Port Maitland area, questions to Mr. Dymond, Mr. Ben 3054
Radiation from colour television sets, questions to Mr. Dymond, Mr. Ben 3055
Human Tissue Act, question to Mr. Dymond, Mr. Ben 3055
Metro Toronto subway extension, question to Mr. Robarts, Mr. Nixon 3056
Constitutional committee of officials, questions to Mr. Robarts, Mr. Nixon 3056
Middlesex South by-election, question to Mr. Robarts, Mr. Nixon 3056
Streetsville area development, questions to Mr. Robarts, Mr. MacDonald 3056
Guertler report, question to Mr. Robarts, Mr. Haggerty 3057
Seaway opening anniversary, questions to Mr. Robarts, Mr. Shulman 3057
Tabling answers to questions on the order paper, Mr. Robarts (see appendix) 3058
Ontario government employees' health plan, question to Mr. MacNaughton, Mr. Shulman 3058
Ontario Hospital in Orillia, questions to Mr. Dymond, Mr. Shulman 3059
Transfer of prisoner, question to Mr. Grossman, Mr. Shulman 3059
Hamilton urban renewal scheme, questions to Mr. Robarts, Mr. Deans 3060
Queen's Park Hansard offices, question to Mr. Connell, Mr. Deans 3060
Saltfleet Mountain development, question to Mr. Randall, Mr. Deans 3060
Glue sniffing, question to Mr. Dymond, Mr. Deans 3060
Minimum wage, questions to Mr. Bales, Mr. De Monte 3061
Microbiologists, questions to Mr. Dymond, Mr. De Monte 3061
Algonquin Park development, questions to Mr. Auld, Mr. Stokes 3062
Lakehead City, question to Mr. McKeough, Mr. Knight 3062
Class A motor vehicle mechanics, questions to Mr. Haskett, Mr. Knight 3063
Labour-Management Arbitration Commission Act, 1968, question to Mr. Bales, Mr. Pilkey 3063
Brockville Psychiatric Hospital, question to Mr. Dymond, Mrs. M. Renwick 3064
Private investment in nursing homes, question to Mr. Dymond, Mrs. M. Renwick 3064
Doctor vacancies at mental hospitals, questions to Mr. Dymond, Mrs. M. Renwick 3065
Electro-shock treatment in mental hospitals, question to Mr. Dymond, Mrs. M. Renwick 3065
High-rise development in Scarborough, questions to Mr. Randall, Mrs. M. Renwick 3065
OHC units for the elderly, questions to Mr. Randall, Mrs. M. Renwick 3065
Occupancy of OHC units, questions to Mr. Randall, Mrs. M. Renwick 3066
Ontario Northland Railway, questions to Mr. Simonett, Mr. Ferrier 3067
Zinc and copper smelters, questions to Mr. A. F. Lawrence, Mr. Ferrier 3067
Residential development in rural areas, questions to Mr. McKeough, Mr. Pitman 3067
Ontario Housing Corporation contracts, questions to Mr. Randall, Mr. Bullbrook 3068
Warrandale complex, questions to Mr. Robarts, Mr. Yaremko, **Mr. Dymond,** Mr. Brown 3068
Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3069
Recess, 6 o'clock 3097
Appendix 3097

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 15, 1969

The House met at 2 o'clock p.m.

Prayers.

Mr. Speaker: We start off our new sittings with our galleries full. Our guests in the east gallery today are from Paris Central Public School, Paris, and St. Marys High School in St. Marys; and in the west gallery from Bishop Strachan School in Toronto and from Bayview Junior High School in Willowdale. Later, in the east gallery, we will welcome students from Main Street School in Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE ELECTION ACT

Mr. M. Shulman (High Park) moves first reading of bill intituled, An Act to amend The Election Act.

Mr. Speaker: This bill does not bear the certificate of the legal officers that it has properly been given notice.

Will you take it to the Clerk and see that it has properly been given notice.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this amendment requires that contributors to election campaigns report contributions of more than $100 to the Provincial Secretary. The purpose of this amendment is to inform the public of the sources of funds of the political parties in this province.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have several questions for the Premier (Mr. Robarts) who is not here as yet; meanwhile, a question for the Minister of Energy and Resources Management.

Will the recent agreement, signed on March 21, authorizing a diversion of water in the Niagara River to increase hydro production in the United States have any effect on Ontario Hydro's facilities, now or in the near future?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, subject to ratification by the U.S. Senate of a temporary change in the Niagara River Treaty, the agreement of March 21 authorizes a temporary flow diversion for increased production of electricity in the generating facilities, both of the power authority of the state of New York and of Ontario Hydro. The agreement will have no other effect on Ontario Hydro facilities.

Mr. Nixon: Might I ask the Minister, Mr. Speaker, if in fact the diversion of water is is excess of just allowing the clean up of the edge of the American falls, as was originally reported, and in fact is going to be a diversion of water for a longer period of time?

Hon. Mr. Simonett: Not as I know it, Mr. Speaker. This additional power, of course, will be produced by diverting the water at the American falls, and it will be used by both the power authority of the state of New York and Ontario Hydro. As soon as they have completed their inspection of the American falls then the water will be allowed to flow in its normal channel.

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Health.

Are the Minister's negotiations with Physicians Services Incorporated designed to transfer their function to OMSIP or to maintain their position as a non-profit carrier when Ontario comes under the federal provisions of Medicare?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, in view of the fact that the hon. member for York South has a quite similar question would he be prepared to put that at the same time?

Mr. D. C. MacDonald (York South): Yes, Mr. Speaker, my question was for the last day prior to the recess.

First, has the Minister approached Physicians Services Incorporated requesting that this body become an agent or carrier within a proposed Medicare plan for the province of Ontario?

Two, did the government present a proposed agreement to PSI?

Three, what was PSI's reaction?

Hon. Mr. Dymond: Mr. Speaker, in answering the hon. member for York South first, because the first part of his question comes in that order, I have approached PSI and other carriers and have put before them a draft proposal. I am not prepared at this time to state what the reaction was because those whom I met were members of the executive board and did not have authority to speak for the organization; but the board is to meet very shortly and then I will get their reaction.

Further than that, sir, I do not believe that I am presently in a position to discuss in the House, just in specifics, what we did present to them. This will all come before the House as soon as I have their reaction.

Mr. MacDonald: Mr. Speaker, I wonder if the Minister can give us assurance that this agreement will come to the House before elsewhere.

Hon. Mr. Dymond: I believe, Mr. Speaker, the government must take responsibility for this; and I would give the hon. member assurance that I shall discuss his views with the Prime Minister before we do anything.

I can assure you that if the hon. member is speaking about publicity or publication, the House will know before anybody else will.

Mr. Speaker: Today, and until further notice, it is every member for himself as you catch Mr. Speaker's eye.

The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, the hon. Minister of Health was on his feet.

There were some questions asked in his absence before we rose. I wonder if the Minister could favour us with a reply to those questions before I put the next series to him?

I might add, Mr. Speaker, looking through the report of the debates of April 3, I do not find them recorded in the index. So if the Minister wishes, I may read them again, or does he have them there?

Hon. Mr. Dymond: Mr. Speaker, I take it the hon. member for Humber has reference to question 1109:

> Will the numerous factual errors we have found in the Hall report remain incorrect in the public record for all time merely because the committee has now disbanded?
>
> Will all questions arising specifically from the report go unanswered by the Minister, merely because the committee has now disbanded?

Mr. Speaker, first of all we cannot agree with the hon. member that there are factual errors in the report; if he would be good enough to give us a list of those errors which he terms factual we will certainly look into it.

But I would point out, sir, that this was a report of a committee that had the powers of a Royal commission, and therefore neither I nor the department nor the government can take responsibility for it. It was submitted to us as their view after the studies they conducted.

The next question the hon. member had asked, 1110:

> In the light of all the new medical evidence which has accumulated in the interim, does the Minister still believe that we are dealing only with the effects of inorganic fluorides in the Port Maitland area?
>
> On what medical evidence does he base his own opinion, given on page 2859 of *Hansard*, that there is no significant risk of acute fluorosis or health hazard from organic fluorides in the Port Maitland area?
>
> Does the word "significant" imply "little risk to any given individual" or is it merely referring to statistical significance?

Mr. Speaker, to date there has been no medical evidence of human intoxication by inorganic or organic fluorides or any other substance in the Port Maitland area.

If the hon. member would provide this department with the new medical evidence to which he refers and which he states has been accumulated, we will be pleased to review it. Several leading medical specialists, perhaps the best in the field in the world, were used as consultants to the committee. They included Dr. P. J. Lawther, Dr. A. E. Martin and Dr. K. J. R. Wightman.

The word "significant" implies "little risk to any individual".

Mr. Ben: Mr. Speaker, would the Minister accept a supplementary question?

Does the Minister read the questions that have been submitted and to which he is giving answers, or is it that he just reads the answers?

Hon. Mr. Dymond: Mr. Speaker, I think my answers are indicative of the fact that I have read the questions.

Mr. Ben: Mr. Speaker, on a point of order—well, I cannot rise on a point of order, but the fact is that we have been giving him a list of all the errors contained in this report, and that is what we have been putting forward to him.

Mr. Speaker: The hon. member has asked his questions. They have been answered in the manner in which the Minister feels they should be answered, and the hon. member has not the opportunity to debate them now. He has the opportunity to raise them either at an appropriate time in the debates of the House or by way of another question.

Mr. Ben: Very well. I have a series of new questions.

Is the Minister studying the effect of the radiation emitting from colour television sets?

Hon. Mr. Dymond: Mr. Speaker, no, we are not. We are unable to test individual television sets on any wide scale. Preliminary studies performed here and by the radiation protection division of Ottawa have confirmed that some small high-voltage tubes emit more than standardized—but not necessarily dangerous—radiation owing to manufacturing defects. However, so far we have failed to detect evidence of a widespread condition that could be called a public hazard.

Since the face of the picture tube does not transmit any appreciable amount of X-ray, the problem will be eliminated through proper chassis design and quality control of rectifier and regulator tubes. The most recent investigation in the United States seems to indicate that some manufacturers have not responded to official recommendation as well as desired. We are in communication with the radiation protection division. We are advising inquirers that in case of doubt, viewing from a normal distance of approximately five feet will eliminate any hazard.

Mr. Ben: Will the Minister accept a supplementary question?

Hon. Mr. Dymond: Yes.

Mr. Ben: To what degree must these sets be present before the Minister deems them to be a public hazard, and is not 20 per cent a hazardous situation?

Hon. Mr. Dymond: I am afraid, Mr. Speaker, the technique of that question is beyond my capability to answer, but I can assure the hon. member that if public hazard should occur with the use of these appliances, the public will be made aware of it.

Mr. Ben: May I ask just one more supplementary question?

Is the Minister aware that 20 per cent of 5,000 sets tested were defective and were emitting dangerous radiation?

Hon. Mr. Dymond: Mr. Speaker, I heard that figure and I then heard it contradicted.

Mr. Ben: Another question of the hon. Minister.

Where did he hear of the contradiction, may I ask him that?

Hon. Mr. Dymond: I heard it on the TV programme following the one where I heard the question.

Mr. G. Demers (Nickel Belt): The member is a nitpicking little kid!

Mr. Speaker: Order!

Mr. Ben: Is the Minister prepared to introduce an amendment to The Human Tissue Act which will require coroners to veto body transplants if there is reason to believe that an inquest may be required on the body?

Hon. Mr. Dymond: Mr. Speaker, the answer is no, because I do not think it is necessary. I believe that section 8 of The Coroners Act clearly provides that there shall be no interference with any body coming within the coroner's responsibility, without his direction.

Mr. Ben: I should ask the Attorney General what is meant by "reason to believe".

I have one more question, Mr. Speaker: does the Attorney General—I am sorry—one more question to ask of the Attorney General.

Mr. Speaker: That is quite correct. While the member is on his feet he may ask all his questions.

Mr. Ben: Does the Attorney General agree with the Ontario supervising coroner, Dr. H. B. Cotnam, that Ontario legislation should not contain a legal definition of death, since death is a medical matter, as reported in the Toronto *Star* on April 9, 1969?

Perhaps as a supplementary question, you might define what "reason to believe" is?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I would like an opportunity to discuss this with Dr. Cotnam to see what his opinion is, and then perhaps I can give an answer as to whether I agree or not.

Mr. Speaker: Perhaps the hon. leader of the Opposition would now place his question of the Premier? Would he wish to do that?

Mr. Nixon: Thank you, Mr. Speaker.

I wonder if the Premier can tell the House what is the state of negotiations that have been taking place between Queen's Park officials and representatives of Metropolitan Toronto in connection with the possibility of the northward extension of the Yonge Street subway to Finch Avenue.

Hon. J. P. Robarts (Prime Minister): No negotiations have taken place; it is subject to the usual subsidy, and if Metro chooses to go ahead with it the subsidy will be paid, but no negotiations have been taking place.

Mr. Nixon: Then the Premier is not aware of any particular talks involving the government? I would like to ask the Premier who is representing the government of Ontario at the meetings of the continuing constitutional committee of officials under way in Ottawa this week, and do these officials have specific terms of reference covering their position and statements in Ottawa?

Hon. Mr. Robarts: Mr. Macdonald, who is the Deputy Minister of The Department of the Treasury and Economics; Mr. Stevenson; Mr. Greathed; Mr. Dick, the Deputy Attorney General; and Mr. Brannan, who is secretary of the Treasury Board, are representing the government there. They have rather general terms of reference but nothing specific or written down. We have discussed in some detail what is going to go on at that meeting, but that is about all I can say as far as the terms of reference are concerned.

Mr. Nixon: I am quite interested in how this is going to work. Would we presume that the continuing committee of officials from the various provinces would perhaps work out some sort of general position of agreement, report it to their various governments, and then at the next federal-provincial conference involving the Premiers and Prime Ministers an agreement, or at least a discussion on that basis, would take place?

Hon. Mr. Robarts: Mr. Speaker, the continuing committee, of course, was established in order to work out the means whereby we could attack the problem of constitutional revision and review. Their original approach was to deal with the propositions I tabled in the House here. They are continuing their discussions and the procedures are really still in a process of evolution. Since the last conference there have been, I think, five ministerial committees set up. The hon. leader of the Opposition will recall that the conference itself decided to establish ministerial committees. They have been set up, and their early meetings are now being arranged, so that we are still in a process of establishing procedures. Really, these meetings are for the purpose of discussing how we are to proceed, and what is discussed there will be brought back to the government. Then we will set out policies from there, but at this stage of the game we are not following a fixed agenda nor have we solidified the procedures that will be followed.

Mr. Nixon: I take it, no decision has been made as to when the next top-level conference will take place.

Hon. Mr. Robarts: I have had some correspondence with the Prime Minister of Canada in this regard, but it is necessary to find dates to suit the heads of 11 governments, and believe me it is not simple. I am not certain yet whether final dates have been set, but there is correspondence back and forth with that idea in mind.

Mr. Nixon: I would like also to ask the Premier, Mr. Speaker, the following question: When will the Premier call a byelection in the vacant constituency of Middlesex South?

Hon. Mr. Robarts: In due course. I cannot call one when the House is in session, of course—the hon. leader of the Opposition knows that—but would welcome a contest there at the earliest possible moment.

Mr. MacDonald: Mr. Speaker, I have a question of the Prime Minister. Do the government's plans for development in the Golden Horseshoe envisage a further population concentration of 200,000 in the Streetsville area?

Hon. Mr. Robarts: Mr. Speaker, it is rather difficult to answer that question. I would say no, the government has no plans that envisage 200,000 people in the Streetsville area. On the other hand, there are plans being developed by various people in various areas of the province. I presume this comes from the headlines that are in the paper, and it will be dealt with in the normal course of events by the Minister of Municipal Affairs (Mr. McKeough)—when the plans are finalized they will have to be submitted to him. But we are not as a government involved in this plan—

Mr. MacDonald: Mr. Speaker, I wonder if I might ask the Prime Minister this question: The MTARTS programme presented the government with four alternatives and the research people of that project said it is now the government's obligation to make a decision. Is it the government's intention to let private developers make the decisions?

Hon. Mr. Robarts: No, of course it is not, and we are presently considering the review of the goals plans that were set out by the MTART study. That is presently being examined very carefully by the government and this will have to fit into whatever plans we eventually arrive at. The point I make is this, that anybody can dream up a plan for anything in the area, but it does not necessarily involve the government, and this plan has not been submitted to the government nor has it government approval. It will be considered in our total approach. As I say, we are studying the goals plans as set down by the MTART study, so this just forms part of the general development.

Mr. MacDonald: Mr. Speaker, by way of a further supplementary question—when is the government going to make a decision on the alternatives presented by MTART, because if it does not make it soon, these developers will be making the decision for you—is that satisfactory?

Hon. Mr. Robarts: That is neither satisfactory, nor the fact, Mr. Speaker. They cannot go ahead with this plan without the approval of The Department of Municipal Affairs and I would only say that it is a very, very complex matter.

I would hope to be able to make a statement in the House in the not too distant future concerning the whole problem of the development of techniques for dealing with regional development and, of course, this is part of it. It is extremely complex and you cannot simply take the goals and plans as set down by MTART and in a relatively short time, say, "all right here is the hard and fast plan and this is what we are going to adhere to as a policy." It requires a great deal of study and examination and of course we are very busy at that on a continuing basis now.

Mr. MacDonald: Mr. Speaker, by way of a further supplementary question on another important aspect of this—

Hon. J. H. White (Minister of Revenue): Oh, come on, the hon. member has had about six now.

Mr. J. Renwick (Riverdale): It is most important.

Mr. MacDonald: Through you, Mr. Speaker, I will inform the Minister of Revenue we have had three and now we are going to have a fourth.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. MacDonald: A year ago, Mr. Speaker, on May 15, I raised with the Prime Minister the question—in view of public expenditure of money through the OWRC of $88 million for the development of sewers and water courses throughout that area, "has the government taken any steps to make certain that some portion of the inflated values of land in this whole area are going to come back to the public treasury," to pay for this $88 million, in part or whole?

Mr. Speaker: Obviously the Prime Minister has either not accepted the supplementary or is not answering it. I would ask the member for Welland South to place his question for the Prime Minister now.

Mr. R. Haggerty (Welland South): Mr. Speaker, a question to the Premier of Ontario: Is the Premier now in a position to indicate when he expects to table the Guertler Report?

Hon. Mr. Robarts: Mr. Speaker, once again this report, of course, is now in the hands of the government. It involves many thousands and thousands of acres and it involves, indeed, many millions of dollars embodied in its recommendations. Those recommendations are now being studied. I would hope to be able to table the report so that the people concerned, particularly those in the area, may have an opportunity of seeing what is proposed. However, I really do not want to do that until I am able to make some intelligent comment upon the report from a government point of view.

This means that we have to take the recommendations in the report and examine them quite carefully to see what the implications are. As soon as this is complete the report will be made public.

Mr. Speaker: The hon. member for High Park was on his feet a moment ago. Perhaps he would start his questions with those of the Prime Minister?

Mr. Shulman: Thank you, Mr. Speaker. My first question to the Prime Minister is: In view of the tremendous economic progress developed for Ontario by the St. Lawrence

Seaway how does the government intend to commemorate the tenth anniversary of the opening of the seaway on June 26?

Hon. Mr. Robarts: Well, Mr. Speaker, we have spent some considerable time on this matter. We are well aware of the importance of the seaway and we have been co-operating with the federal government, the seaway authority itself and with the eight states bordering on the Great Lakes which are involved in this.

I can give the member a pretty complete rundown: On February 12 I wrote to the leader of his party and the leader of the Opposition, outlining in general terms the approach the government would take to the tenth anniversary of the seaway, which is June 26. We have written to various communities along the seaway drawing to their attention that the tenth anniversary is this summer. We hope to stimulate some recognition of this date in order that the people of the province may fully understand what the seaway has meant to this province, and we are encouraging various organizations, such as chambers of commerce and so on, to take part in the celebration.

We propose to feature the seaway and its advantages to Ontario on some of our promotional literature because it is a tourist attraction, among other things, so that, in the promotional material we put out this summer, this will be featured.

The federal government has announced plans to hold a ceremony on June 26 at "Man and His World" which we presume will be operating then, adjacent to the St. Lambert lock in Montreal. I think perhaps, everything going well, I might attend that ceremony myself. Also on June 26 there will be ceremonies to open a new lock in the Sault Ste. Marie complex of locks. We will have a representative there.

On June 16, ten days prior to the anniversary, the governors of the eight states plan to make an aerial tour of the seaway. The government is now attempting to arrange some form of entertainment for these eight governors at Upper Canada village, which—as members are aware—was created as a result of the seaway.

There will be a meeting here of all the governors sometime between now and June. We have met in various places and they will be meeting here to finalize these plans. Various naval vessels will sail up and down the seaway during this time to provide some form of colour and attraction so that we may draw this very significant event to the attention of as many people as possible.

Mr. Shulman: Will the Premier accept a supplementary?

Hon. Mr. Robarts: Oh, yes!

Mr. Shulman: Would the Premier inform me why the plans of this government were announced in the U.S. Senate rather than in the Ontario Legislature?

Hon. Mr. Robarts: I have not the vaguest idea what was announced in the U.S. Senate. If the member wants an intelligent answer to a supplementary question, he should include it in the original question and then I might be able to answer.

But I cannot answer that question because I do not read the proceedings of the United States Senate. I do know this, that what we propose to do has been communicated to the leader of the member's party, and to the leader of the Opposition. There is nothing secret in what we are doing, but it is all in a state of formation at the moment. I probably would prefer to make an announcement about it when the plans are complete, but I have given the member a progress report.

Mr. Shulman: Mr. Speaker, I have a question—

Mr. Speaker: The hon. member has a series of questions.

Mr. Shulman: I have a question for the Attorney General, I see it has been redirected to the Prime Minister.

The question is: when does the Attorney General intend to answer my question about problems in the division court, Mr. Speaker?

Hon. Mr. Robarts: Mr. Speaker, it so happens I have the answers which I propose to table to questions numbered 21, 22, 23, 24, 25, 26, 34, 39, 40, 41, 44 and 46 on the order paper, and I believe some of these questions to which the hon. member refers are contained in these.

[See Appendix, page 3097].

Mr. Shulman: I thank the Prime Minister.

I have a question for the Provincial Treasurer, Mr. Speaker.

Will Ontario government employees, carrying the London Life health plan, be covered to the extent of the new Ontario Medical Association fees?

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, the answer is no.

The present plan covers 100 per cent of the 1967 OMA fee schedule and those employees who have subscribed to the supplementary major medical plan will be able to claim the increased cost against the coverage. Provision of 100 per cent coverage of the new schedule of the OMA fees is dependent upon the outcome of current fringe benefits negotiations between the CSAO and the government.

Mr. Shulman: I thank the hon. Treasurer.

A question of the Minister of Labour: Why does Texas Gulf Sulphur pay a higher rate to the Workmen's Compensation Board, $4 per $100 payroll, than does INCO, even though Texas Gulf Sulphur has a lower accident rate?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, this question will require a fair amount of research and I would ask the hon. member to place it on the order paper for a written answer.

Mr. Shulman: I will ask that it be put on the notice paper, Mr. Speaker.

I have a question of the Minister of Energy and Resources Management: Has a "secret" report been prepared by the Ontario Water Resources Commission outlining plans to provide water and sewer services to the Langstaff area, as stated in the Toronto *Star* of April 12?

If there is such a report, will the Minister reveal its contents?

Hon. Mr. Simonett: Mr. Speaker, I will take the hon. member's question as notice.

Mr. Shulman: Mr. Speaker, I have a question of the Minister of Health:

Has the RCMP carried out investigations at the Ontario Hospital in Orillia regarding the sale of marijuana or hashish?

Did the RCMP apprehend one Vincent S. at the Ontario Hospital and lay charges against him in connection with the possession of hashish?

Hon. Mr. Dymond: Mr. Speaker, the RCMP did carry out an investigation on March 5, 1969, regarding the use of marijuana or hashish by several new members of the staff at the OHS at Orillia. One member of the staff was charged in connection with possession of hashish. He has just now been placed on suspended sentence as he was considered by the court to be an excellent rehabilitation possibility.

We placed him on suspension when he was apprehended by the RCMP. He has now been returned to duty, since our staff also consider him a good rehabilitation possibility.

Mr. Shulman: Will the Minister accept a supplementary question?

How widespread is the use of marijuana or hashish among the staff of the Ontario Hospital in Orillia?

Hon. Mr. Dymond: I cannot answer that question, Mr. Speaker.

Mr. Shulman: In the form of a further supplementary, does the Minister have a copy of the RCMP report?

Hon. Mr. Dymond: I do not, Mr. Speaker.

Mr. Shulman: Will the Minister obtain such a copy so that he will know what is going on in his hospitals?

Hon. Mr. Dymond: I do not really think it is indicated, Mr. Speaker.

Mr. Shulman: Mr. Speaker, I have a question of the Minister of Correctional Services:

Hon. A. Grossman (Minister of Correctional Services): I thought the member was going to neglect me today.

Mr. Shulman: We always finish off with this Minister.

Why has the Minister refused to reveal to the House the reason Stephen F. was transferred from Burwash to Millbrook?

Hon. Mr. Grossman: Mr. Speaker, I do not know how the hon. member can suggest that I refuse to answer his question. I answered it on April 2 as indicated on page 2985 of *Hansard* when I stated: "The inmate was transferred to Millbrook for reasons of security."

The hon. member asked me again the next day and I told him then at page 3030 that I had answered the question the previous day. I do not know how long you are going to permit this to go on, Mr. Speaker, but I am not going to have any other answer for the hon. member than the one I have given him.

Mr. Shulman: Mr. Speaker, will the Minister accept a supplementary question? Is the Minister willing to inform me privately if there is some reason he does not wish to state to this House the reason this man was transferred?

Mr. Speaker: Order! The hon. member for Wentworth has a question of the Prime Minister.

Mr. Shulman: Mr. Speaker, I asked a question. I believe he was about to answer it.

Hon. Mr. Grossman: Quite frankly, I have tried this before and it has not done any good.

Mr. Speaker: The hon. member for Wentworth might please place his question of the Prime Minister first.

Mr. I. Deans (Wentworth): Mr. Speaker, to the Prime Minister: when will a decision be announced in regard to the city of Hamilton's request that the Lieutenant-Governor-in-Council exclude the city's urban renewal scheme from inquiry proceedings as set out in The Expropriation Act?

Hon. Mr. Robarts: It is under consideration at the moment. I do not think it will be very long, in a few days.

Mr. Deans: I wonder if I might ask a supplementary question?

Hon. Mr. Robarts: Yes.

Mr. Deans: Could the Prime Minister tell me whether all of the interested parties were also advised of the city's application for this exclusion and were they given the opportunity to make representation?

Hon. Mr. Robarts: I really could not answer that question. I presume that the city having made the application, I do not think it is our responsibility; but I really do not know. I do not know what procedure has been followed in dealing with it.

I know it is presently under consideration and we hope to have an answer in a day or so.

The member might ask the Minister of Municipal Affairs, he could probably answer it.

Hon. W. D. McKeough (Minister of Municipal Affairs): I did not hear the question.

Mr. Deans: I will ask the Minister another day.

Mr. Speaker: The hon. member still has the floor.

Mr. Deans: To the Minister of Public Works: Can the Minister advise the House who has taken possession of room 347 on the third floor of this building?

Hon. T. R. Connell (Minister of Public Works): The government Whip!

Mr. Speaker: There is a point I would like to draw to the attention of the House. This room was reserved and supposed to be reserved for Mr. Speaker and *Hansard* debates and I also am interested in how it is being occupied otherwise. I shall take it up with the Minister of Public Works, because that is a *Hansard* room.

Mr. Deans: Mr. Speaker, I wonder if I might—

Interjections by hon. members.

Mr. Speaker: May I have the floor for a minute? This happened once before when Mr. Speaker made arrangements and I propose to see it does not happen a second time.

Mr. S. Lewis (Scarborough West): The austerity programme of the government Whip.

Mr. Speaker: The hon. member will continue with his questions.

Mr. Deans: To the Minister of Trade and Development.

Have negotiations with the city of Hamilton for water and sewer services for Saltfleet Mountain development been completed?

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I could hardly hear the hon. member for the interruptions of his own party, but I got the question so I will be glad to answer it.

The development plan will be presented to the Ontario Housing Corporation board of directors on April 24. If accepted, the plans will be presented to the municipalities involved after that date.

Mr. Deans: To the Minister of Health:

Will the Minister investigate a claim by Testor Corporation of Canada that allylisothiocyanate added to common aircraft glue effectively reduces its desirability for sniffing purposes?

If it proves effective, will the Minister take whatever steps are necessary to have its use made mandatory?

Hon. Mr. Dymond: Mr. Speaker, The Department of Health and the Alcoholism and Drug Addiction Research Foundation have been in close touch with the developments in regard to the use of additives in hobby cements. The department has assisted in the evaluation of such additives. The legislation on hazardous products, presently under review at the federal level, contains provisions for household products including hobby glues. It would be preferable, I believe, that this matter be considered on a national level, and

we are working closely with the federal government.

Mr. V. M. Singer (Downsview): Mr. Speaker, on a point of order.

My leader asked the Prime Minister a question earlier this afternoon: "When will the Premier call a by-election in the vacant constituency in Middlesex South?"

It was the Premier's answer that, as my leader should know, you cannot call one while the House is in session.

Now I did not think that that answer was correct and I have since checked, Mr. Speaker, with the provisions of The Legislative Assembly Act.

Mr. MacDonald: It is tradition, not a legal requirement.

Mr. Singer: There is a provision—no—there is a provision in The Legislative Assembly Act that says no writ shall be issued under sections 18 to 24 during the session of the Legislature.

Now sections 18 to 24 provide for vacancies in the case of resignations, disqualifications or various other ways other than death that happen to create a vacancy. Section 25 does not apply to a vacancy that results because of the death of a former member. Section 26 and subsequent sections apply to that case.

It would be my submission, Mr. Speaker, on this point of order, that the information was incorrect and that any time that a returning officer is appointed for the riding of Middlesex South, which can be any time that the Lieutenant-Governor-in-Council chooses to make that appointment, then the writ can be issued, whether the House is in session or not.

An hon. member: So?

Hon. Mr. Robarts: Mr. Speaker, I would extend my thanks to the member for that little bit of research and I will check it to make sure it is accurate. That is no reflection on the hon. member, I am quite certain it is correct, but I have always been of the opinion I stated earlier. It may very well be that we can, but I rather doubt that we would call a by-election while the House is in session. I do not know whether this would be any incentive to the members to make shorter speeches in the estimates or not, but if it would encourage a little less verbosity then I might say: "Well, let us get the session over and we will see what we will do about the by-election."

An hon. member: I do not think the Premier is too—

Mr. Speaker: The hon. member for Wentworth has a further question.

Mr. Deans: Yes, Mr. Speaker, with regard to question 1146, I would prefer to hold it for another day. I have had a report brought to my attention. I would like to read it before I ask the question.

Mr. Speaker: The hon. member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, I have a question for the Minister of Labour.

Does the Minister intend to prosecute those employers who breach the minimum wage laws and The Labour Standards Act, even though the employers after investigation pay the minimum wage?

In view of the statement attributed to R. Michael Warren that the minimum wage is not "a fair or living wage", as reported in this morning's Toronto *Daily Star*, is the Minister considering legislation to increase it in order to protect non-union employees?

Hon. Mr. Bales: Mr. Speaker, in answer to the question from the hon. member for Dovercourt: each case is determined on its merits, based on the facts uncovered in a particular investigation. So each would be dealt with individually.

In reference to the second part, the effect of the recent changes in minimum wage is being checked through continuing surveys, but because there was an incerase of 30 per cent only three and a half months ago, I would not anticipate any increase for at least a year.

Mr. Speaker: The hon. member has a question of the Minister of Health which was placed for him before the session rose for the recess.

Mr. De Monte: I do not have a copy of that question, Mr. Speaker.

Mr. Speaker: Perhaps the Minister has the question; it is No. 1108, about microbiologists. Perhaps if the Minister has the answer, he will read the question also and then we will have it cleared.

Hon. Mr. Dymond: Mr. Speaker, the hon. member for Dovercourt asked the question: How many microbiologists are on the payroll of The Department of Health? What are their

duties in Ontario and where are they employed?

The answer: (1) Fifty-nine.

(2) Forty-six are employed in Toronto laboratory as follows: two administrative and supervisory; nine research and diagnostic virology; three diagnostic mycology; one diagnostic parasitology; four enteric bacteriology reference work; two special vacteriology reference work; seven clinical vacteriology; two sanitary bacteriology; three TB bacteriology; two quality control; five diagnostic serology and immunology; three research serology and immunology; three microbiologists in training.

Thirteen are employed outside Toronto as follows: one Fort William, administrative supervisory and diagnostic; one Kenora, administrative supervisory and diagnostic; two Kingston, one administrative and supervisory, one supervisory and diagnostic; two London, one administrative and supervisory, one supervisory and diagnostic; one North Bay, administrative, supervisory and diagnostic; one Orillia, supervisory and diagnostic; three Ottawa, one administrative and supervisory, two supervisory and diagnostic; one Sault Ste. Marie, administrative, supervisory and diagnostic; one Windsor, administrative, supervisory and diagnostic.

Mr. Speaker: The hon. member for Thunder Bay was on his feet some little time ago, he has a question.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I have a series of questions for the Minister of Tourism and Information.

Why is it going to take until 1975 to complete the plans for development of Algonquin Park?

Who are the civil servants and experts appointed to the task force to research this programme?

When will the interim revised provincial plan be completed and who will be engaged in its preparation?

Will the interim revised plan be submitted to the committee of tourism and resources during this session?

Why did the dean of the faculty of forestry of the University of Toronto decline to participate in the development of the plans for the park?

Will the Minister actively participate in the preparation of the interim revised provincial plan to ensure that the primary use of the park as a recreation area will be paramount?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, all the questions except the last one, I think, should properly be sent to the Minister of Lands and Forests (Mr. Brunelle) who has charge of Algonquin Park. I did not have an opportunity to get in touch with him before the House this afternoon but perhaps he will be able to reply tomorrow.

The other question: "Would the Minister actively participate in the preparation of the plan?" The Minister of Tourism and Information is vice-chairman of the parks integration board and no doubt would be involved in any plan that is produced regarding parks.

Mr. Stokes: As a supplementary, has the Minister himself, or anybody in his department, been actively involved in the preparation of the interim plan that will govern until the final plan has been brought in in 1975?

Hon. Mr. Auld: I do not know that I can answer that definitely. I would simply say this, that I have been aware of the plan that has been being evolved by The Department of Lands and Forests.

Mr. Stokes: As a supplementary, will the Minister assure the House, in the interests of the people of Ontario, that the park will be used primarily for recreational purposes; or is he concerning himself about that aspect of the operation of the park?

Hon. Mr. Auld: Mr. Speaker, I think I answered that when I mentioned the parks integration board's activity.

Mr. Speaker: Will the hon. Minister of Lands and Forests take this question as notice for tomorrow if I transfer it to his office.

Hon. R. Brunelle (Minister of Lands and Forests): I will be pleased, Mr. Speaker, to reply to it tomorrow.

Mr. Speaker: The hon. member for Port Arthur.

Mr. R. Knight (Port Arthur): Thank you, Mr. Speaker. I have a question for the Minister of Municipal Affairs. In view of the importance of the Minister's meeting with the officials at the Lakehead on Thursday to discuss the details of the bill to incorporate the Lakehead city, is the Minister prepared to change the place of the meeting in order to accommodate as many people as wish to attend?

Hon. Mr. McKeough: Mr. Speaker, I would just say to the hon. member that it is not

my intention to do so. Perhaps by way of background, I might say that I assume the inter-municipal committee determined where they would hold their meetings. When I was there the meetings in the past have been held in the Fort William city hall, which holds, I am told, up to 250 people. The intent of the meeting on April 17, the draft legislation having been gone over with the inter-municipal committee, is now to go over the legislation item by item with all the councils of the four municipalities, with their officials, and with members of the boards and commissions of the Lakehead who may be affected. Press and radio media, of course, will be there. We will go over each item, item by item.

I am told that provision has been made to ensure that there is proper room, I think with tables, for all these people. If there is sufficient room left over for members of the public who would like to attend, seats will be available for them. Whether there will be enough or not, I do not know. This meeting is not intended as a debate, if I can put it that way, on second reading. It is a committee meeting, if I can in turn put it that way, to go over the bill, item by item, and discuss and explain each section of it to the councils involved.

Mr. Speaker: The hon. member has a further question.

Mr. Knight: Mr. Speaker, I have a question of the Minister of Transport. Does the Minister have any reports of Class A mechanics who have accepted a fee and given out certificates of mechanical safety to owners of vehicles not previously registered in Ontario, without performing the necessary mechanical checkup, as required by The Highway Traffic Act? What is the Minister doing to ensure that this law is being properly enforced?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, no specific violation of the nature mentioned by the hon. member has come to my attention, but any report of malpractice of this kind reaching our department is immediately investigated and if it is found to have any substance, the result of the investigation is turned over to the police. On conviction of such an offence the mechanic's certificate could be cancelled, and he would be subject under section 49 of The Highway Traffic Act to a fine of from $50 to $300. Anyone having any suspicion of an offence of this kind occurring should notify our department.

Mr. Speaker: The hon. member for Oshawa was on his feet a moment ago.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, a question of the Minister of Labour. Further to the Minister's reply on February 12, 1969, to my question concerning The Ontario Labour-Management Arbitration Commission Act, 1968: when will the Act be proclaimed?

Hon. Mr. Bales: Mr. Speaker, in reply to the question, we are in the process of completing our arrangements for the personnel of the commission, and I expect to be able to make an announcement within the next two to three weeks.

Mr. Speaker: The hon. member for Sudbury East was on his feet.

Mr. E. W. Martel (Sudbury East): A question of the Minister of Lands and Forests. For how many lots in Broder and Dell townships does The Department of Lands and Forests receive provincial land tax? How much was collected in provincial land tax last year from Broder and Dell townships?

Hon. Mr. Brunelle: Mr. Speaker, if I may I would like to take this question as notice and reply either the next day or the day following.

Mr. Speaker: The hon. member has another question of the Minister of Energy and Resources Management.

Mr. Martel: I am not going to present this question, today, Mr. Speaker, after the way in which it has been emasculated.

Mr. Speaker: I would point out to the House that what happened was that the Speaker took out a very long preamble—stating facts which, according to our rules, are not allowed and which I do not propose to allow in the future—and left the question in; the question as it is is quite understandable. It does not, perhaps, produce the impact that the member wishes, but it is a proper question.

Mr. Martel: Mr. Speaker, without the preamble the question is meaningless.

Mr. Speaker: The hon. member will have to rearrange his question so that he has not facts and not allegations, but a question.

The hon. member for Riverdale was on his feet.

Mr. J. Renwick: Mr. Speaker I have a question of the Minister of Financial and Commercial Affairs. Why was trading in the shares

of Bramalea Consolidated Development Limited halted on the Toronto Stock Exchange yesterday? Was it by direction of the exchange or by direction of the Ontario Securities Commission? What was the information, which was not available to the public, which led to the halt in trading?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): I will take the question as notice.

Mr. J. Renwick: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Will the Minister table the agreement between the Ontario Water Resources Commission and Chinguacousy township? Was the Ontario Water Resources Commission involved in the negotiations between Bramalea Consolidated Developments Limited, Chinguacousy township and Ontario Housing Corporation?

Hon. Mr. Simonett: Mr. Speaker, I will take the hon. member's question as notice.

Mr. J. Renwick: Mr. Speaker, I have a series of questions for the Minister of Trade and Development.

Will the Minister table the agreement between the Ontario Housing Corporation and Bramalea Consolidated Developments Limited, with Chinguacousy township?

What was the price per acre paid by the Ontario Housing Corporation to Bramalea for the 263 acres?

Why was Bramalea able to sell these lands to Ontario Housing Corporation at this price?

How much additional acreage does Bramalea own in Chinguacousy township to the knowledge of the Minister?

Who conducted the negotiations for the purchase of this acreage from Bramalea on behalf of the Ontario Housing Corporation?

Was any other department or agency of government involved in the purchase?

Hon. Mr. Randall: Mr. Speaker, I got the questions about 1 o'clock; the House opened at 2. I am having my staff get the information and I will get it for the hon. member.

Mr. J. Renwick: Perhaps, if it is agreeable with the Minister, I could place a supplementary question which I should have included as part of the question, and he might consider it as well.

Is it, in fact, true that the 1,039 lots south of Highway 7 are going to be constructed by Bramalea rather than to have the Ontario Housing Corporation call for proposals from a number of builders for the construction of those units?

Hon. Mr. Randall: I will get that too, Mr. Speaker.

Mr. Speaker: The hon. member for Timiskaming was on his feet.

Mr. D. Jackson (Timiskaming): Yes, Mr. Speaker, I have a question for the Minister of Social and Family Services. Will the department take immediate steps to ensure that recipients of welfare and other security allowances will not be turned out of their homes on Mastermet property at Cobalt due to their inability to raise the $1,000 payment demanded by the mining company?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I shall take the question as notice.

Mr. Speaker: The hon. member for Scarborough Centre has a series of questions.

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, four questions of the Minister of Health from April 3:

Will the Minister direct the superintendent of Brockville Psychiatric Hospital to use regular nursing staff trained in electro shock duty, instead of rotating staff sometimes untrained in electro-shock assistance, as both the Minister and superintendent spoke at the health committee of having regular nursing staff in attendance when electro-shock treatment was given to mental patients?

Hon. Mr. Dymond: Mr. Speaker, the answer is no, I will not so direct the superintendent, since he must take responsibility for his own professional actions, as must every other doctor carrying out any kind of treatment. I leave these matters entirely to the good judgment of the doctors in charge of the work because they must, in the final analysis, take full responsibility for their actions.

Mrs. M. Renwick: A question of the Minister of Health.

In the coming "thing" that the Minister spoke of recently—the use of private investment in nursing homes—does the Minister see government subsidy, or government participation, with these private investors?

Was the government asked to participate in these ventures or was some proposition made to government to participate?

Is this matter under consideration?

Hon. Mr. Dymond: Mr. Speaker, the answer is no, we do not see government con-

struction grants in these matters. Indeed this was not even asked for by the proposed builders. They seem to have no scarcity of money and seem to be quite aware of where they could find unlimited funds for the construction. They only wanted to be sure that the regulations were such that the undertaking would be worth their while.

No hard or fast proposal was made to us. They were really seeking information more than anything else.

Mrs. M. Renwick: A question to the Minister of Health.

What doctor vacancies are available on the staffs of mental hospitals in Ontario, outside of the three vacancies the Minister spoke of March 26 at the Brockville Psychiatric Hospital?

Hon. Mr. Dymond: The vacancies existing in our hospital system are as follows:

One psychiatrist; four physicians, 4a; four physicians 4c; three physicians, 3; five physicians, 4; 12 psychiatrists, group 3; and two psychiatrists, group 2; a total of 31, Mr. Speaker.

Mrs. M. Renwick: May I ask a supplementary question, Mr. Speaker? Would the Minister advise me where these vacancies are?

Hon. Mr. Dymond: Mr. Speaker, I will have to get that information for the hon. member and will produce it.

Mrs. M. Renwick: A question for the same Minister, Mr. Speaker.

Is regular staff trained in electro-shock treatment being used in all other mental hospitals in Ontario other than the Brockville Psychiatric Hospital?

Hon. Mr. Dymond: Mr. Speaker, those giving this treatment assure me that it is.

Mrs. M. Renwick: I have eight questions, Mr. Speaker, for the Minister of Trade and Development from April 3:

(a) What is the delay in the release of placements at Ontario Housing Corporation at the McCowan and Eglinton Road high-rise development in Scarborough?

(b) If they are released now to placements, when was this done?

(c) On what date was the construction of these units completed?

(d) How many units will be available when the release is completed? How many are available now?

Hon. Mr. Randall: Mr. Speaker, there is no delay in the release of units for the placement of applicants at the McCowan and Eglinton Road development, as this building has not yet been satisfactorily completed to a point where the units can be made available for occupancy.

It has reached the stage of substantial completion, and the building is now in the process of being inspected by Ontario Housing Corporation's construction department. If found satisfactory for takeover, it will be available for placement within the next two to three weeks.

This development comprises a ten-storey, high-rise elevator building of 198 suites of the following sizes: one BR, 55 units; two BR, 112 units; three BR, 21 units; four BR, 10 units.

Mrs. M. Renwick: Would the Minister accept a supplementary question? A portion of the building is completed—the construction is completed, but the inspection is not completed—is there not a delay in that particular process? When was construction finished?

Hon. Mr. Randall: Well, as I understand it, construction has not been entirely completed, and we will not consider it completed until we have made inspection. I think also I can refer to the difficulties some of the people have had in moving in to private apartments that have not been completed. As the member knows there was a tenants' strike here not too long ago. People moved in and the services were not there, and they gave the landlord quite a tough time.

Now we do not think we would have any difficulty, but we want to make sure the buildings are finished. We are moving people in as quickly as they are finished, I can assure you.

Mrs. M. Renwick: Would the Minister accept a supplementary then? I wonder if you would tell me what date the portion was completed that is now being inspected?

Hon. Mr. Randall: I cannot tell you, but I will be glad to get the information for you.

Mrs. M. Renwick: A question of the Minister of Trade and Development.

In the Ontario Housing Corporation development scheme, is a development planned at McGill and College for the elderly? If so, how many units are to be constructed and by when?

Hon. Mr. Randall: I wonder, Mr. Speaker, if the hon. member would like to ask the

other three questions that go with it, because it is all related to the same thing.

Mrs. M. Renwick: A question of the Minister of Trade and Development.

1. Does the land for the proposed development by Ontario Housing Corporation of units for the elderly at McGill and College Streets belong to the Rubin Corporation?

2. How many Ontario Housing Corporation contracts have been let to, or are in some way involved, with the Rubin Corporation to date?

3. Is it the Rubin Corporation who have the contract for the McGill and College Street site? If not, are they involved in any way?

Mr. Speaker: There is one more—No. 1130—along the same line.

Mrs. M. Renwick: To the Minister of Trade and Development.

Was the development of Ontario Housing Corporation at McGill and College Street put out to public tender and, if so, in what fashion?

Hon. Mr. Randall: Mr. Speaker, all the senior citizens' housing in the city of Toronto is let by the Toronto Metropolitan Housing Authority, which is the Metropolitan government. We have nothing whatever to do with it.

I cannot answer those questions, except to say that all we do in this case is make a $500 donation per suite. Who the contractor is and the other information you asked for, we would not have that.

In so far as these other questions are concerned—you asked how many OHC contracts Rubin has—there are 14 contracts with Ontario Housing Corporation, and two contracts with the Ontario Student Housing Corporation.

I think the other one is 1126—this was with reference to the delay of completion by construction companies of Ontario Housing Corporation units and their release to the public—and again I can say that to the casual observer it may appear that a building is ready for occupancy because the outside has a completed look. However, there may well be a number of uncompleted items within the building or deficiencies that need to be corrected before the building is fit for habitation.

I can assure the hon. member that any apparent delays that may occur from time to time are due to these circumstances and certainly not because of any dragging of feet by the Ontario Housing Corporation.

Mrs. M. Renwick: Mr. Speaker, on a point of order, may I just draw the Minister's attention—

Mr. Speaker: Perhaps the member might ask her other two questions before he answers them.

Mrs. M. Renwick: And not answer the question?

Mr. Speaker: Yes, perhaps the member would do that.

Mrs. M. Renwick: Asking question 1126, Mr. Speaker, of the Minister of Trade and Development: What is the reason for the long delay, often several weeks, between the completion by construction companies of Ontario Housing Corporation units and their release to the public?

A question of the same Minister, Mr. Speaker: What empty units of Ontario Housing Corporation are there in Toronto completed by the construction company but either not yet released to Ontario Housing Corporation placement department, or released to placement and not yet occupied by families?

Hon. Mr. Randall: Mr. Speaker, I was under the impression those questions were asked earlier but I will answer them.

In answer to question 1126, I say again, to the casual observer it may appear that a building is ready for occupany because the outside has a completed look. However, there may well be a number of uncompleted items within the building or deficiencies that need to be corrected before the building is fit for habitation.

I want to assure the hon. member that any apparent delays that may appear from time to time are due to these circumstances and certainly not because we are delaying things at the Ontario Housing Corporation.

In answer to question 1131, there are no new Ontario Housing units in Metropolitan Toronto unoccupied, which have been completed by the construction company to a point where they can be occupied, other than those new units which have been committed and allocated to families and where the families are in the process of completing their moving arrangements. The hon. member will understand that there is usually some short time lag between the date of completion and date of occupation, but this is quite minimal and usually amounts to only a few days.

Mrs. M. Renwick: Would the Minister accept a supplementary question?

I would like to ask, Mr. Speaker, if the Minister is aware that this McCowan Road and Eglinton development is the other half of the development that I had the experience of uncovering at election time? It was finished for three weeks and not occupied, and I am getting concerned now that the same thing might be happening with the high-rise section of it. They were completed except for inspection. But then on my raising this issue publicly, they were inspected immediately. They were released the next day to placement, and I am concerned about the same thing happening now with the other units. I wonder if the Minister would give it his attention?

Hon. Mr. Randall: Mr. Speaker, all I can say is that I will take a look at the situation and see if there is any delay there. But I am assured by my people there is not, and if there are any specific cases that the member can point out to me, I will be glad to investigate them.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, before I ask my questions of the Minister of Mines, I wonder if the Minister of Energy and Resources Management has an answer to the question of, I think it was April 3, concerning the Ontario Northland Railway in connection with smelting. I wonder if he would answer that now?

Hon. Mr. Simonett: Mr. Speaker, the hon. member's question was:

> Has the Ontario Northland Railway made a study to determine the significance to the railway if the Texas Gulf smelter is built in Porcupine?

The answer is that general studies have been made concerning the possibility of the smelter being constructed in the Porcupine area, but not detailed studies. This is not possible until volume and products are decided.

The second part of his question:

> If so, will it make any appreciable difference to the financial position of the Ontario Northland Railway if the Texas Gulf smelter for zinc is built in the Porcupine area rather than elsewhere?

The answer: Transportation studies have indicated that Ontario Northland Railway revenues would equal or possibly exceed present revenues from Texas Gulf operations.

Mr. Ferrier: Thank you. Mr. Speaker, a question of the Minister of Mines. Has the feasibility for the copper smelter been completed for Texas Gulf Sulphur and is the Minister in negotiations with the company on this smelter?

Will a decision be announced as to the locations of both the zinc and copper smelters at the same time or will they be made separately?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, the copper smelter feasibility study, I am informed, has not yet been completed for the company, although it is expected before too long.

In answer to the question of whether an announcement will be made as to location of both the zinc and copper smelters at the same time; my expectation would be that they would not be made at the same time. They are dealing with quite different economic matters and quite different government policy matters.

Mr. Speaker: The hon. member for Peterborough has a question.

Mr. W. G. Pitman (Peterborough): Yes. The question, Mr. Speaker, is for the hon. Minister of Municipal Affairs. Will the Minister indicate whether he is prepared to amend The Planning Act in such a way as to block the separation and development of land by means of conveyances by way of gift transfer, thus allowing undesirable residential development in rural areas?

Hon. Mr. McKeough: Mr. Speaker, the amendments to The Planning Act will be brought into the House in due course.

Mr. Pitman: I wonder if the Minister would accept a supplementary question?

Could the Minister give any advice to municipalities as to how they can stop this from happening in this interim period between now and when this legislation comes down, because they are attempting to do exactly what the Minister wants them to do, to keep their development close to urban areas and to stop the kind of fragmentation which is taking place.

Hon. Mr. McKeough: No, I have no particular advice, Mr. Speaker.

Mr. Speaker: The hon. member for Beaches-Woodbine has a question which was not asked. Does he wish to clear it off?

Mr. J. L. Brown (Beaches-Woodbine): No, I would just as soon leave it for a time, thank you.

Mr. Speaker: All right. The hon. member for Sarnia asked a question—

Mr. J. E. Bullbrook (Sarnia): April 3, sir.

Mr. Speaker: Yes, before the recess, of the Minister of Trade and Development. Perhaps the Minister has the answer today.

Hon. Mr. Randall: Yes, Mr. Speaker. I also have one here from the member for Parkdale (Mr. Trotter). I do not know if he asked the question in the House or not, but I see he was here earlier. I will be glad to answer that one also.

In answer to the hon. member for Sarnia:

1. Ontario Housing Corporation has entered into 34 contracts with Headway Corporation Limited or associated companies—Headway Builders (Sault) Ltd., and Headway Builders (Ontario) Ltd.

2. All contracts were awarded on the basis of "builder proposal" submissions, the technique applied by the corporation almost exclusively throughout Ontario. Under this method the lowest proposed prices received do not necessarily reflect the best value to the corporation. All proposals are exhaustively analyzed by the professional staff of Ontario Housing Corporation with particular emphasis upon design, livability, structural quality, long term maintenance considerations and site layout. All proposals are appraised having regard to the foregoing considerations. Notwithstanding this, all but six (6) of the contracts awarded, Headway Corporation Limited, or its associated companies, to date were, in fact, the lowest prices received.

Mr. Bullbrook: By way of supplementary, Mr. Speaker, I am wondering if the Minister has any knowledge of any corporation that comes close to 34 in dealing with the Ontario Housing Corporation?

Hon. Mr. Randall: We have one or two builders who have made it almost a profession to do business with the Ontario Housing Corporation because of the fact that they can go into many areas with these contracts, where we have difficulty sometimes, as you would recognize, getting a contractor in smaller towns.

In fact it is probably just as well to read in some of the areas this company has been into.

At the moment they have been into Armstrong, Almonte, Barrie, Blind River, Brockville, Calvert, Espanola, Fort Frances, Fort William, Kenora, Leamington, Longlac, Meaford, Midland, Mitchell, North Bay, Neelon and Garson, Orangeville, Orillia, Owen Sound, Penetang, Port Arthur, Peterborough, Sarnia, Teck Township, Tillsonburg, Timmins, Sturgeon Falls. These are areas where we would have great difficulty in getting a builder proposal and—

Mr. Bullbrook: They have a happy relationship with four corporations.

Hon. Mr. Randall: Well I am glad to have them because these are the kind of people we like to have. We would like to have a few more like them.

Interjections by hon. members.

Mr. Bullbrook: Before the orders of the day, Mr. Speaker, may I say that I do not know whether I am having hot flashes, but it is absolutely stifling in these Chambers. I am just wondering, as the advocate of our amenities, if you could get some windows open please? We will probably be here till midnight.

Mr. Speaker: I shall ask the public works people to speak to the member, because it is a very difficult problem. If the windows are open then something else does not work and so on. So, I will try and have them explain all this to the member and see what we can do.

Hon. Mr. Robarts: Mr. Speaker, prior to the Easter adjournment the hon. member for Beaches-Woodbine (Mr. Brown) asked me who acted on behalf of the St. Faith Lodge Board in five negotiations with The Departments of Health and Public Welfare, for the government takeover of the Warrendale complex. He asked if I was aware that at the time the negotiations were under way, that this gentleman was not a *bona fide* member of the board. I took this question as notice. I have since ascertained that negotiations between the lodge and the government involved only The Department of Public Welfare as it then was; The Department of Health was not involved. As far as I can ascertain Mr. Robert A. McNair, acted for St. Faith's Lodge and he was, at that time, president of the board.

In answer to the second part of the question: No I was not aware of that. Of course, negotiations in fact resulted from a letter sent to The Department of Public Welfare by the president of the board of St. Faith's Lodge, whose actions were endorsed by the board.

There is a resolution upon the file which states:

> Be it resolved that in order that suitable arrangements be made for the continued care of the children at Warrendale, the president of the corporation is hereby authorized to request the Minister of Public Welfare to immediately take steps to assume complete control over the operations and management of Warrendale.

So, as I go back, this was the authority on which these things were done.

Hon. Mr. Yaremko: Mr. Speaker, following up that question I have somewhat similar questions that were asked:

> With whom did the Minister negotiate for the replacement of staff in the Warrendale complex in 1966? Is the Minister aware that the individual involved was not a *bona fide* member of the board?

My answer relating to this question is as follows: the Minister of this department at that time, acting on the written request of the board of directors of St. Faith's Lodge, assumed responsibility for all the rights and authority possessed by that board which included, of course, responsibilities relating to employees. The request from the board of directors resulted from a resolution which was passed by the executive committee of the board, confirmed by the full board of directors and certified by the secretary of the board.

Hon. Mr. Dymond: Mr. Speaker, in the same context the hon. member for Beaches-Woodbine asked questions of me on the same day.

Question 1073: "Has the Elizabeth F. Brown Memorial Camp been purchased by The Department of Health?" The answer is no. "If not, is the department paying for the rental?" The answer is no. "Does the department have a contract for the use of the camp?" Again, the answer is no, Mr. Speaker. However, the board of directors of St. Faith's Lodge Incorporated requests that the government of Ontario assume the responsibility for the operation of Warrendale, including the camp at Minden.

Question 1074, which the hon. member also put: "On whose direction did The Department of Health direct the occupation of the Warrendale complex building in Etobicoke?" The answer, the board of directors of St. Faith's Lodge Incorporated.

"Who currently administers the programme there?" The answer, Dr. J. D. Atcheson, superintendent of Thistletown hospital.

"What are the costs for repair and administration of the building?" To date, $30,000 has been expended for necessary repairs. The costs of the administration of Warrendale are included in the appropriation for Thistletown hospital.

"Who bears these costs?" The province of Ontario through The Department of Health.

"Why is the department using these facilities if they are not owned or rented by the department?" The answer: the board of directors of St. Faith's Lodge Incorporated requested the government so to do.

Mr. Speaker: Orders of the day.

Clerk of the House: The 29th order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, THE DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2001.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, when we recessed April 3, I was endeavouring to point out that the board of review is, in fact, useless under its present regulations. One of the most hamstringing of its regulations, is the fact that the recipient is the person who must ask for form 6, and the recipient does not know that there is a form 6 available. Under the regulations, section 15, item 5, copies of form 6 may be obtained from the director by any applicant or recipient on request therefore.

Now, Mr. Chairman, when the recipients and the applicants do not know that they have a right to appeal, and they do not know about form 6, this in fact negates the whole purpose of a board of review. I was trying to point out, under vote 2001—and I believe you were concerned, Mr. Chairman, as to whether the material I was using should have been properly dealt with under vote 2002—but I was pointing out that the material I was dealing with had with it three letters from the administrative offices of The Department of Social and Family Services.

Three government letters dealing with a flagrant case of mis-administration at the local level, in the Windsor-Essex area; three letters from Queen's Park trying to sort out what had happened in this particular case, pointing out the rights to the recipient—yet nowhere in these letters, over a period from December through to February, was the applicant advised that there is a board of review, or that there is a form 6.

The applicant does not know about the form 6.

The Social and Family Services Department knows that there is a severe problem for the applicant because they did, in fact, in the long run, put this family on mother's allowance and full benefit.

Yet nowhere in their contact with the highest echelon of the services was there any discussion about the fact that the recipient could have simply taken her case to a board. And she could have done so a long time back, Mr. Chairman, when the case was first brought to the attention of the department at the local level.

Now, a useless board of review is not what the federal government had in mind when they stipulated that a board of review must be part of accepting Canada Assistance Plan money.

The federal government expected a tribunal, and this particular board of review negates any opportunity of a tribunal, by allowing a section—section 15A, item 1—whereby the chairman may authorize one member of a board of review to conduct a hearing and to report to the board. Such member has all the powers of the board for the purpose of such hearing.

Then it continues, Mr. Chairman, to say that with the agreement of two other members, this might be the result of the hearing. But the point is, there is no tribunal when one person sits on the board on the local level.

A tribunal was held Wednesday and Thursday of last week in Peterborough, and three minds and three people came to that tribunal, on the board of review. Also an observer, I believe. But, unless there are three people there is no tribunal, and the government is wrong in interpreting this type of regulation on what a board of review really is. It is certainly wrong as far as the federal government is concerned.

The recipients are not the only people who do not know what a form 6 is or what a board of review is. During the recess I dealt with actual cases of where assistance had been cut off or lowered. In speaking with the North York administrative offices of welfare, I asked that a form 6, be mailed out to a lady who had been cut off welfare so she could appeal it.

But no one in that office, Mr. Chairman, knew what a form 6 was. They brought forth a pink form, a municipal form of application. That prompted me to check. On April 9 we checked eight municipal welfare offices to find out if they had copies of form 6, the application for the welfare review board.

This was the response: in Oshawa, no; Ottawa, no; Niagara Falls, no; Hamilton, no; Cornwall, no. One office in Metropolitan Toronto said: "I think we have one around, but it is not here now." Metropolitan Toronto District D2, no; Metro Toronto District C, no.

Of eight offices contacted, seven admitted that they have no form 6 and had never been sent any by the provincial government.

Now, Mr. Chairman, I would ask the Minister to comment on this particular situation. It is bad enough that we wasted—or spent, not wasted—something like six hours. But to spend six hours on this board of review because the Minister or any member of the Cabinet failed to recognize that what had to be put in in order to accept the moneys from Ottawa was a proper tribunal, a proper system where every recipient of welfare would be advised that there is such a form 6 to be filled out.

In this day of civil liberties and civil rights, it is shocking to think that anybody would set up a board of revew like this in Ontario. It is shameful to me, as a legislator for Ontario to compare this with some other provinces and in such an enlightened aged to completely hamstring a person's civil rights is unforgiveable. I think we have to understand exactly how this government thinks the board of review is going to work.

Mr. Chairman: Does the hon. Minister wish to respond to this particular question or shall we continue with the board of review at this time?

Hon. J. Yaremko (Minister of Social and Family Services): Is there any further discussion?

Mr. Chairman: Is there any further discussion on the board of review before the hon. Minister replies? The hon. member for Beaches-Woodbine.

Mr. J. L. Brown (Beaches-Woodbine): I would like to put some questions specifically to the Minister on the board of review. I would assume that in the negotiations between the provincial and federal governments over grants, there was a reason why a review board was part of the requirement of that financial arrangement and I wonder if the Minister would tell the House what the purpose of the review board was initially? Why is a review board required?

Hon. Mr. Yaremko: Mr. Chairman, the Canada Assistance Plan legislation, section 6, subsection 2, further subsection (e) says:

> Will ensure the provision by law, not later than one year from the effective date of the agreement, of a procedure for appeals from decisions of provincially-approved agencies with respect to applications for assistance, or the granting or providing of assistance by persons directly affected by such decisions.

I take this opportunity of saying to the hon. member for Scarborough Centre we have fully complied with the terms of the Act and the agreement.

Mr. Brown: What I am trying to get at, Mr. Chairman, is, why is there that provision? What was the federal government intending when it established the condition of a review board? There must be some purpose behind it; it was not just an idle waste of time. What is the purpose of a review board?

Hon. Mr. Yaremko: I think the purpose, Mr. Chairman, is self-evident from the reading of subsection (e).

Mr. Brown: Perhaps it is. I would assume that since the Minister himself does not care to go into it, the purpose of the review board was to protect the public funds that are granted to the province from being misused, or to protect people who are eligible for assistance under these schemes against not receiving proper attention by the province. In other words, the federal government attempted to set some standards for the administration of these funds.

I then raise the question: Why is there such a reluctance on the part of The Department of Social and Family Services to comply with this? And I come to the point that it appears—and the more I have listened to the Minister and the more I have watched this discussion in the Legislature, the stronger I get this impression—that there is a fear on the part of the department that there may be a large number of unsatisfied customers who normally would wish to have some appeal or review. I wonder if the Minister would estimate out of the recipients of these programmes, the number that he thinks would be dissatisfied and require some appeal or review. Does he have some idea?

Somewhere along the line in the work of his department, the staff must have sat down and estimated roughly the kind of percentages of recipients you would anticipate would be wanting this kind of review. They would constitute a variety of persons; some of them would be realistically abused and some of them would have other dynamics or factors that would lead to them making these kinds of appeals. I wonder what the estimate of the department is in this regard.

Hon. Mr. Yaremko: Mr. Chairman, there is no estimate. This is a completely new field and a new undertaking; we are venturing into a whole new concept and the future will bring forth whatever this concept is set out to look after.

Mr. Brown: But the Minister must have some idea—from his field work and his feedback and the care with which he approaches these problems because he is dealing with human beings and human beings who are in great need—of some sort of an estimate of the kind of dissatisfaction which exists. Surely somewhere in the department someone has idled away a moment or two to calculate some sort of a guesstimate on this. Is there no estimate at all?

Mr. Chairman: I think the hon. Minister has answered that question.

Mr. Brown: Thank you.

If there is no estimate and there is no anticipation that there will be a certain percentage of customers who are unsatisfied, if I might put it that way—people who feel their needs and their rights have not been justifiably dealt with by the department, and we have evidence supplied to the Legislature that indeed this is true in a relatively large number of communities; I would suspect it is true throughout the province—then I think we have to look a little further. If the federal government was trying to protect the taxpayers' money in setting up a review board, if the provincial government is lax and late and unenthusiastic about providing this vehicle, if it fails to inform the recipients of service that such a vehicle exists, then we must be dealing with an underlying philosophy that is counter to the principles of the review board as set down in the federal legislation.

However much you may adhere to it within the letter of the law, the basic philosophy underlying your approach seems to be one that I think has a great bearing on the quality and level of assistance given in the province, community by community. From Queen's Park and from this department comes the basic attitude towards service to these people; it sets the stage, it creates the atmosphere within which staff are employed and carry out their duties. My impression from what I have heard here, from the response

of the Minister, from what I know from first-hand information from being in the field of social welfare myself, is that there is a general underlying attitude of, "Let us make things tough for the people who apply. Let us discourage them from receiving benefits under this particular Act. Maybe if we give them a hard time, they will go away, they will disappear."

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, my understanding is that major remarks of a broad general nature would be made by appropriate speakers from each party. It would seem to me that the hon. member is now embarking on that particular type of speech, and his remarks are not directed to any specific item within the estimates, which I believe we are now discussing, Mr. Chairman.

Mr. Chairman: With respect to the hon. Minister, the Chairman is guided by the practice that has taken place in the committee for several years past. To my knowledge there is an absence of any rule as to what may or may not be discussed in committee of supply, as long as we are in the general area of the particular item under discussion. We are dealing with vote 2001, which includes the board of review, and I find no basis for ruling the remarks out of order.

Mr. D. C. MacDonald (York South): If the Minister would answer a few questions, we might get this issue settled.

Mr. Brown: My point in this, Mr. Chairman, is precisely to get at the underlying philosophy that permeates this department in this area of welfare, and that underlies the failure of the department to act, first of all in establishing the board of review, secondly in making the services available to the recipients of welfare in the province, and thirdly in seeing to it that each person who comes with an application, or who is now a recipient, is made fully aware of his rights under this particular provision. Doubly so is that important when we realize that there is this basic attitude, this basic hostility to the people who are forced by circumstances beyond their own control to make application for assistance under these programmes.

Obviously there is a real need. It is recognized on the part of the federal government, which attempts to supply funds to the provincial government to administer them, and sets up provisions to protect the taxpayers' money, and the Minister of Social and Family Services seems to make light of this kind of provision.

We find when we look at this that social welfare is taken back, not brought forward, as the Minister claims. The attitudes that permeate the assistance programmes of the province are replete with concepts that are as outdated as this Legislature.

As a social worker I find a great deal to abhor in the attitude of the department to the recipients of welfare. I would think that the Minister would be the first to rise in this Chamber when he hears of the cases that are brought before us, to say that he will not tolerate this kind of condition; that obviously there is an apparent need to review throughout the province the structures that are now providing assistance to people in need, and that he will immediately see that the review board deals with these very serious violations of human dignity and human right that have been so much a part of the struggle of professional social workers to establish standards within the field of social service.

I think that it violates the Legislature itself. We are asked to come to this Minister's estimates to give public scrutiny to the work of the department, to sanction what he requests. I can tell you quite frankly, sir, that I would be very pleased to be able to do that.

I get no particular pleasure out of decrying the services in the field of social welfare. It is not something that I particularly like to do, but I cannot in any way feel that I have fulfilled my obligation as a member, or as a professional social worker, if we do not make an issue out of the manner in which this Minister conducts his department, and the manner in which this Minister has dealt with the board of review—the establishment of it, the naming of people to it, and informing recipients and applicants of their rights for review in the province.

Mr. Chairman: On vote 2001; the hon. member for Peterborough was trying to get the floor.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, I would like to say a word or two on the board of review before this estimate is passed.

I do appeal to the Minister to take action now to give us some indication that every recipient of welfare assistance and family benefits across this province will know that this particular road is open to them.

I say this because I think the Minister is missing a very good bet. I suppose at this point I am the only member of the Legislature who has had the opportunity to watch the board of review in action. As the Minister

well knows, the boards of review took place in Peterborough last week and I spent a good part of two days sitting at the back watching the board of review operate.

May I congratulate the Minister, or rather may I congratulate the board of review through him, for the way in which it dealt with these welfare recipients. They were treated with respect and deference; their problems were listened to; they were allowed to tell their story in their own way; there was no interference, there was no prejudging.

In fact, the care with which these welfare recipients were treated, I think, was a joy to behold. One could only hope, one could only wish, that every welfare recipient across this province was treated in every office with the same kind of respect and the same kind of care as that with which they were treated in that room last week in Peterborough. And it can be done.

I would suggest to the Minister that having a board of review take place in the various communities across this province would be an indication of the fact that government still can be concerned, that there still can be compassion; and that the most effective piece of public relations which the Minister's department could possibly concoct would be to provide a board of review in various parts of this province, indicating this Minister's concern, this department's concern, for every single person who is receiving aid or welfare assistance within the bounds of the legislation for which he is responsible.

I am afraid I came away with one or two questions and I want to place these questions before the Minister. I think they are problems with which the Minister might very well wrestle.

I found I was never quite sure what the role of the board was: whether they were there to take a very legalistic look at the legislation and the regulations under that legislation, and decide whether the local authorities had carried out that legislation; or whether they were there to dispense compassion.

Because in some cases, of course, the legislation is at fault. There are some people that just do not fit into the particular slot into which it would be hoped that every recipient of welfare assistance might be able to fit. In many cases, local welfare officers are placed in the very pernicious situation of having to try and defend, you might say, the local appropriations from the attacks of those who see every cent which is dispensed to people in need as a "waste of money", and on the other hand, to carry out the letter of the law as they read that law. So I must say I felt a little uneasy, as I sat and watched your board of review, as to whether they were going to render their decision—and as the Minister knows that is not rendered on the spot, and wisely so—whether that decision would be dispensed on the basis of a re-interpretation of the law, or whether there would be some attempt to take into the situation the problems which these people faced which were outside the law.

This brought up another problem which I think the Minister is going to have to face, and that is the problem of having someone, perhaps some research person in the area, attendant upon the board of review.

Now as the Minister has set out in his legislation these board of review are *in camera* and wisely so. I am sure no one would wish to have the problems of welfare assistance cases being paraded about in newspapers. But I think in some cases the alternatives for welfare assistance are based upon what is possible in that community. In one particular case the recipient was simply advised to sell her home and move somewhere else where a great many problems of second mortgages and the rents from other people would not be a part of the problem. However in the municipality of Peterborough there is just no way by which this woman can get accommodation; there is virtually no public housing available at the present time; there is no place for the woman to go. Unless there was someone at that hearing—and in this particular case not only was the welfare officer for Peterborough there, but also the member of city council who is the chairman of that committee and the member of the provincial Parliament for that area was there as well—to provide that kind of information in terms of that local situation, which showed a very much narrower area of choice for that woman as she tried to face the desperate problem that she was faced with at that particular time, it would be very difficult for her.

Another suggestion I have for the Minister —I hope he will make some comment on this —is that I think the proceedings of the board of review should be published. Now I am not suggesting that the names of the persons involved should be published, let us make that very clear, I am not suggesting that the place or the particular hearing be indicated, but I think it would be of immense value for the proceedings to be published, to be sent to the various welfare offices across this province, so that they will know the level of

compassion that should be evident in every part of Ontario.

As I say, if the level of activity that took place in Peterborough is to be carried on by this board of review, what I am suggesting is a kind of a body of precedent. This might very well cause a good deal less difficulty for the Minister himself, as the number of boards of review might well be cut down by the fact that welfare officers in various parts of Ontario would know that in a particular place a board of review made a decision about, let us say, as an example that I am sure the Minister will find rather disconcerting, a case existed where a young girl could not attend school because she could not get a hearing aid. Eventually the local service club bought the hearing aid for the girl.

There is a fantastic gap in welfare services when a service club has to be found and approached and encouraged and eventually bought the hearing aid. Strangely enough the poor girl could not go to school without it; she was being deprived of education. The hearing aid was bought by the local service club, and then the welfare department decided that they could not afford to buy the batteries for the hearing aid and this is what the whole board of review was about—$2.50 for batteries every month and a half for a girl with a hearing aid.

Now you see, here is the kind of a problem that surely must exist in other parts of the province, where legislation as it is being interpreted in various parts of the province does not allow that welfare officer to feel that he can provide municipal assistance, even though it is well supported by the province, to that individual for that purpose.

We have a body of precedent being created, and I think it would be well for this department to have that kind of precedent placed before the Minister. One of the most advantageous things which this board of review can do is to find, seek out and sort out, all the gaps and all the areas where people fall down, where this legislation simply does not cover need, desperate need of people across this province.

The board of review can be far more than just a committee which is trying to adjust certain people's problems *vis-à-vis* the local welfare officer, *vis-à-vis* the regional officer of The Department of Social and Family Services, and it must be far more than that. It is an opportunity to have an ongoing review of all the indaquacies and the deficiencies of the legislation which this department is administering. I suggest the Minister take heart and take courage, because that is exactly what I would hope this board would be.

But for heaven's sake, let's get off this subject now; I think we have talked about it for hours. Surely the Minister, surely all reason would convince the Minister that the time to do it is now. Send out some indication to the 108,000 people that they have recourse. Let us get on with it, let us begin talking about what really is the full scale problem which exists in this Minister's department.

Hon. Mr. Yaremko: Mr. Chairman, I would say that I appreciate the reasoned and reasonable remarks of the hon. member. I can assure him that, confronted with the appointment of individuals to an appeal board, a board of review such as this, it did cause me a great deal of concern. Because I was aware of the very heavy burden that would fall upon these individuals in coming to grips with very difficult problems which confront people in very difficult situations. I have only received a very brief report on what took place in Peterborough. I think the hon. member has summarized it very well.

The board must, of course, be bound by legislation and regulations, everybody is. There is little discretion even at the ministerial level in this field. We are bound by the terms of our legislation, the regulations passed and we are bound by the terms of our agreements with Ottawa which permit us to do and not to do certain things. However, I am hopeful that not only will the review board deal with the specific issues at hand to ensure that the legislation and regulations are being complied with, but that they will lean backwards in their interpretation to give the full benefit of the doubt, if any, to the applicant. I know that lawyers do not like obiters. When judges give judgments the judges are supposed to give judgments with reference to the law and the facts at issue. Often, at times, they see fit to pass a remark which is an obiter and very often is a gratuitous remark. Certain obiters in the course of judicial history, brief though they may have been, have had a tremendous impact in future development.

I am accordingly hopeful of a feedback from the board of review, and if there are holes and if there are flaws, this feedback will highlight them. This department and this Legislature can then take the necessary action to rectify the situation, if it meets with the general policies. As to the compilation of a body of precedent, I envisage this taking place so that it will ensure to the benefit of all and will ensure to the benefit of administrators who will then be able to deal with

the legislation across the province in some cohesive, uniform type of way. It will also be of benefit to applicants who may feel that they are entitled to assistance, but knowing of a similar instance where the board of review has dealt with the matter, will realize that unfortunately or otherwise, their need cannot be met by the legislation.

I repeat that I used the word "flexible". The hon. member for Sarnia was questioning my use of the word "flexible". As the board of review goes into action, we have given it as much flexibility as possible. I have hesitated to be pinned down to any particular course of action, to make it rigid. Peterborough may well be the historic beginning of what will take place. The board members will discharge their duties as they see them —we will keep a very close eye on what they may be doing since they may in the future be under the watchful eyes of everyone. I think it was very generous of them, if I may say so, to have permitted other than the applicants to be present. I think it shows a measure of the confidence they had in those who would be present to appreciate what *in camera* proceedings are.

Mr. S. Lewis (Scarborough West): Great generosity; he had to fight his way through the door.

Hon. Mr. Yaremko: I assure the hon. member for Peterborough that his remarks are much to the point. They will be considered by me, and they will form, along with some of the other suggestions, the background on which the course of action for the coming year will be taken.

Mr. L. A. Braithwaite (Etobicoke): Just before the Minister finishes; I wonder if he is inferring that in the future, if we might be having a hearing before one of these boards, and if it should happen that an observer might be present who might not be acceptable to the board, that the board would refuse him entry? Or are we to understand, at this time, that in view of the Minister's compassion and his desire not to be held down, what he really is telling us is that anybody and anyone can sit in on these boards, just to see that there will be no possibility of the board operating like a star chamber court. I wonder if the Minister could make it quite clear to us that these boards of review will be open to any and all individuals who might care to sit in so long as they do not impede the proceedings.

Hon. Mr. Yaremko: Mr. Chairman, the regulations call for the hearings to be *in camera.*

Mr. Braithwaite: So we go right back, Mr. Chairman, to the points that I raised when we started this whole discussion. I have the regulations in front of me, and the Minister and I discoursed at length as to the meaning of the various sections and subsections—I think it was section 15 of the regulations —meant. It was my understanding, Mr. Chairman, that the Minister made it quite clear to us there would be no possibility of anyone being prevented from being at one of these board of review hearings.

I am wondering if the Minister has changed his tone, because I made it quite clear to him at that time that the regulations specifically did not set this out and would he not be good enough to revise or consider revising the regulations so that it would be quite clear who could appear on behalf of or with an applicant. I think the Minister has changed his tune today, and perhaps he would be good enough to clarify once and for all just what he intends these regulations to mean. Or is he just trying to give us some soft soap so we will go on to some other part of these estimates.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member is utterly confused.

Mr. Braithwaite: Oh, nice to hear.

Mr. MacDonald: The Minister needs some company.

Hon. Mr. Yaremko: He confuses himself. There is a distinction between someone who is there as a representative on behalf of an applicant, who can appear and is entitled to appear as I have indicated, and someone who wants to sit in as an observer. There is a distinction, which I think even the hon. member can grasp.

Mr. Braithwaite: Do not talk down to me —through you, Mr. Chairman, to the Minister. I do not care who you think you are. As far as I am concerned, I am interested in any person who is before this board of review, and so far as I am concerned, I am not at all certain that this Minister is interested in the poor. He is talking nice and smoothly now because we might just get off this board of review. But he does not confuse me.

We want it quite clear that if there is a board of review, any and every person of the general public can appear—and I do not see why not. You do not have to say because a person is a member of Parliament, he is then

entitled by some grace of yours to sit there. This is public money, and it is just like a court of law; unless there is some real definite purpose that is to be served, the Minister should allow any person to sit in. Do not try to confuse me with the flow of words. I know what I am talking about.

Mr. Lewis: You run that department like a dinosaur, and you accuse someone—

Mr. Chairman: The member for Scarborough Centre was on her feet first.

Mrs. M. Renwick: Mr. Chairman, I would like to assure the Minister that the people on this side of the House, I am sure, would like to get off the board of review as much as he wants. But it is impossible to get off it now, because of the type of board of reviews that this government has made and the way it is going to be working. It is a secret board of review. The only people who know about it are people vitally concerned with it. The recipients do not know about it. The administrators—which is absolutely shocking, Mr. Chairman—do not know about it. There must be regional administrators out there also.

Surely, if it is nobody else's responsibility, it is the responsibility of the regional man to see that the individual administrations, small as some of them may be, at least know about this board and have the Act in front of them.

It is not a question of getting tired of listening to the board of review or anything else. It is a question of very serious principles involved that the federal government would make an Act like The Canada Assistance Plan in its overall concern of the conditions of people in our country, only to have it completely negated except for the fact that a board was named.

For a number of months there was only office equipment. Now there are three people on the board. We have had our first board of review and yet, if we sent anybody out to call a hundred offices or a hundred applicants, nobody would know about the board of review.

I would spare the Minister all of this if there was some assurance that he would take to the Cabinet his view that every person under this board—under the administration of his department—has a right to know about the review board.

Now you cannot make a fool of people such as the federal government, the people who are deeply involved there. I am sure the Minister would agree with me that the people at the federal level expected a proper tribunal. I would ask the Minister to state clearly if he does not agree that Doctor Willard, for example, who has submitted his report now to his Cabinet.

I would like to know what is in that report. Much of it is the same sort of problem that we are facing here—making a sensible standard system.

It is not going to be sensible. It is not going to have any sort of standard if the Minister will not take it upon himself either to remove the cost of administration of welfare from the municipalities and direct it from here, or see that the regional men are doing their job and see that the municipal offices are doing their job and doing it according to the laws of this province.

We are not asking for anything that is not legal. The laws are very carefully set out in the original Act. And the board of review, I guess, is the greatest disappointment to anyone concerned with social services in Ontario.

In The Canada Assistance Plan I would like to read from chapter 45:

> Whereas the Parliament of Canada, recognizing that the provision of adequate assistance to and in respect of persons in need and the prevention and removal of the causes of poverty and dependence on public assistance are the concern of all Canadians, is desirous of encouraging the further development and extension of assistance in welfare service programmes throughout Canada by sharing more fully, with the provinces in the cost thereof.

Now, if this province had dealt with this in an honest fashion, saying we do not really want a board of review for welfare recipients, so we will not take the money from The Canada Assistance Plan, then one could respect and understand this decision, Mr. Chairman.

But to have taken the moneys and know that this Act actually says that no person in need should be going without—yet we hear the member for Peterborough talk about $2.50 worth of batteries per month for a child's hearing aid, in order to be educated, having not been considered part of the welfare administration.

Now looking at the child's need and looking at the family trying to face bureaucracy in this need, the family does not know about the board of review or form six. It is only fortuitous that the poor have organized in Peterborough, where the family would not know about it. Now that in itself is shocking in this day and age.

The Canada Assistance Plan, chapter 15, item (g) (1) says:

Person in need means:

1. A person who by reason of inability to obtain employment, loss of the principal family provider, illness, disability, age or other cause of any kind acceptable to the provincial authority is found to be unable on the basis of a test, established by the provincial authority, that takes into account that person's budgetary requirements and the income and resources available to him to meet such requirements to provide adequately for himself or for himself and his dependants, or any of them.

Now the province, to live up to that section of the federal Act, made a clause which the recipients do not know about once again and which, the administrator should know about.

There must be a manual in administrator offices, Mr. Chairman, so that they administer this Act according to the law and according to the way it was passed and written in this House because under The General Welfare Assistance Act, 1967, under special assistance, section 17, after covering all the forms of special assistance that are available to people in the province—which the people do not know about—it is left at the instigation of the administrator to say you are allowed those batteries under this particular item. That is not being done, Mr. Chairman.

Under this section, costs for diets, various drugs, dental services, odds and ends of needs are covered right down to item 17 and item 17 says "any other special item or service authorized by the deputy Minister".

That clause is like a serpent in this Act as far as I am concerned, Mr. Chairman. That clause was simply put in here by this government in order to meet the requirements here of where the province must state its view as to what it will take into account as being need.

In this province, I think we might as well stop kidding ourselves, Mr. Chairman—the Minister has answered very graciously as the Peterborough member spoke very graciously about his first visit to the board of review—somewhere along the line we either still have hope in this government as to what it is administrating in the way of need or we realize that it is administrating only the handout system and it does not want to touch anything more.

Hon. Mr. Yaremko: Mr. Chairman, on a point of order. The matter with which the hon. member is dealing comes under vote 2002 and not under 2001.

Mr. Chairman: Would the hon. Minister—

Hon. Mr. Yaremko: I direct your attention, Mr. Chairman, that vote 2002 deals with provincial allowances and benefits. I would say that 90 per cent of the hon. member's discourse has been in relation to that. I think it should be held, or not repeated under vote 2002.

Mr. Chairman: Perhaps we could try to keep the debates within the vote under consideration. If the hon. member has been talking about something under 2002, perhaps she would return to vote 2001 and restrict it to any items under 2001.

Mrs. M. Renwick: Mr. Chairman, I am speaking about a family at the board of review in Peterborough on Tuesday. Where does that family fall? The family was at a board of review on—correction, Mr. Chairman, not Tuesday—either Wednesday or Thursday of last week.

I am speaking about the inadequacies of the board of review, as was required by The Canada Assistance Plan. The Minister assured Ottawa at the Ministers' conference that we have a board of review. I am pointing out that we have a board of review that negates the intention of the federal Act by making it a board of review that is not a tribunal; it has only one person who can sit on it. It is a board of review that—I am going to ask my question in a moment—is costly and is dealing with matters such as $2.40 worth of hearing aid batteries per month.

I am pointing out that the Minister is failing to communicate with his regional men and they are failing to communicate with the local administration. We have a need for a board of review that is functional. I pointed out earlier that no municipal office—we checked out eight—knew about the board of review nor had copies of form 6. This is all in the administration, in my view, from this department and through the board of review to the local level.

I am pointing out that the Act adequately covers the things that are—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order. That was not the portion I objected to. I listened very carefully to all of that for the third time. It was when the hon. member got on to a completely different topic—not what she is now repeating—that I objected. I have no objection to those remarks; those were pertinent to her attitude towards the board of review. To save this

House time, that is not the portion I was raising on a point of order.

Mr. Chairman: Well, I think the hon. member—

Mrs. M. Renwick: On a point of order, may I ask if the Minister would clarify exactly what he was objecting to?

Hon. Mr. Yaremko: I was pointing out to the hon. member and the others that vote 2002 refers to provincial allowances and benefits and municipal allowances and assistance, and when it comes to dealing with those aspects they should be dealt with under vote 2002. If there is something that is pertinent to the board of review, it should come under 2001. But the hon. member—in fact several of the hon. members—have been running one into the other. And I may suggest, Mr. Chairman, if it is the wish of the House that we deal with 2001 and 2002 simultaneously and carry the two votes—

Mr. Lewis: We will never get to 2002 unless the Minister answers questions.

Hon. Mr. Yaremko: I have answered every question.

Mr. MacDonald: The Minister has answered no question. If the Minister cannot answer the simple question of giving iron clad assurance of an individual intimation to each one of the welfare recipients that he is entitled to this board, this will go on and on and on. Wake up to it, I say to the Minister. It is as simple as that.

Hon. Mr. Yaremko: Mr. Chairman, I have answered that question.

Mr. MacDonald: The Minister has not.

Hon. Mr. Yaremko: I have answered that several times.

Mr. MacDonald: The Minister is either obtuse or boneheaded, and I do not wish to—

Mr. E. W. Sopha (Sudbury): Is that Parliamentary?

Hon. Mr. Yaremko: The hon. member has wanted to pin me down to a specific; I refuse to be pinned down to specifics.

Mr. MacDonald: There is nothing specific about it.

Hon. Mr. Yaremko: I will take under consideration all suggestions.

Interjections by hon. members.

Mr. Chairman: Order!

Hon. Mr. Yaremko: —A decision will be made in what respect this notice will be given to the applicants.

Mr. MacDonald: Mr. Chairman, this Minister has insulted the intelligence and the integrity of this Legislature. Two years ago, we passed $60,000 to set up a board of review, and now he gets up and fatuously tells us he will "take it under consideration". He sat on the question of a board of review for a whole year and did nothing after we had money passed to appoint it. Why, we do not know. I say to this Minister his credibility is subzero, and until this Minister is willing to get up and give us the assurance in a manner in which members on this side of the House have indicated it can be done—on a chit in one of the letters that go out to these people, that they have this right and that form 6 is in the various welfare offices—until the Minister is willing to do that, this debate will go on and on and on. The Minister has not yet given us that commitment, and until he is willing to give it, he is trying to kid us, he is trying to kid the people involved, he is kidding the federal government. The Minister should resign; he is a failure and he does not know it. That is the problem.

An hon. member: He knows it.

Mr. Chairman: Order!

Hon. Mr. Yaremko: That is the hon. member's opinion.

Mr. MacDonald: Right, it is, and it is a growing opinion in—

Mr. Chairman: Order! I wonder if the Chairman might make some reply to the points of order raised.

Mr. MacDonald: The Minister has not been answered.

Hon. Mr. Yaremko: Mr. Chairman, I say this, that I have not said that any of the methods proposed by the hon. members will not be done—

Mr. MacDonald: The Minister has not said anything.

Hon. Mr. Yaremko: I have not said that they will be done, because I refuse to be pinned down to a procedure which may prove not to be workable. I have not ruled any particular suggestion out of order at all, that it will not be considered.

Mr. MacDonald: The Minister is plain bone-headed.

Mrs. M. Renwick: The Minister—

Mr. Chairman: I recognize the hon. member for Etobicoke.

Mr. Braithwaite: On a point of order, Mr. Chairman, when we started this discussion I suggested that if nothing else, the Minister could use the post offices or the banks, just as the government does for OMSIP, just to make it known that this is possible.

Mr. J. E. Stokes (Thunder Bay): That is not a point of order.

Mr. Braithwaite: That is the point I am talking about.

Mr. Chairman: The hon. member is not speaking to the point of order. There have been two or three points of order raised and considerable discussion thereon. The committee will recall that the Chairman some time ago suggested we should deal with the matter of the board of review, which seems to constitute the greater part of vote 2001. So it is 2001 we are dealing with and we are discussing the board of review. At one point it was suggested that each member who had any questions to ask or talk about should direct them to the Minister. I remember we went off the track on that. The Minister started to answer the questions specifically. We are back on 2001, the hon. member for Scarborough Centre was directing questions to the Minister regarding the board of review, and I think she is quite in order to do so.

Mrs. M. Renwick. Mr. Chairman, I would like, with all respect, to draw to the Minister's attention that we are being asked to pass $146,000 for the board of review and we were asked in 1968-69 to pass 146,000. There is no question, Mr. Chairman, that there would be no board of review necessary if the local offices were administering this Act correctly and if the Minister would take it upon himself to make certain that the Act was being administered locally the way it was passed in this House.

Mr. MacDonald: But he refuses.

Mrs. M. Renwick. Secondly, there are regional people with whom he could be dealing. I would like to ask him specifically how many regional men are out there and what their role is right now. None of the money that is being passed here would even be necessary.

So now we are trying to reason why the cost of a board of review last Wednesday and last Thursday should be paid by taxpayers. We must have a board, but why should we be having a board paid by taxpayers to hear from a family in need about $2.50 worth of batteries for a child who is deaf, when the Act very clearly states, "any other special item or service authorized by the Deputy Minister."

The deviousness of this section—now the Minister may be gracious as can be, and say, "well, we do not know how this happens out at the local level." We have to know how it happens, Mr. Chairman. This is his job, this is our job. With all due respect we have to know how it happens, we have to know why we had to send three people to Peterborough to sit *in camera*—which must cost a lot of money—to find out about a child that was lucky enough to get a hearing aid through a private agency. Somehow nobody could interpret the Act that had been passed in Ottawa and passed here, administered locally, to see that the child had a $2.50 battery every month for her hearing aid, and this is not an isolated case, Mr. Chairman. The reason we are putting up such a fight is that there are hundreds and hundreds of similar such cases. The Minister should do three things.

1. Advise the people of their rights under the legislation, as it is now, under the board of review. They do not know their rights in many respects as it is anyway.

2. Make certain that the administrators know the people's rights and start to think in terms of their rights and start to think in terms of prevention and rehabilitation of people.

3. To straighten out the whole misconception of why we have this type of thing to tackle—why we have a problem of a $2.50 battery which has to be dealt with by three people going down to Peterborough to hear about it. If the Minister would assure the members of Opposition that the families in need—goodness knows we are not mailing to the whole province, Mr. Chairman—

Mr. I. Deans (Wentworth): We would if it was a speech by the Prime Minister (Mr. Robarts) that was mailed.

Mrs. M. Renwick: Yes, agreed. There are only seven to eight thousand families in Metro—we are asking that they be advised, and I do not see any way that the Minister can possibly not take this responsibility. A

secret board of review is of no purpose whatsoever. It certainly negates the Canada Assistance Plan. I would think Dr. Willard would turn white if he knew what kind of board of review we have here in Ontairo.

I would like to ask the Minister how he sees the board of review working; how does he see what he has done; does the Minister set, Mr. Chairman, what he has done to federal-provincial relationships by making this kind of board of review? I would imagine that they are trying to be patient and that they are trying to be decent, but how long can the federal people hold back from saying that this province is shockingly lagging in any concept of prevention or any concept of administering anything than the paternalistic handout that it is administrating.

The people at the other end of this spectrum, Mr. Chairman, cannot fight for themselves in many cases and cannot speak for themselves. The poor are in such a disadvantaged position that they are organized in some sections of this province for the very first time that I know of. In Scarborough they are organized, in Peterborough they are organized, the ground work certainly is there in Kingston, it is certainly there in Brantford, because, you see, the people cannot have any flexibility against what is happening to them through this kind of board of review.

If the Minister would recognize one of two things. Is he going to sit back and let his Cabinet sit back and watch the poor and the unemployed organize in this province to the point where it brings real shame to the conditions here? Or are they going to put in a board of review that will deal with the problem that is there? That is what this is going to boil down to and I must ask the Minister's view as to why nobody in the municipal areas have form 6; also as to why the regional administrators have not seen that the local administrators know about the board of review? This is a very serious thing. The regulations were gazetted the first of February. Here it is the middle of April and nobody knows about this board even in the area that it is administrating.

Mr. Chairman: Would the hon. Minister like to answer the questions of this hon. member first before we—

Hon. Mr. Yaremko: I will answer the very last one. It will be the intent of this department to ensure that all of the local administrators are made aware not only of form 6, but of the general proceedings which will be taking place in relationship to the provision of the board of review.

Mrs. M. Renwick: Mr. Chairman, it is simply not good enough. You know we are just not getting any real assurance that things are not going to go on as they have done, shockingly, for years.

I would like to ask the Minister when were the first form 6's printed and under whose instigation, because the people of Peterborough that have organized the poor have told me that they ask for form 6's from Queen's Park and are told that they were not printed until a month after the regulations had been distributed. I would like to know why the form 6's are not out in those offices and where they are now? What programme does the Minister have if he ignores the people, which I think is shocking. I do not see how the people on this side of the House can allow it to take place. How could he ignore letting them know about the board of review? How does he justify the fact that the administrators do not know?

Mr. Chairman: Does the hon. Minister intend to answer the questions further?

Hon. Mr. Yaremko: The lack of an actual printed form, form 6, did not prevent the holding of the hearings as was outlined by the hon. member for Peterborough (Mr. Pitman), and they will be produced in sufficient quantity.

I may say, Mr. Chairman, that on the desks of each of the hon. members are these pamphlets which have been produced in the sum total of 100,000 and there is a notice respecting the board of review and the appeals from—

Mr. Brown: Who gets them?

Mr. Lewis: Where have these gone to?

Hon. Mr. Yaremko: General distribution, Mr. Chairman.

Mr. Lewis: What does "general distribution" mean?

Hon. Mr. Yaremko: Exactly what it says, "general distribution throughout the province."

Mr. Lewis: To the members, to the teachers, how many of these go out?

Mr. J. Renwick (Riverdale): There are two million families in this province.

Hon. Mr. Yaremko: I am informed that there were 100,000 of these printed with

relationship to our programmes. Three of them have a bearing on the board of review and they will be dispersed throughout the whole province through various forms.

Mr. Lewis: Well if I may, on a simple question and answer basis—in an attempt to elicit some of this material—why cannot the Minister assure us that he will instruct all municipal welfare administrators throughout the province of Ontario to have form 6 in their offices?

Hon. Mr. Yaremko: There is no reason. That will be done.

Mr. Lewis: When will that be done, Mr. Chairman, has the Minister any idea? Can we ask him a question?

Hon. Mr. Yaremko: Forthwith.

Mr. Lewis: Forthwith. Fine. That was number one.

Hon. Mr. Yaremko: As soon as the printed form is available in sufficient quantity.

Mr. Lewis: The printed form is not available now?

Hon. Mr. Yaremko: Not in a very large quantity.

Mr. Lewis: It tends to reveal the intention of the legislation does it not? It is a matter of no inspired prescience to understand what the Minister intended by the board of review, by the fact that "X" number of months after he has the regulations printed he does not yet have forms sufficient to provide applicants or recipients to make appeal.

Well, Mr. Chairman, might another question be asked? Does the Minister intend to inform his regional welfare administrators of the board of review function and of their right to suggest to municipal administrators that they should have form 6's available at all times?

Hon. Mr. Yaremko: Does the hon. member know of any regional administrator who is not aware?

Mr. Lewis: Well, Mr. Chairman, they are not aware in Kingston because the roll-call of cases indicated the need for a board of review in every instance. They are not aware in Peterborough because a member of this Legislature had to bring it to the House. They are not aware in Brantford because we are having a judicial enquiry. They are not aware in Scarborough because the members of the housing association had to get together in order to petition the Minister. One wonders about the quality of the regional administrators in this province when all over Ontario no one is aware of the fact that a board of review is available.

The Minister asks are they aware or are they not aware? There are very few areas where people are aware. How can they be aware of the board of review, Mr. Chairman, there are no form 6's available; there is no material distributed; and the regional welfare administrators have obviously not been instructed by the department to do the job. That is a very simple question to answer. I wish the Minister would reply to my question with the forthrightness and brevity with which I have replied to his.

Now, Mr. Chairman, I might ask the final question that a sort of *pièce de résistance*, and it is the *résistance* that we are worried about where the Minister is concerned. Why can the Minister not give a guarantee to this Legislature—or to phrase it differently, will the Minister give a guarantee to this Legislature now, that forthwith he will inform every applicant and every recipient of his right to a board of review? I am not talking of a mechanism; I will accept his right to dictate the mechanism. Will he indicate that he will forthwith inform them, and that means in writing, and in a way which is readily discernible to the naked eye, that they have a right to the board of review?

Hon. Mr. Yaremko: I have said at least a dozen times that it will be the intent and purpose of our procedures to make sure that ultimately each applicant is aware of his right to the board of review.

Mr. Deans: How is he going to be made aware?

Hon. Mr. Yaremko: I have answered the question of the hon. member. I will not commit myself to any specific form or mechanism, or ritual such as the hon. member for Scarborough Centre and other members wish. I am saying this, that it is the intent and purpose of this department to make known. during the course of dealing with the application at the appropriate time, that there is a board of review procedure.

Mr. Pitman: Mr. Chairman, again and again we go round. The Minister keeps mentioning application, but in many cases these people are welfare recipients who are not receiving what they think they should receive under the existing legislation. Obviously, it is quite easy to give an application to a new

recipient, and on the application you can tell him that there is a review procedure. But the point is that 108,000 people at this present moment are in some kind of relationship with the Minister's department. We want to know how those people have an opportunity to know that they can come and ask a board of review to work out what they believe to be their need under the legislation in this province. I think we are being completely reasonable.

The workmen's compensation is completely open. There is no attempt to conceal from people who are receiving money under The Workmen's Compensation Act, that they have an appeal procedure—in fact, two or three appeal procedures. There are several other jurisdictions, other pieces of legislation where there is appeal procedure and where it is completely open. And we are not asking the Minister to go through any kind of a ritual. Surely it is not a ritual to suggest that one can place in an envelope a statement, along with the monthly cheque, or indicate through some other means of normal communication, the simple fact that there is a board of review. It is incomprehensible to me that we should be carrying on this debate hours and hours and hours, wasting a great deal of time, when all we are asking for is that the people of Ontario know what their rights are.

Mr. J. Renwick: That is right!

Hon. Mr. Yaremko: Mr. Chairman, I am getting convinced that the hon. members, and the hon. member with his recent remarks, do not want to receive an answer. I have given the answer that it is the intent and purpose of the department to let every recipient know—

Mr. Pitman: "Recipient" now.

Hon. Mr. Yaremko: Or applicant, the person who is involved, the person at the other end, know that there is a board of review, and this little notice may be just the ticket in some form of communication.

Mr. Deans: A lot of nonsense.

Hon. Mr. Yaremko: Mr. Chairman, the statement at the bottom says: Board of Review.

In order that applicants for, or recipients of, family benefits allowances, general assistance or vocational rehabilitation services, may appeal a decision, a board of review is established. A hearing may be requested by writing to, and so on. You have the three terms; you have applicant, you have recipient, you have a decision. A decision is refusal, or fixing a sum. A decision covers the waterfront. I would hope that something along this line will be able to be worked out.

Mr. Lewis: What do you mean, you "hope will be able to be worked out." You are full of intents and purposes—

Hon. Mr. Yaremko: The intent and purpose—

Mr. Chairman: The hon. Minister had the floor. The hon. member for Scarborough West.

Mr. Lewis: He is like Fowler's dictionary of English usage with all these intents and purposes and proclamations and ultimates. I cannot understand why the Minister is reduced to a hope. Has he no power. Have his Cabinet colleagues so quickened to his incapacity that he has no power to make decisions for himself?

Hon. Mr. Yaremko: The hon. member is quick to seize on one word. I use time and time again, "intent and purpose," and if the hon. member is so obtuse as to need to refer to a dictionary I am sure there are a great many about.

Mr. Lewis: All we ask at this point is what his intent and purpose mean. Are we going to inform recipients? We do not care whether you inform them on green paper or white paper. We do not care whether you inform them in a proclamation or a simple letter—

Mr. MacDonald: Just so as you inform them.

Mr. Lewis: We just want them to be informed, and informed in the next few days. That is what we are asking of the Minister, that all the recipients or the applicants have a procedure for being informed of the availability of a board of review. The Minister need not be some modern Nero about it; his department is in ashes anyway. He need not sit and play with verbal fiddles while we on this side of the House keep pushing him about it. The simple fact is, Mr. Chairman, that we have asked of the Minister that agreement and we are not going to stop until we get that agreement. The Minister might as well know. The Minister might also know that we recognize that his own party wishes he would give that agreement, his own caucus wishes he would give that agreement—

Mrs. M. Renwick: Surely by now.

Mr. Lewis: It is a very simple proposition for the Minister to stand in his place and say: "Not as a question of intent, or purpose, of hope, or wish, or desire—I, as Minister of The Department of Social and Family Services, do undertake in the presence of this Legislature to inform every applicant for, or recipient of, a family allowance benefit, or general welfare assistance, of their right to appeal to a board of review forthwith." That is all you have to say; very simple. I cannot imagine why the Minister cannot give that guarantee to this House now, and I would like to ask him why not.

Hon. Mr. Yaremko: Mr. Chairman, *Hansard* will show that what the hon. member has stated is not what has been talked about by the other members for at least seven hours.

Mrs. M. Renwick: That is not true.

Hon. Mr. Yaremko: That is not the case. I say this, I will take that under consideration, as I have the other suggestions made.

Mr. E. W. Martel (Sudbury East): Mr. Chairman—

Mrs. M. Renwick: Mr. Chairman—

Mr. Chairman: The member for Sudbury East was trying to get the floor.

Mr. Martel: Mr. Chairman, I would like to ask this of the Minister: As I understand it, every second month or so, in the cheques that go out to the recipients of welfare, there is included in that letter or with that cheque, a little note asking the people to advise the department of any change in their circumstances. If it is possible to do that every second month, and we have 100,000 of these little jim-dandies right now, what is wrong with putting these 100,000 in the next set of envelopes going out to the recipients? It is very simple. You can do it for something else; why can you not do it for this, unless it is sheer obstinacy?

Hon. Mr. Yaremko: Mr. Chairman, the hon. member for Downsview made this very suggestion some many hours ago, and I told him that there was a great deal of merit in what he was suggesting and it was going to be taken under consideration.

Mr. Pitman: Well, what are you going to do?

Mr. Martel: Is it obstinacy or what?

Mr. Chairman: On vote 2001. The hon. member for Scarborough Centre was on her feet.

Mrs. M. Renwick: Mr. Chairman, I would like to speak to the Minister, through you, about this brochure. The Minister need only go, Mr. Chairman, to six welfare offices halfway across this city to know that there is never any large supply of welfare brochures in those offices. Sure, if you ask for one, and I have done it—

Mr. Chairman: Is the hon. member still on the board of review?

Mrs. M. Renwick: The board of review is now on a brochure, at this point.

Mr. Chairman: The hon. member has a different pamphlet in her hand. We are still on the board of review.

Mrs. M. Renwick: Mr. Chairman, I realize it is impossible to see it from there, but the board of review is referred to at the bottom of both pamphlets, and a third one also. This, Mr. Chairman, is not good enough. This brochure, when it arrives at the home of some of the people who are disadvantaged in this province, is going to mean nothing, when the reference is away down at the back, in the least attractive spot. Why did we not have a folder on the board of review?

Now, Mr. Chairman, as the hon. member for Sudbury East (Mr. Martel) has pointed out, when the department wants to mail something out it can do it like snapping a finger. And it has done so, as the member pointed out. Why would the department decline to send out a letter to all applicants and recipients? Why would the department not consider that the people do not know about the board of review and that they should know.

The Minister might even reap an advantage, Mr. Chairman, because in the New York area this material gathered by boards of review is material that is now being used by the directors to institute the new system, the guaranteed income. This is their material. This is their research. But, Mr. Chairman, the Minister cannot possibly be exposed to the research that is available through the proper board of review as long as he is keeping it a secret board of review.

Now I am going to have to telephone municipal offices to ask if they have this folder. And that is ridiculous, Mr. Chairman, because during last—

Hon. Mr. Yaremko: Mr. Chairman, may I just take a moment to say that these folders are just hot off the press.

Mrs. M. Renwick: Mr. Chairman, may I ask if the hon. Minister is on a point of order?

Mr. Chairman: Well, the hon. Minister did not—

Mr. Lewis: A two-and-a-half-year-old annual report?

Mr. Chairman: Order!

The hon. Minister did not rise on a point of order. He interjected that the circulars were just off the press.

Mrs. M. Renwick: Mr. Chairman does not have any eyes. The Minister was on his feet, and I would appreciate the same courtesy extended from your chair to the other side of the House that is extended over here when we rise and forget to rise on a point of order.

Mr. Chairman: Well I may say it will present a very great difficulty for the Chairman when all the members of the New Democratic Party and sometimes the Liberal Party are up at the same time. I will do my best.

Mrs. M. Renwick: Thank you, Mr. Chairman; I really think you always do your best in a difficult job and difficult situations. I just wondered if you realized that the Minister was on his feet when he—

Mr. Chairman: I fully realized that.

Mrs. M. Renwick: Thank you, Mr. Chairman.

I would like to ask the Minister when these brochures were printed.

Mr. Chairman: Vote 2001?

Mrs. M. Renwick: No, Mr. Chairman. The Minister has referred to the fact that his board of review is on these folders and this is his purpose of communication to the public. Now I am asking: when did the board of review go on these folders?

Hon. Mr. Yaremko: The folders were delivered today, I believe.

Mr. MacDonald: When did the folder go to the press?

Mrs. M. Renwick: Mr. Chairman, then I would like to ask when they went to press?

Hon. Mr. Yaremko: March 10, I believe.

Mr. Lewis: March 10. That is a pretty quick press you have.

Mrs. M. Renwick: Then, Mr. Chairman, I would like to ask: was it the Minister's intent that this would be the way in which the recipients and applicants would learn of the board of review—from this folder?

Hon. Mr. Yaremko: That is one way of many possibilities.

Mrs. M. Renwick: Well, Mr. Chairman, I would like to ask the Minister to list the exact possibilities. There are recipients today, being refused assistance who are entitled to apply to the board of review. I maintain, Mr. Chairman, that in the same way as I found in dealing with the welfare office in North York, in the recess last week, that the administrators do not know about the board of review, that the applicant does not know about it. Yet the Minister says there are many ways.

But if you call the North York welfare office, Mr. Chairman; if the Minister would call that office—unless they have changed since last Tuesday and Wednesday, there are not any form sixes and they do not know about—

Mr. Chairman: The hon. member is becoming quite repetitive at the present time.

Mrs. M. Renwick: Thank you, Mr. Chairman. I would like to ask the Minister if this is the intention of the Minister. Is this how the people will be informed of the board of review?

Hon. A. Grossman (Minister of Reform Institutions): The hon. member is nagging again.

Hon. Mr. Yaremko: I replied to that question, Mr. Chairman. I said that is one of the possibilities. *Hansard* will record suggestions made from the other side of the House. All of these possibilities and potentials will be explored.

Mrs. M. Renwick: Well, Mr. Chairman, I will have to pin it down then. What recourse do family benefit recipients or applicants have if they have been refused or cut back? What do they have, Mr. Chairman, out there today, what is happening to those people?

Hon. Mr. Yaremko: They have the same recourse as was available to the people in Peterborough who launched their appeals which have been determined.

Mrs. M. Renwick: Mr. Chairman, how did the people in Peterborough launch their appeal?

Hon. Mr. Yaremko: They launched it by simple letter, I believe, to the department. They were directed to the board of appeal, which treated those initial letters as the applications for a hearing and they were so dealt with.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister, is he oblivious or is he ignoring the fact that the reason why the only applicants to the board of review are in Peterborough, is that the union, the unemployed workers, or the organized unemployed in Peterborough instigated this whole movement to the board of review, not the applicants? Rightfully so, the organizers were told that the applicants had to apply by themselves, which is the way the regulations are listed, and the applicants did in all likelihood eventually apply by themselves. But there would be no applications to the board of review if the organized unemployed in Peterborough had not done this. Does the Minister know about that or not, I would like to ask.

Hon. Mr. Yaremko: I am aware of the activities of Mr. Peters. I take this opportunity of commending Mr. Peters. I have never met the gentleman. I only know him by hearsay.

Interjection by an hon. member.

Hon. Mr. Yaremko: What I have heard of him is good, and he should be commended as a citizen. I do not know his organization but I have heard of him, and of course, I have seen his letterhead.

Mrs. M. Renwick: Mr. Chairman, could I ask the Minister, does he think this is fair, that the only way recipients or applicants are going to know of the board of review is by organized, interested persons coming forward? There are a great many of these persons and they are coming forward, I assure the Minister, in leaps and bounds. They are coming forward in the form of social workers, students, religious people, and organizers; they are coming forward to organize the poor against this type of bureaucracy. The only hope for the people, and for the concerned people, was the board of review, and that has gone right down the drain until the Minister assures us everyone will know about the board of review. I would like to ask the Minister, does he think this is right that the only applications he got were from Peterborough and from Mr. Peters' efforts in Peterborough on behalf of the poor? Does he think this is a fair way to be administering the activities of the board of review?

Hon. Mr. Yaremko: I would think, Mr. Chairman, that all those interested parties that the hon. member referred to will be among the 100,000 who will receive these pamphlets in due course and that they will know the necessary action to be taken on behalf of any recipient or applicant who is unaware of his rights of appeal.

Mrs. M. Renwick: Is 100,000 copies enough to cover every family in Ontario, Mr. Chairman, I would like to ask?

Hon. Mr. Yaremko: I would not think so, Mr. Chairman.

Mrs. M. Renwick: And I would like to ask, what about the families for whom none of these were printed? Where do they fall in this catch-as-catch-can system?

Hon. Mr. Yaremko: Mr. Chairman, these pamphlets were printed as an initial step to inform the public of Ontario—applicants, recipients and general members of the public of the social service programme of this province. They are initial steps, and I can assure the hon. member, as I assured the hon. member for York South, this is but the beginning of letting everybody concerned know the whole social service package of this province.

Mrs. M. Renwick: On the board of review, Mr. Chairman, I would like to ask about the 40-day delay from the time that the form 6 is received until a decision will be made. It says under 15(a), item 6:

> The board of review shall reach a decision, according to the evidence, within a period not exceeding 40 days from the date that the notice of form 6 is received by the chairman of the board.

Mr. Chairman, if you are a welfare applicant in need, 40 days is ridiculous. There simply has to be an immediate decision made, at the very most in the period of three days. Also, Mr. Chairman, this type of regulation says that it is to be done from the date that form 6 was received by the chairman of the board. We find there are not any form 6's out. The fact that there are not any form 6's out could negate this section of the Act because how is the chairman of the board going to receive form 6 when there are not any out there, Mr. Chairman? I would like to ask the Minister his view on the 40 days, which seems to me to be an unconscionably long time.

Hon. Mr. Yaremko: I would hope, Mr. Chairman, that the board of review would hand down the decisions as expeditiously as the circumstances will require. But it would appear that when you are setting up boards of review, it is felt necessary to state a period. As hon members of this House who are members of the law profession are aware,

there are occasions upon which those who sit in judgment on appeals where the time goes on for a considerable period; there is really no significance, it was a period that was set. It is to be hoped that the board of review will not normally take that time and will assume that that is their deadline. I would hope that, in the circumstances of the cases, they would render their decisions as soon as reasonably possible.

Mrs. M. Renwick: But Mr. Chairman, I would like to say to the Minister, surely in your riding you must have some applicants and recipients of welfare assistance, and if you have an applicant, Mr. Minister, that applied and is turned down, I would like to ask if you are happy that he might be turned down and not know for 40 days the decision of the board of review?

Mr. Chairman, the Minister looks as if he did not really understand what I was saying.

Hon. Mr. Yaremko: The hon. member is assuming that the board of review will take 40 days in each instance, and I say no, I cannot envisage that type of thing taking place. We set a figure of days, and there it is. If it proves that that is being abused, surely it will be amended, because the intent and purpose is to make the board of review work.

Mrs. M. Renwick: Mr. Chairman, the Minister has not answered my question. I am not saying that every case, as the Minister said, could take 40 days. I am concerned if there is one case that takes longer than the required time, and of people going to this type of administration for assistance, for food, for shelter. To ask them to wait for a decision of this length of time is absolutely ridiculous. I ask the Minister again, as a legislator who has been elected from his riding to represent all the people in his riding, if he is satisfied when his recipients or applicants are turned down and they have to wait a period that might be up to 40 days before they know where they stand with their application for general welfare assistance? Is the Minister satisfied that that happens to his own constituents?

Hon. Mr. Yaremko: Mr. Chairman, I reiterate, for the fourth time, that I would hope—in fact, I expect—the board of review, in whom I have confidence, will render the decisions necessary in a time that is reasonable under the circumstances of the case at hand.

Mrs. M. Renwick: Mr. Chairman, have the decisions been made on the cases that appeared before the board of review in Peterborough last Wednesday and Thursday?

Hon. Mr. Yaremko: I do not think so. I think they are being considered at the present time.

Mr. Chairman: The hon. member for Peterborough.

Mr. Pitman: I want to make one or two comments on the way in which the board of review is set out in these pamphlets, This is what I would call, Mr. Minister, a form of non-communication.

I wonder if the Minister realizes the fact that the people who are reading these pamphlets, in many cases—I am sure if you did a survey — probably have somewhere from grade 6 to grade 8 education. The main reason people are welfare recipients is because at some point in their lives they were not able to get sufficient educational background to be able to take part in the labour force of this province.

I would suggest to him that this would be really very good for a PhD dissertation, but in order to communicate to people who are in need and who are at this educational level, I would suggest that this simply is completely irrelevant.

As I say, if you are trying to tell the educated, the well-to-do, the upper middle class what The Department of Social and Family Services is doing in Ontario, this is very good. But I suggest putting this into an envelope is not going to be—I was going to say of any use—but is of very little use to the individual who is working at the level in which many of these people have to try to read and interpret.

I just read the section under the board of review, which has already been stated, we might say, in accessible place. It says:

> In order that applicants for or recipients of family benefits allowance, general assistance or vocational rehabilitation services, may appeal a decision . . .

A decision about what? The Minister may say obviously this is stated in the decision in relation to this Act, or the decision of the welfare officer. But it does not say that. Appeal a decision without any indication of what the decision is all about, or the kind of decision that they might refer to. It says nothing about the fact that the individual may have a representative with him at this board of review.

A few moments ago, the Minister made a few very kind remarks, and in reply to one I appreciated, in fact, I am going to send the Minister a letter and suggest that Mr. Ray Peters might be somebody he might appoint to the board of review. He is a person who has been closely associated with the creation of the board, and with the disoriented in the Peterborough area. He might very well look at someone like that.

We were talking about the fact that a full spectrum of society should sit on that board of review, and I suggest that he will receive that letter very soon. The point is that this is the kind of information that has to be given to people if it is going to be meaningful to them. It is not enough that we set out the rights, but that we set out the rights in a way in which people can know what those rights are. I suggest to you that putting this in an envelope and sending it to the normal, "run-of-the-mill" welfare recipient is not going to be a means of communication between the Minister's department and those people.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, a right ignored is a right denied, a right supressed is no right at all; a right denied is the abdication of this Minister's office and his responsibility. He should be excoriated, and rightfully excoriated, for the way he has handled this whole matter from its inception. He has dragged his feet, he has done everything in his power to frustrate and drive the legislation into the sand. He has been obliged to do it under federal rules, not under his own initiative. When the federal government requires this, which is altogether to the good, what does he do? He does everything in his power to frustrate it, and at this time of the day and night to spout platitudes. To make grudging statements that he will move ahead in this area is just not good enough for this office and for his responsibility.

Before the recess, Mr. Chairman, this Minister spoke of McRuer. May I say that, perusing McRuer, there is precious little there about any hearing. The matter is so elementary, so rooted in our law, so naïve and so simple a matter, namely that people would have reviews of grievances in a democratic country. You need not refer to McRuer, because you will not get a great deal of support there; you do not need to. And the fact is, that having been obliged to do it and whipped into the proper position, you still drag your feet.

We want a full appointment to the board; we want a wide appointment to the board. We want to be assured before these estimates are over that you will give full notice, adequate notice — not a kind of suppressed, under-the-table type of notice, the small print type of thing, added on at the end where you hope they would overlook it.

If you feel that the department is run so inadequately and so poorly that you will have an inundation of appeals, sobeit. This is a recognition of defects and inadequacies, and they are not going to be repaired except through the instrumentality of this board. So why not get on with the thing and give us the fullest assistance and the fullest divulgement of what your total thinking is. Do not heap us with platitudes nor try to beat around the bush, as you are so constantly amenable to doing.

As I came home last night from our caucus meeting, I listened to a report on the radio about a welfare recipient. It gave a long history of a young fellow from Saskatchewan, as to the way in which he is treated by the welfare offices both municipally and provincially—he is treated like, as he put it, "the bottom of your shoe." This rectification of the way in which human beings are dealt with can only, I suggest to you, be in any way adequately recognized and reformed, changed, but through the instrumentality of this board. That will be one of its chief functions.

When it heard the cases in Peterborough the other day, it gave adequate time and attention; it took a couple of hours to review cases, and that is at it should be. And as they become more expert, it may take a shorter time. But at least people's human grievances are out on the table, at least they are able to make the impact, and it will get back to you. You will either be forced to resign on one side of the fence or totally transform your department in favour of human beings.

Mr. Chairman: Anything further on the board of review? The hon. member for Scarborough Centre.

Mrs. M. Renwick: Thank you, Mr. Chairman.

I would like to speak further to the remarks of the hon. member for Lakeshore, Mr. Chairman. Having called a welfare office in the middle of last week, North York welfare office, and spoke of myself as being Mrs. Renwick—but not as a member of Parliament —speaking on behalf of a person in need of

a form 6, I was treated the same way, the very same way indeed.

I asked if I could possibly have a form 6 mailed out to a recipient, a Mrs. D. I was told I had to wait until that lady's worker came in an hour-and-a-half later, they hoped. It was then very close to closing time.

It was also Friday on this particular call, and I became concerned that I would not talk to the worker so I said I find this unsatisfactory, could I ask for a supervisor to see if I could get one mailed out today. And I was dealt with in a fashion: "Well, that is just too bad, you know, too bad about your being dissatisfied, you will just have to wait now until the person comes in because I am not going to let you speak to the supervisor". So I said—

Mr. Chairman: Surely this does not come under the board of review. It constitutes a problem within the welfare office in North York and should come under vote 2002.

Mrs. M. Renwick: Mr. Chairman, what I am going to say to the Minister—perhaps I will have to learn to say it first and then speak after—is that this type of treatment by certain welfare administrators should certainly also be able to come before the board of review.

Mr. Chairman: Under vote 2002 I believe reference could be made to it.

Mrs. M. Renwick: Thank you, Mr. Chairman. The problem is, Mr. Chairman, that people are being maltreated by individual social workers and welfare administrators. We have lots of evidence of it. They have no recourse to this type of treatment. When I identified myself then for the mailing, which of course could not take place because they did not have the form, the lady said to me: "I wish you had told me who you were." I said: "I did. I told you it was Mrs. Renwick."

Mr. Chairman: Well, once again—should this not come under vote 2002?

Mrs. M. Renwick: I wonder, Mr. Chairman, if I could interest the Minister in considering broadening the board of review to allow people to come before the board with isolated cases of maltreatment to their dignity and well-being by administrators—as well as the financial aspect. What would the Minister's view be on that?

Hon. Mr. Yaremko: I think, Mr. Chairman, the whole situation with respect to the administration of general welfare assistance is a subject which could be reviewed to see how any of the shortcomings or defects might be cured.

Those shortcomings and defects need not necessarily be cured through the board of review. That would only mean a form in which there would be some talk. I know of no action which the board of review could be charged with to remedy a situation. If there is something faulty with the administration of general welfare assistance, the cure, I think, must be in some other form.

Mrs. M. Renwick: Mr. Chairman, I would like to draw to the Minister's attention that I said earlier that from the board of review —were it handling the bulk of the problems of the province—could come invaluable research as to where the changes have to be made. And in the case of a well-known administrator who is administrating unfairly—and these men are usually quite widely known—I feel that the Minister would have much to gain.

I would like to know if he would agree or disagree with me. There would be much for him to gain in lifting up the quality of the local administration of welfare if he knew what persons have done so much to drag it down. If isolated cases were coming before the board—things which we have heard here earlier about the worker who calls at the door, or the administrator—then perhaps the Minister could do much to relieve that person of his post or straighten out his problem.

As it is now, I do not suppose the Minister knows that there is a welfare worker I will call Mr. B., in North York, who is deep in a repudiation of his tactics, which are highly questionable as far as his attitude towards the people simply because they are poor. And I think this attitude towards the poor is perhaps what we have to get at with the hon. Minister, Mr. Chairman. Perhaps his attitude about this sort of thing happening out there is—

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. I find I seem to have to rise so often on a point of order, may I with all due respect ask you to direct your attention to the listing of the votes and if the hon. member strays from the vote, would you please—instead of me having to rise on a point of order—direct the hon. member's attention to the proper place in which she may express such opinions? This has nothing to do with the board of review or vote 2001.

Mr. Chairman: The hon. Minister is quite correct and I have directed remarks along

those lines to the hon. member twice. I would ask if she has anything further to say on the board of review to proceed.

Mr. M. Renwick: Under item 15 (a), Mr. Chairman, item No. 3 in the regulations of the board of review:

> If after receiving due notice, the applicant or recipient requesting the review does not attend the hearing, the board of review may proceed in his absence and he shall not be entitled to further notice of any future proceedings by the board.

Now, I would like to ask the Minister why would he have put that in?

Hon. Mr. Yaremko: Mr. Chairman, section 15(a)3 is very explicit. If after receiving due notice, the board of review may—it does not say shall—the board of review may proceed in his absence. And I would think with the flexibility I have given and the fact that the members of the board of review are aware of the fact that we want it to work, that all due consideration would be given by the board to insure that the applicant for a hearing will have his case heard in due and proper course. On the other hand it would be very unfair to keep the board of review dangling and keep the costs rising to where it may bring frivolous or some such action, which does occur at times.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister, does he not realize that it is this nebulous intent of what he is administering that is causing all of the trouble? Why would the Minister not have said that the board of review may not proceed in his absence and then find out why the absence occurs? If the man is hit by an automobile or the woman is going to the hospital with a sick child and does not get to the board of review, she is automatically disqualified and the review board proceeds without her. She has no recourse to come back and say that this is not the way it was, it was this way.

Why would the Minister have said, "may", why would he not have said "may not"—"may not proceed"? The example in Peterborough was, that the board of review is there for two days and if someone, for some unforeseen death, fire, flood, anything, did not get to a board of review he could conceivably have been heard the following day, he could conceivably be heard when the board of review comes back. Why would he be completely written off as if he had no future proceedings with the board? I do not understand unless—is this the Minister's view, this is what I would like to know, Mr. Chairman, or is it the view of the Cabinet? Is it the Minister's view that this is fair? If somehow the Minister did not get to a board of review himself on his own behalf, through some misadventure, that somehow that whole thing would proceed without him?

Hon. Mr. Yaremko: Mr. Chairman, I have some trust in the board as presently constituted. The section reads, "with due notice." I can conjure up a case in contradistinction to the hon. member, that time and time again the case is heard, and nobody shows up. Would it be fair for the taxpayers of this province to be paying money for the hearing under those circumstances? I say the hon. member wants to put the review board in straitjackets, and that I must spell out every item, dot every "i" and cross every "t". I am one who believes that this particular board, dealing with the kind of cases that it must deal with—the unfortunate in so many instances, the kind of citizen that the hon. member for Peterborough has pointed out—that it will have the utmost of flexibility to render its decisions in order to carry out the intent of the legislation and the appointment that there be a review of the applicants or recipients as the case may be.

Mrs. M. Renwick: Mr. Chairman, I certainly have to rise and object strenuously that the Minister is suggesting that somehow I am trying to make the board of review a straitjacket when this particular item 3 makes a form of straitjacket upon a person who may for some reason not go to the board of review. I am trying to say to the Minister, Mr. Chairman, that it is as bad for him to assume that the people who do not get to the board of review, are absent through negligence or lack of interest, as it is for me to purport that all people would be away from the board of review, on valid reasons of death, fire or flood.

I am simply saying that there will be both, Mr. Chairman and that the regulations of this Act should have allowed for both types of absence from the board of review; in all fairness, it should have allowed for both. If it would like to say that any future proceedings would be denied to a recipient who wilfully appointed a time on the board of review, and neglectfully did not attend, that in itself would be different; but even the recipient would have to be advised that that is how it is.

Mr. Chairman, I would like to ask the Minister a further question about this section. If for some reason someone does not get to a

board of review, it says, "He shall not be entitled to further notice of any future proceedings by the board." I do not understand why they would assume that the person is not entitled to be advised and even requested to account for why he would have missed the board of review. If he can justify to the Minister's board of review a legitimate reason, maybe even have to have it substantiated, but at least give the person a chance to come back to the board of review if they need to come back.

Now I would like to ask for a breakdown of the $146,000 for the board of review.

Hon. Mr. Yaremko: Sorry, I did not hear that last question.

Mrs. M. Renwick: Mr. Chairman, I would like to ask for a breakdown of exactly what the intent of the Minister is to dispose of the $146,000 being asked for the board of review?

Mr. E. W. Sopha (Sudbury): Dollar by dollar!

Hon. Mr. Yaremko: One chairman (acting) $15,000; three members, $30,000; one secretary, $5,500; one clerk-stenographer 3, $4,500; one executive secretary, $14,000; one secretary, $5,500; expenses, board members $22,500, and staff, $15,000; purchase of equipment, $900; printing and stationery, $4,000; maintenance and rental of equipment, $100; communications, $1,000—am I going too fast for the hon. member? Is she taking these down?

Mrs. M. Renwick: Mr. Chairman, I am taking them down.

Hon. Mr. Yaremko: Personal services, $500; other sundry administration, $500—the hon. member can write without moving her hands—

An hon. member: The Minister can talk without moving his lips.

Hon. Mr. Yaremko: —medical expenses, medical examination, $7,500; medical referee, $15,000; certain travelling expenses for appellants, $4,500; a total of $146,000.

Mrs. M. Renwick: I would like to ask the Minister if the travelling expenses are $4,500? Did I not hear travelling expenses earlier as $2,500?

Hon. Mr. Yaremko: What I said was travelling expenses for board members, and then certain travelling expenses for appellants.

Mr. Sopha: Can I be chairman for a while? Can I get a word in?

Mrs. M. Renwick: Mr. Chairman, when I have finished, I would be glad to relinquish the floor to the hon. member for Sudbury.

Mr. Sopha: Mr. Chairman, during this long debate about the board of review I have been—

Interjections by hon. members.

An hon. member: Order.

Mrs. M. Renwick: On a point of order—

Mr. Sopha: What? Will you not let anybody else have a word?

Mr. Chairman: Will the hon. member for Scarborough Centre yield the floor to the member for Sudbury?

Interjections by hon. members.

Mr. Sopha: I have had an opportunity to reflect upon my own position in respect of this board of review, and it seems to me that one can say rather safely that there is no field of government operation in the whole panorama of government in Ontario where we are more in need of an ombudsman than in respect of the people who come into contact with this department. Probably my own experience allows me to say safely that a multiple of two or three times as many people come to my office—conveniently located in downtown Sudbury, next to the liquor store—about welfare problems, as about any other single problem dealing with the vast complex of the state.

Bearing that in mind, I want to say that, so far as I am concerned, personally, in the words of the book, "Put not your faith in princes," I am unwilling to put my faith and trust completely in the board of review. I have had experience with these boards in other parts of the complex of government. I have in mind my experience with the network of tribunals in the workmen's compensation board. I am not going to dwell upon that, but having that experience, I am not willing to substitute the flexibility that I can employ as an ombudsman in respect to The Department of Social and Family Services for a quasi-judicial board.

If, by example, I can get on the telephone and call Benoit Belanger and tell him informally, and at some length, depending on how much time that busy man may have, my personal knowledge of the circumstances of the applicant, then it may well be that I will be able to bring to bear in that informal way, information that could not be gleaned in the

more formal atmosphere of a hearing before a board of review.

Similarly, if Mr. Belanger, being a nice fellow—the Minister knows of whom I speak—the gracious, courteous, and human fellow that he is, he does not mind if, after he cannot see his way clear to change the decision or offer the relief that I might feel in the circumstances this applicant is entitled to, I go over his head, so to speak, and make representation at Toronto—and indeed, make the representations up to the level of the Deputy Minister, and perhaps at each stage bring into focus additional facts, considerations and arguments on behalf of the applicant to freshly charge the case in an attempt to get the decision altered.

Let it be said at this point that in ten years I have not been aware of any department of government in Ontario where there is a greater degree of co-operation for the private member in courtesy and helpfulness displayed by the civil service than in this department. To me it is the tops.

It may well be that the arguments of the member for Scarborough Centre are well merited in respect of those persons who do not seek the assistance of their paid ombudsman—not very well paid, I must say—but we are there at their service, all 117 of us are available, glad to render service, to listen to the complaint, to hear in detail from the person.

Mr. Lawlor: Positively reactionary!

Mr. Sopha: Well, my friend, how could you quarrel with that, when I speak of what our function is? Of course that is our function.

Now for those who do not have recourse to the private member, it may well be that this board of review is the vehicle—

Mr. Lawlor: Why do you stand up like that and give us hieroglyphics? Why do you do that?

Mr. Chairman: Order, please!

The hon. member for Sudbury has the floor.

Mr. Sopha: I do not understand how my friend could complain. I submit that it is a perfectly proper posture to take that we can achieve as much in the representations we make informally or more, as this quasi-judicial body about which so much has been said this afternoon. And I insist I am not in any way denigrating from the efficacy of that board.

Mr. Lawlor: It is an incredible speech for a man like you.

Mr. Sopha: That I support, so far as the functions—can you understand this chattering of monkeys that is going on next to us? Can you understand it? I am not in conflict in any way, I protest, with the arguments they make. But I say out of 10 years of experience that I prefer the method I have adopted. What is wrong with us, as the paid representatives of the people, in making representations in the way we do—

Mr. J. Renwick: Because we are talking about rights.

Mr. Sopha: —and in many circumstances with this department, let me go on to say, I have made representations to the civil service that the procedures that they have adopted do not meet the requirements of reason.

When we get to the area of adoption, for example, I will have some additional comments to make about the procedures that are required by the straitjacket of the regulations, which are unreasonable. I will not dwell on them here, but if it is being said on this side—I am sure it is not being said from our members—that this board of review should in any way make disappear the initiatives of the private member in arguing the case of the applicant—

Mr. Lawlor: Nobody said that.

Mr. Sopha: Well, then, what are you quarrelling with me for? The two are entirely separate, and I am horrified to hear people on the left here—not truly of the left, but sitting geographically on the left—say that we should substitute for those initiatives of the private member the straitjacket of a quasi-judicial board, and I felt those things should be said. I do not want to appear before a board if I can achieve the same remedy without appearing. I have appeared too many times before the appeal tribunal of the Workmen's Compensation Board and had my hopes and my arguments disappointed in the face of what I thought were good arguments.

I end up by saying that what I say is in no way in conflict with the arguments so far as they have merit, tediously put, repetitively put. Time and again the point was made; we all understood that this party made its point early on in the debate. You do not have to say it four or five times.

Mrs. M. Renwick: Sometimes four or five years.

Mr. Sopha: Before I sit down, there is a matter close to my heart that I would like to raise and I do not want to distort or put into another channel. I would like to ask

this Minister, because I have been anxious to ask him, how many offices he has; whether he has one in the Macdonald complex, and whether he also has one in this building. And if that be the case, I should like to ask additionally if a radius was drawn from his seat would the length of the radius to his office in the Macdonald block be longer than the radius to the Treasurer's office in the Frost block? I would like to know that as a matter of geography.

Hon. Mr. Yaremko: First of all, Mr. Chairman, the Minister of Social and Family Services has an office in the Hepburn block. The more centralized this government becomes, the more decentralized this particular Minister has become. He occupied initially the office presently occupied by Mr. Speaker, which I believe is the most accessible office of any member of the Legislature—even a Cabinet Minister—and in the whole Commonwealth, I believe.

However, I am presently in the Hepburn block. That is the only office I have occupied. About three days before the hon. member first raised the issue, it was brought to my attention that there was an office available in this building. The hon. member has stated that he can walk from my office to this place in two minutes' time. I will pay him a dollar—

Mr. Sopha: I think I said three minutes.

Hon. Mr. Yaremko: No, two minutes, I will pay him a dollar for every second he does it under four minutes—double the time. It would be interesting if the hon. member some day should get a stop watch; he can start from this entrance and go to my office. It will be a very interesting experience, because unfortunately neither he nor I have wings, so we cannot resort to a radius.

Mr. Sopha: Well, the answer is that you have no office in this building?

Hon. Mr. Yaremko: Not yet; I hope to get one.

Mr. Sopha: Why should you get one?

Hon. Mr. Yaremko: Let me continue. The matter of accessibility to this building—two minutes, the hon. member said—

Mr. Lewis: If only you were as informed about your department as you are about the location of your office.

Hon. Mr. Yaremko: As a matter of fact, this is the one instance in which the hon. member was more informed than I was because he knew more about my office than I did.

Mr. Braithwaite: Well then you have not been listening to us over here.

Hon. Mr. Yaremko: I bespeak the attention of the hon. member that it would be very interesting if he took *Life Magazine* photographs so that they could take one of those photographic pictures, that is a light on the tail and pictures taken to get from here to my office, I cannot go as the crow flies so that the radius is of no consequence. I must take at least one, two, three, four elevators, one subway and one overpass, and very often, as happens with elevators, they are at the other end. I did it in 13 minutes today and I walked very rapidly. The Minister of Public Works believes it is good because it is good for walking. I do not have to jog all the time, but—

Mr. Lewis: We are all so pleased for you.

Hon. Mr. Yaremko: —but to come from my office to this building is a bit of a chore, and so is to try and be in two places at one time. This happens to be that kind of a department which requires the physical presence of the Minister so much. I am looking forward to the time when this office will be provided so that I will have a desk. I will check into this office and my staff, my secretaries, will be able to come and bring the mail, and I will be able to participate even more greatly in the kind of efficient service the hon. member has referred to.

Mr. Sopha: I do not want to prolong this, but I am sensitive because I am a member without an office. Could I ask you, what is your intention in respect of the office in this building? Are you going to hold court in it? Are you, in the words of the Minister of Agriculture and Food, going to grant audiences? What is the use of this office in this building if you have an adequately furnished office over in the Hepburn block? Why put the public to the expense of supplying you with an additional office?

Hon. Mr. Yaremko: In order that I may render to the public its just due of service which requires my presence in and around these buildings for 14, 15 or 16 hours a day, and if I am to render the kind of service I wish to do, I have to have the facilities. I cannot be in two places at one time. I will be able to render even more service to the public, to the people who come to this department for service, if I have adequate facilities

in this building so that I can spend the time doing what I am paid for, and that is, dealing with departmental and legislative business and not walking back and forth. The taxpayers of this province are not paying me to walk back and forth. They are paying me to deal with problems and this is what I hope this office will help me achieve.

Mr. Sopha: There are about 70 members of this sovereign Legislature that have not got offices. If you are not in the Ministry or you are not a moonlighter up in the back row up there, you have not got an office.

I would like one additional piece of information so I can tell my people in Sudbury at the next opportunity: What is going to be the cost to the taxpayers of Ontario, what is it going to be in dollars and cents, to provide you with an additional office in this building? How much? I defy you to tell me. I challenge you to tell me. How much money is it going to cost?

Hon. Mr. Yaremko: Minimal because—

Mr. Sopha: How much is minimal? Ten dollars?

Hon. Mr. Yaremko: I beg your pardon?

Mr. Sopha: Ten dollars?

Hon. Mr. Yaremko: I do not know how—

Mr. Sopha: One thousand dollars, $5,000, $10,000 how much?

Hon. Mr. Yaremko: I do not know how much the used furniture which the Minister of Public Works is moving in costs.

Mr. Sopha: Can you find out? Can you find out how much it is going to cost? Then let me know.

Hon. Mr. Yaremko: I would suggest that the hon. member put a question on the order paper to find out what the cost of all offices for everybody is.

Mr. Sopha: There is another thing. You mention the furniture. I have not been in your office, but I am told the furniture in your office is especially elaborate. I am told it is Italian Provincial or Danish 16th century or something, but I am told your furniture is especially elaborate. Is that so?

Hon. Mr. Yaremko: It is not so.

Mr. Sopha: I am further told that—

Hon. Mr. Yaremko: Let me conclude, Mr. Chairman—

Mr. Sopha: Could I get a word in?

Mrs. M. Renwick: Mr. Chairman, on a point of order—

Hon. Mr. Yaremko: No, I am answering a question.

Mr. Chairman: Order.

The hon. member for Scarborough Centre has risen on a point of order. Will you please state the point of order.

Mrs. M. Renwick: Thank you, Mr. Chairman. On a point of order, I do not understand what is happening in the—

Mr. Chairman: That is no point of order.

Mrs. M. Renwick: I would like to ask the Chairman if he would exercise his control when two members, the member for Sudbury and the hon. Minister, are both on their feet at the same time, shouting at each other across the floor for the second time.

Mr. Chairman: The hon. member for Sudbury.

Mr. Sopha: You say the furniture is not essentially elaborate. I am told that when you left the Provincial Secretary's office down here on the main floor, you moved out the furniture that was in that office, that elaborate furniture, over to yours in the Hepburn Block. Is that so?

Hon. Mr. Yaremko: That is so, yes. Mr. Chairman, for the hon. member's—

Mr. Sopha: Did they send for the Mounties?

Hon. Mr. Yaremko: —for the hon. member's information, the furniture is especially functional. It is designed to assist me to discharge my function in a greater degree, and that furniture will follow me to every office that I occupy.

Mr. Sopha: I would like to know, and I intend to find out, how much it is going to cost to give you that office. But I make this last comment: I especially asked these questions of this Minister because he is the one who stood in the end seat of a memorable evening here and made the lengthy speech, in the dying hours of the night, about, "I am on the outside; I am on the outside; I do not fit; I am the third element." Well, look. It turns out that this Minister is seldom on the outside, as we used to say in the fleet, when something is going; he is in there like a dirty old shirt in the laundry.

Mr. Chairman: Vote 2001?

The hon. member for Lakeshore.

Mr. Lawlor: To return to our *bête noire*, Mr. Chairman, this review board, I noticed that under section 15(a) subsection 4, all hearings of the board of review shall be held *in camera*. I know the Minister will no doubt ask, "Is that not just and proper that these persons should not be made public figures and that they not be pilloried or exposed to public for view?" On the other hand, that is not the way, on the whole, that the courts of the province are handled. Quite the contrary, except in exceptional circumstances.

In the legislation that is pending and going through this House at the present time, under other auspices, the professional engineers provide for *in camera* sessions too, but with reservations. They say that the person whose conduct is being investigated can request otherwise, by a notice. I suggest that in this kind of legislation the persons involved should be given the same and ample opportunity to do that, because there are many people who, however aggrieved they may feel themselves, may feel their aggravation is a small thing over against the weal, over against that of the many others who are in the same spot. Far from feeling embarrassed or put out by having their cases exposed to public purview, as I suggest that they should be in most cases, the *in camera* sessions should be the exception, not the rule.

If these people should so desire and the press and the public media and the members of this House, or anybody from the public who is interested in their care and in their plight, wants to attend these sessions, and they want it to be made thus open, there is no reason in the world why they may not and should not. We want to know what goes on in those sessions. We want to know where the defalcations and weaknesses in your department emerge.

When the member for Sudbury stands up, he is running against the federal Liberals, they have forced this legislation upon the government—most unwillingly obviously, because it has taken you two years to do anything about it. In order to get the grants for your department you have acceded to it in the most retrograde fashion imaginable. For the member for Sudbury to stand up and put a defence in for your department must run contrary to the grain of his own philosophy and his own party.

Interjection by an hon. member.

Mr. Lawlor: This Minister does not require to be defended by you or anyone else. He is quite capable of taking care of himself, although there is some doubt about that on this side of the House. On the other side if his departmental estimates are the can of worms that we are claiming that it is, then it should not be defended by you or anyone else in this Legislature. The only way is to lash and lacerate, if possible, in order to bring a cognizance, a consciousness and a recognition of how your department is conducted internally, and we are going to drive that point home if it takes us six weeks to do so.

The fact of the matter is that people have been treated in the most venal fashion. They have been scourged with scorpions in your department. You sit there in total complacence, and you get this other complacent fellow going along with you, salving over the running sores, saying the wounds do not bleed.

The fact is that in this province, this department is the greatest single running sore of them all, and it has not been made clear to the people of this province.

Hon. Mr. Grossman: This begins to sound more like Hamlet.

Mr. Lawlor: You are very little aware of what goes on inside and what people in welfare offices have to suffer, and the shame and the castigation, and the insult that they are exposed to day in and day out. We will put an end to it. And if you are so purblind, backward and unwilling to give concession to that, to open yourself to that possibiilty, then the worse for you so far as we are concerned, and you can sit here and listen to us for the rest of eternity.

So I do castigate, to some extent, the hon. member for Sudbury on his remarks on this particular occasion. Where a Minister deserves praise, he gets it. Where he has earned honorifics, let us pour them on his head. But I suggest that on this occasion, and with respect to this board of review, and to the conduct of this whole department, it is hardly deserving.

Mr. Sopha: I think it ought to be said, in all fairness, that my friend representing an urban riding in the heart of Metropolitan Toronto -

Hon. Mr. Grossman: Are you going to object to that? Do you understand it?

Mr. Sopha: His experience in respect to dealing with bureaucracy—and I use that term in its salutary sense—in Metropolitan

Toronto, might be entirely different from what we encounter out in the province, where we can deal with them at a much closer and more intimate level.

I think it is quite wrong for the member for Lakeshore, my good friend, to use his word to excoriate me in that fashion. I am entitled to say here—and I would be irresponsible if I did not say it—that quite apart from the political head, and I share his views of the political head of the department, but apart from that, in respect of the civil service, the administration, I would be irresponsible if I did not testify to the cooperation, the courtesy, the response, the human approach that they make.

They are a hell of a lot better than the Workmen's Compensation Board of Ontario. You cannot get anything out of the Workmen's Compensation Board any more. Let it be said in truth—my friend from Nickel Belt (Mr. Demers) will support me—that when we could write in protest to the Chairman, Mr. Sparrow, we used to be able to get something.

His leaving was coincidental with the establishment of this review board and appeal tribunal. By way of contrast, any argument you make to them, it seems, is rejected. I appeared many times before that appeal tribunal when it brought its court to Sudbury, and I will be darned if I want a substitute for the informal, or private argument.

For things can be said that you would not say in public. Details can be revealed that you would have some inhibition about displaying in the public demesne. I will be darned if I want to substitute that for a quasi-judicial type of review. Again I emphasize that, in respect of those who take their own initiative, I support wholeheartedly what was said by my friends to the left.

But as an ombudsman, which I am, I take a different view. And finally, to my good friend from Lakeshore, I will join with him and make common cause, be his ally, in assaulting the great framework of this department.

This is terribly wrong and I say as a matter of principle that as long as we continue to treat poverty and those in need as being the recepients of a benefit that we graciously give them, we will never conquer the running cancer of the blight in our society.

I will join with him in that. But on the other hand I have made those arguments from a practical point of view and I do not retract them one bit.

Mr. Lawlor: Mr. Chairman, with respect to this review board and to its validity, to its necessity, to its overweaning necessity, I suggest that the position of Kierkeguard be adopted in this thing. It is not a case, you know, of "either or". This kind of artificial division only casts ambiguity over the whole situation.

It is a case of "both-and" there is no reason why members cannot carry out their functions, which indeed may be stimulated by the introduction of the board. The fact of the matter is that the board is absolutely crucial. No member within the range of his capacity, with the time he has at his disposal, with the number of people he can service in a personal way, can in any way really do anything but supplement in a very narrow way for what the proper office and jurisdiction of this board would be.

To present this issue as though there was an alternative, and a categorical one at that, is quite beside the point. That is not what we are after. Sudbury seems to be saying so in one breath and in another not. The fact of the matter is that the board is absolutely crucial if the great massive deprivation that has been inflicted upon the welfare recipients of this province, their needs and care, are to be given cognizance, recognition, and to be given a voice.

It is the problem of people in the Opposition and we in this party pride ourselves in trying to be the voice of the voices—that is, the pest of governments for those who are inarticulate. Those who cannot speak for themselves must be given these tribunals so that their voices can be heard for the first time in civilization, for the first time in society.

This board is designed to do precisely that in a whole area of human amelioration and this Minister has done everything to frustrate its purpose.

Mr. Sopha: I agree with that. Put me down as saying I agree with that.

Mr. G. Ben (Humber): Mr. Chairman, before the clock strikes six, I just want to say a few words on this appeal board.

I have always opposed the creation of boards—be they appeal or otherwise. I have always deemed it to be nothing but an excuse to obviate the responsibility that a Ministry has—they pass the buck to someone else. And mark my words, Mr. Chairman, this day, we have very laudatory words from the hon. member for Peterborough about the way this review board operates.

Before the next session—or in the next session—we are going to find the members on the left, the hypocrites over yonder, rising to call this appeal board to task for being arbitrary in what it is doing and denying justice to the welfare recipients. This is going to happen within four years, Mr. Chairman.

Then do you know what the hon. Minister of the day is going to say? He is going to say: "Well, look, we set up an independent review board. We cannot interfere in its administrative function because we will be accused of prejudice or bias."

So the result is going to be that the people, those fork-tongued individuals to our left, those cackling geese, are trying to help, will in fact, be kicked in the teeth when they are down. As the member for Sudbury said, if these cackling geese were doing their job, as we members are doing our job, there would be no need for a review board. That is No. 1. Secondly, Mr. Chairman—

Interjections by hon. members.

Mr. Ben: The week end was very sunny and they all got sunstroke over there, so forgive them, Mr. Chairman.

Mr. MacDonald: The member has a state of perpetual sunstroke, that is his problem.

Mr. Ben: Secondly, Mr. Chairman, if the members here have been unable to cope with the quantity of this work—as the man I call the unclothed Jesuit, the member for Lakeshore (Mr. Lawlor) there, mentioned—then it is the system that is wrong, if there are so many demands for the intervention of members of the Legislature that they cannot handle them, then I say the whole system ought to be scrapped and razed to the ground.

I have to agree with the hon. member for Sudbury, but I am not praising this department. I am neither approbating nor reprobating. All I am saying is that I have yet to meet a situation where a constituent called me with a problem which I transferred or transmitted to this department, that I did not receive courteous and immediate service.

Mr. Lewis: But what does that mean?

Mr. Ben: It means this. I represent basically the same type of economic riding as does the hon. member for Lakeshore—similar. I agree with what the hon. member for Sudbury states: There might be marked differences in the type of service that a member in a rural area, such as northern Ontario, would have to render his constituents with reference to welfare, as compared to what a city member has to render. In the city, normally, we would call the Metro welfare department, and it is only if we have a problem with mothers' allowance or the like that we would go directly to this particular Minister. So I can understand that there might be different types of problems faced by the people up in the north.

But I have yet to be convinced that the problems in the city of Toronto, with reference to welfare, are so gross in numbers that the members cannot look after them. The only conclusion I can come to is that the people who are represented by the NDPers have inadequate, incompetent representatives who cannot handle it.

Mr. Chairman: Vote 2001. The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would hope that Dr. Willare, the Deputy Minister in charge of welfare at the federal level, never has the unhappy experience of hearing some of the contributions from some of his members today, and I hope that the hon. member for Etobicoke or the leader of the Opposition will retrieve the fact that the Liberal Party was not fighting for the proper interpretation of the Canada Assistance Plan in the last hour in this House.

Mr. R. F. Nixon (Leader of the Opposition): For the last hour? We have supported the review board since before you were a member!

Mr. MacDonald: They defend Ottawa on some occasions.

Mrs. M. Renwick: Mr. Chairman, I would like to compliment the Minister on his answer to the hon. member for Sudbury in his first lengthy full answer. The Minister said to the member for Sudbury, "I will do something." We are only asking that the Minister do something about this atrocious interpretation of what the federal government wanted in Ontario in the form of a board of review. I would like to ask the Minister, when will the other people be named to the board of review? He may have answered that earlier. Secondly, where will the next board of review be held, and if there is not a date, Mr. Chairman, as to where, then there is something wrong with the whole system.

Mr. Chairman: Would the Minister care to answer those questions?

Hon. Mr. Yaremko: Mr. Chairman, as I explained at the very beginning, the necessary appointments will be made as the need arises.

Mr. Brown: The need exists.

Mrs. M. Renwick: May I ask the Minister, then, where will the next board of review be held?

Hon. Mr. Yaremko: I am not aware of the board's agenda at the present time.

Mr. Lewis: Am I to assume, Mr. Chairman, that on vote 2001 we would raise all matters relative to field services, general welfare, regional administrators?

Hon. Mr. Yaremko: No, vote 2002.

Mr. Lewis: What does "training and staff development" include in terms of the services provided by the department?

Hon. Mr. Yaremko: "Training and staff development" encompasses the whole host of training in respect to those who are going to enter the social service field. Staff development is the continuing development and the upgrading of skills and training for those within our department. Field services, as such, the actual delivery of services, comes under 2002.

Mr. Lewis: When you give your trainees their intitial instruction, are they instructed of the roles *vis á vis* the people they serve, in terms of legislation? When they are meeting with recipients of family benefits—be they disabled, or on mother's allowance, or blind, or getting other allowances—have they a right to indicate legislative details as well as the counselling service, or the financial service which they may provide?

Hon. Mr. Yaremko: Yes, I think this programme—which has really been intensified in the last year or so within the department—is so designed to make new persons coming into our departmental service familiar with the whole range of both the departmental responsibilities and the functioning of all the various departments.

Mr. Lewis: Mr. Chairman, there were some thoughts on what these people might be instructed in; and some relationship between those thoughts and an oft-neglected subject under this vote, the board of review, which I thought might be made. Perhaps the Chair could now be vacated until 8 of the clock.

Mr. Chairman: I had put the question. Is vote 2001 carried?

Mr. Lewis: I am saying that there are some things that we would like to say in this caucus in respect of this vote.

Mr. Chairman: All right. Vote 2001 is not carried.

Mrs. M. Renwick: Mr. Chairman, on a point of order, vote 2001 cannot be carried.

Mr. Chairman: I just stated that it was not carried.

Mrs. M. Renwick: Well, sorry, Mr. Chairman, I beg your pardon.

Mr. Chairman: It being 6 of the clock p.m. I do now leave the Chair. We will resume at 8 p.m.

It being 6 of the clock p.m. the House took recess.

APPENDIX

Answers to questions were tabled as follows:

21. *Mr. Shulman*—Enquiry of the Ministry—1. Did Mr. R. A. McFarland, representing the Inspector of Legal Offices, write to Mr. F. P. Switzer, the Bailiff of the York County Eighth Division Court, on December 19, 1968, inquiring why execution and committal warrants had not been served? 2. What was the result of this inquiry?

Answer by the Minister of Justice and Attorney General:

1. Yes.

2. Claim No. 2134/68: Upon an affidavit of the bailiff that the execution was returned *nulla bona* on October 11th, 1968, the clerk of the Eighth Division Court forwarded the transcript of judgment to the Twelfth Division Court on March 25th, 1969.

Claim No. 5467/68: The summons was served on January 28th, 1969.

Claim No. 9513/67: The committal warrant was returned to the Clerk of the Court on February 20th, 1969 with the report of the bailiff "unable to locate defendant".

Claim No. 3918/67: It has been established that the committal warrant expired on March 24th, 1968 and no renewal was requested by the plaintiff.

22. *Mr. Shulman*—Enquiry of the Ministry—1. Did the Inspector of Legal Offices write to Mr. E. A. Clark, the clerk of the York County Eleventh Division Court, on November 15, 1968, inquiring why a claim dating back to July 29, 1968, had not been put on the trial list? 2. What was the result of that inquiry?

Answer by the Minister of Justice and Attorney General:

1. Yes.

2. The claim was set for hearing on March 14th, 1969. However, it was paid in full prior to hearing on March 10th, 1969.

23. *Mr. Shulman*—Enquiry of the Ministry—1. Has Mr. R. A. McFarland, representing the Inspector of Legal Offices, investigated certain mysterious disappearances of papers and cheques from the York County Eighth Division Court, as detailed by that gentleman in a letter dated January 23, 1969. 2. What was the result of this investigation.

Answer by the Minister of Justice and Attorney General:

1. Yes. Mr. R. A. McFarland and the auditors of The Department of the Attorney General.

2. No trace of documents and cheques was found in the office of the Division Court Clerk and none of the cheques involved has been paid into the Division Court Clerk's bank account.

24. *Mr. Shulman*—Enquiry of the Ministry—1. Did Mr. R. A. McFarland, representing the Inspector of Legal Offices, write to Bailiff F. P. Switzer of the York County Eighth Division Court on December 9, 1968, asking why a judgment summons issued last summer was not served? 2. What reply was received to this letter?

Answer by the Minister of Justice and Attorney General:

1. Yes.

2. The following reply was received from Mr. L. Stocks, Assistant Bailiff: "After many calls at all hours, the defendant was finally served on February 10th, 1969 and he is to appear on March 3rd, 1969 JS hearing. *Signed*—L. Stocks".

25. *Mr. Shulman*—Enquiry of the Ministry—What action is being taken to clear up the backlog of cases that have piled up in the York County Eighth Division Court as a result of failure of the Court Clerk to place cases on the list and/or to see that the bailiff issues judgment sommonses?

Answer by the Minister of Justice and Attorney General:

It has been established that there was no backlog of cases in the York County Eighth Division Court and no failure of the court clerk to place cases on the list.

Bailiffs do not issue judgment sommonses.

26. *Mr. Shulman*—Enquiry of the Ministry—1. Have over 50 complaints been received by the Inspector of Legal Offices during the past six months about strange occurrences in the York County Eighth Division Court? 2. What has been the cause of these problems? 3. What is being done?

Anwser by the Minister of Justice and Attorney General:

1. Between September 1st, 1968, and February 28th, 1969, the office of the Inspector of Legal Offices received 25 complaints relating to 64 specific claims and 2 complaints of a general nature with regard to the operation of the York County Eighth Division Court. The 25 complaints relating to the specific claims are as follows:

—delay in serving of summonses with regard to 13 claims.

—delay in serving judgment summonses with regard to 15 claims.

—delay in conducting executions with regard to 4 claims.

—delay in executing committal warrants with regard to 32 claims.

2. In the majority of cases, a genuine difficulty in locating the defendant to serve the court paper was the cause of the delay.

In a number of instances, the delay was caused by a lack of apropriate supervision of the bailiff over his subordinates.

Some instances indicated inadequate communication between the office of the bailiff and the office of the court clerk.

3. Every complaint was investigated by the office of the Inspector of Legal Offices.

A new acting clerk of the York County Eighth Division Court was designated.

The bailiff was assisted in the proper organization of his office.

34. *Mr. De Monte*—Enquiry of the Ministry—1. Who are the nine doctors on the following pressurized construction jobs? McNulty & Sons: (a) Bayview & Bloor; (b) Greenwood & South Danforth; (c) Woodfield & Dundas. First Line Contracting: (d) Bathurst & St. Clair; (e) Don Bills & York Mills; (f) Hillsdale Ave. & Collin Ave. Sansone Construction: (g) Gerrard St. off Greenwood. Keystone Contracting: (h) Dundast St. West &

Highway 27. Robert McAlpine: (i) Mount Pleasant & Mount Pleasant Ave. 2. When were the jobs last inspected by Department of Labour Safety Officials? 3. How many men have had to be recompressed since the start of each of these jobs? 4. How many men working on these jobs have been X-rayed in both hip and shoulder joints, out of what total of workers, and by percentage? 5. What has happened as a result of the affidavits sworn by men who were not X-rayed or examined under pressure before commencing work? 6. Does the Minister or his officials have the power to write a "stop-work" order on the basis of information laid by workers, to the effect that current regulations are not being complied with? 7. Will the Minister immediately make a "one airlock, one attendant" regulation? 8. Will the Minister immediately institute the following mandatory, minimum medical initial examination and annual review examination of all men working under air pressure: (a) Identification photograph and personal data form, copy available to examining doctor; (b) Overall physical examination (as for insurance); (c) Balance, agility and co-ordination test; (d) Audiometer test (first of a continuing series to detect incipient deafness); (e) Cardiopulmonary fitness test; (f) Dorsal flexibility test; (g) Electro-cardiogram; (h) Comprehensive X-rays (set of 16); (i) Chamber pressure equalization test? 9. Where are present emergency recompression chambers located, and how many are there? 10. What facilities exist for flushing out nitrogen by oxygen inhalation techniques, and where are they located? 11. Is there a charge levied against contractors for this emergency therapy? 12. Are logs kept by airlock operators? 13. Is there a regulation relating working air pressure to minimum decompression time, and, if not, what are the recommended periods for 25, 30, 35, 40 and 45 lbs? 14. What were the working air pressures in the nine current jobs listed above on February 25th, 1969? 15. What were the average decompression times per group of workers, on each of the nine jobs listed at the end of the regular day shift on February 25th, 1969? 16. Failing the above information, will the Minister furnish the data for a given day not more than 48 hours before or after the above datum?

Answer by the Minister of Labour:

The jobs designated (a), (b) and (c) were carried out by S. McNally and Sons. The job designated (f) was carried out by Scott-Jackson.

1. (a) Dr. Kutasy, (b) Dr. Kutasy, (c) Dr. Kutasy, (d) Dr. Birnbaum, (e) Dr. Birnbaum, (f) Dr. Haw, (g) Dr. Lamensa, (h) Dr. Kutasy, (i) Dr. Haw.

2. These jobs are (or were, since several were completed some time ago), inspected regularly. This question was placed as a notice in Votes and Proceedings on March 10, 1969. Therefore, the dates provided will be those closest to March 10, 1969.

Answer:

(a) Job completed—pressure off December 12, 1968. Frequent inspection prior to this date.

(b) Job completed except for manholes—pressure off February 14, 1969. Frequent inspections prior to this date.

(c) Job completed—pressure off July 9, 1968. Frequent inspections prior to this date.

(d) March 3, 1969.

(e) Job completed—pressure off September 12, 1968. Frequent inspections prior to this date.

(f) Job completed—pressure off July 11, 1968. Frequent inspections prior to this date.

(g) Job completed—pressure off November 22, 1968. Frequent inspections prior to this date.

(h) March 3, 1969.

(i) March 3, 4, 5, 6, 7, 1969. Pressure off March 10, 1969.

3. None.

4. None.

5. All 6 affidavits supplied to the Department of Labour on the television programme "W-5" made specific allegations that were false.

6. Yes.

7. This is the current practice, although it must be conceded that it can be practical and safe for one attendant to service two airlocks if the circumstances are right. Thus, it does not appear reasonable to enact a rigid prohibition against this possibility.

8. This matter is under consideration.

9. The regulations require an emergency re-compression chamber to be provided at every project. In addition, there is a permanent facility at Toronto General Hospital. As of March 10, 1969 the following job-site chambers were available in Toronto: Avenue Rd. and Dupont St.; South of St. Clair Ave. W. near Wells Hill Rd. (Bathurst and St. Clair); Dundas St. W. and Hwy. 27; York Mills Rd. and Don Mills Rd. (Keystone); Sherbourne St. and Gerrard St. E.; Logan Ave. and Langley Ave.

10. A permanent installation is available at Toronto General Hospital. Portable facilities can be obtained by project physicians.

11. It is probable that there would be a charge levied against contractors by those providing the facilities.

12. Yes.

13. Yes. Please see Ontario Regulation 100/63, Table 1 and Sections 101 and 102.

14. (a) Job completed.

(b) Job completed.
(c) Job completed.
(d) 9 psig.
(e) Job completed.
(f) Job completed.
(g) Job completed.
(h) Three separate parts—10 psig, 9 psig and 12 psig.
(i) 5 psig.

15. (a) Job completed.

(b) Job completed.
(c) Job completed.
(d) 8 minutes.
(e) Job completed.
(f) Job completed.
(g) Job completed.
(h) Three parts—6 minutes, 7 minutes and 9 minutes.
(i) 5 minutes.

16. Not applicable.

39. *Mr. Ben*—Enquiry of the Ministry—1. What is the effect of the administration of the drug prednisone on the elimination of fluorides in the urine? 2. Is one effect of the drug to release calcium from the bones and allow fluorides to take its place? 3. Would this phenomenon affect the urinary test readings of Mr. Ted Boorsma during his therapeutic trial as described in paragraphs 280 and 281 of the Hall Report? 4. If this should be so, is it possible to uphold the statement in the final sentence of paragraph 281, that Mr. Ted Boorsma did not have fluorosis? 5. Since Mr. Ted Boorsma's latest admission to the Toronto General Hospital, has the drug ethylene-diamine-tetra-acetic acid been administered to him? 6. If so, was this done on the instruction of Dr. Wightman? 7. Is this drug a "chelating agent"? 8. Has *any* kind of chelating agent been administered to Mr. Ted Boorsma? 9. Is one effect of a chelating agent to reduce the amount of fluoride in the urine? 10. If so, what is the purpose of this therapy?

Answer by the Minister of Health:

These are highly complex medical questions. Mr. Ted Boorsma was referred by his attending physician, Dr. C. B. Greene, Dunnville, to Dr. K. J. R. Wightman, Professor of Medicine, University of Toronto, in November 1967. He was admitted to the Toronto General Hospital, under Dr. Wightman, for investigation. Dr. Wightman was assisted in his investigation by several leading medical specialists, including Dr. E. Yendt, now Professor of Medicine, Queen's University. Following this investigation, Dr. Wightman stated that there is no evidence of fluoride intoxication.

As the Minister, I accept Dr. Wightman's statement that there is no evidence of fluoride intoxication.

It is noted that some of the questions involve matters of medical confidence and they should not be discussed or disclosed without permission from Mr. Ted Boorsma himself.

40. *Mr. Ben*—Enquiry of the Ministry—With reference to paragraphs 258 and 259 of the Hall Report: 1. On July 20th, 1967, Dr. V. Tidey of the Department of Health, visited Mr. Joseph Casina Snr. and took samples of blood and urine, which were later analyzed by the Departmental laboratory. Dr. Tidey wrote to Mr. Casina on August 2nd that the laboratory had reported that the samples were within normal limits. How long did the samples stand before being subjected to laboratory analysis for fluoride? 2. What was the actual date and time of the laboratory test for fluoride, and the date and time of the specimens being taken from Mr. Casina by Dr. Tidey? 3. How were the samples transported between the two places? 4. Is the detailed laboratory report now available for inspection by our independent medical experts?

Answer by the Minister of Health:

1. The analysis for fluoride was made within approximately 24 hours.

2. The specimens were taken from Mr. Casina by Dr. Tidey on July 20, 1967. The analysis was made on July 21, 1967.

3. The samples were taken directly to the Industrial Hygiene Laboratory, 360 Christie Street, the next morning July 21, 1967 by Dr. Tidey, personally.

4. The Department of Health would be pleased to discuss its methods for fluoride analysis with any other independent medical expert.

41. *Mr. Ben*—Enquiry of the Ministry—1. Will the Minister acknowledge that, regardless of the eventual transfer of air pollution to another Department that: (a) He will continue to be answerable in respect of human health by virtue of the Environmental

Health Services item in the Public Health programme vote 802. (b) The present human health problem in the Port Maitland area remains generally a matter for public concern. (c) Medical data on human health in this area is sparse and incomplete? 2. In the interests of the people of the Port Maitland area, and in the public interest, will the Minister now undertake a public programme of blood and urinary testing for fluoride using the very latest techniques now available at the laboratory of Dr. K. Garber, Freie und Hansestadt Hamburg, Staatinstitut fur Angewandt Botanik, 2000, Hamburg, 36, Bei den Kirchofen, 14, Germany? 3. Is the Minister aware that samples sent independently for analysis to Thornton Laboratories Inc., 1145, East Cass Street, Tampa, Florida, 33601, have resulted in analyses substantially different from those obtained by his own laboratory? 4. Will the Minister engage Dr. Rott E. Christiansen of Wisconsin Alumni Research Foundation, P.O. Box 2037, Madison, Wisconsin 53701, to undertake histological analysis of the Port Maitland vegetation and pathological analysis from bone biopsies from volunteers in the area?

Answer by the Minister of Health:

1. (a) Yes.

(b) To date, there has been no evidence of human intoxication by fluorides or any other substance.

(c) There is a good deal of medical data on human health in the Port Maitland area compiled by the Department in the course of its studies, e.g., study of plant workers, dental study of school children.

2. I am not familiar with techniques used by this Institute. If they are provided, my Department will be pleased to study them.

3. We have received no information of any test done by the Thornton Laboratory Incorporated, Tampa, Florida.

4. This does not appear indicated on the basis of the medical evidence brought forward at the Inquiry.

44. *Mrs. M. Renwick* (Scarborough Centre) —Enquiry of the Ministry — In light of Dr. Miller's statement to the Standing Health Committee that he did not always in the past, but now does, have a stock control system of drugs in the dispensary at the Brockville Psychiatric Hospital, will the Minister assure the House that all drug dispensaries at all Ontario Hospitals have a stock control of drugs in its dispensary?

Answer by the Minister of Health:

Steps have been taken to ensure that stock control is an essential procedure in our pharmacies and other stores. Dr. Miller introduced stock control in April, 1968.

46. *Mrs. M. Renwick* (Scarborough Centre) —Enquiry of the Ministry—Will the Minister take steps to make sure that the emergency key to drugs in the dispensary of the Brockville Psychiatric Hospital is placed with the senior medical staff person at the Hospital instead of the switchboard?

Answer by the Minister of Health:

No. This decision resides with the Superintendent and there is no reason to question his judgment.

No. 84



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 15, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 15, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3105

Motion to adjourn, Mr. Robarts, agreed to 3164

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2001:

Mr. Chairman: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Chairman, prior to the supper hour we were discussing for the third straight day the matter of the board of review.

Until this particular moment I had not entered the debate. I felt that everything had been said and I had hoped that the Minister would, in his wisdom, concede the need to inform the recipients of welfare, the present recipients, of their right to appeal to this board of review; to make it abundantly clear to them that there was such a board. And I must confess that I am more than a little concerned.

The Minister has indicated that everything that has been said will be taken into consideration; I am sure he recognizes by now that we on this side of the House do not consider that to be nearly adequate.

In fact, we happen to believe that out of the choices that have been offered to the Minister there surely must be at least one of the methods that we have proposed that would be acceptable to him as a way of making sure that every welfare recipient in this province is apprised of the fact that there is this board of review.

Now what I would like to say to the Minister, since it is a friendly discussion among just a few of us, is that maybe at this point, rather than get into the hassle and wrangle that we have been in for these days, that surely the Minister could at least say to us now that he will, say by the end of this month, notify all of the recipients, by some method. One of the methods suggested perhaps—

Mr. R. F. Nixon (Leader of the Opposition): By the member for Downsview—

Mr. Deans: —perhaps using the method suggested by the member for Downsview. Surely he could say that to us now, since as I say we are a small intimate group in the House and really not likely to carry it too far. Does the Minister not feel that he might be able to make that kind of commitment, that he would do this by April 30, and then we could carry on into the remainder of the estimates?

Mr. Chairman: Does the hon. Minister wish to repeat his answer to that question?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, I do not think it is necessary for me to reiterate the answers I have given this afternoon; over and over again. I have not ruled out any method of communication.

Mr. Deans: Mr. Chairman, I accept that you have not ruled out any method of communication. Unfortunately, you have not conceded that you will accept any method either. And of course if we allow this vote to pass without getting such an agreement from you, then there is no longer an opportunity for us to make sure that something is done. Now I am sure the Minister recognizes this, and it is not asking much of a person of your ability to be able to recognize the need to be sure, on this side of the House, that every welfare recipient is going to get the kind of notice that is necessary.

I am quite sure that the Minister, in our position, would want the same thing; and I am quite sure that the Minister is quite capable of not saying: "I will do it this way; or that way or any other way;" but that, "I will do it."

To say I have not ruled anything out does not satisfy, it does not even begin to satisfy, because while you have not ruled it out today, the very minute we pass the vote you may just do that, rule every way out, and then where do we turn? Where do the people who are sitting all across this province turn, who have had all kinds of injustices forced upon them? How do they then get to know of this review board, if the Minister turns around after we have finished discussing this

particular item and just ignores all of those things that have been said.

Surely it is not too much to ask you to say you will at least do it. I am not asking how, I am no longer interested in how. I only want to know that you are going to make the commitment that you will undertake to inform everyone. Is that too difficult a thing? Is that really asking you to move from your position any great distance? Surely not! Surely if you really intend, surely if in your heart you believe that it is necessary to inform the people, it is not much to ask you to say so, here and now, that you will do it.

Mr. P. D. Lawlor (Lakeshore): The federal government should cut you off until you are in good faith.

Mr. Deans: Now this is the situation. To say that you may is not nearly enough. Either you believe that you should and you are going to, and we will question no further for the vehicle that will be used; or else you are going to say to us here and now that you are not going to and let us continue with this.

Now that is all that is asked. I do not care if it is a letter in the monthly cheque or an independent letter or whatever method you want to use—by telegram or personal visit from the Minister if need be—but surely it is not too much to ask.

If you are going to administer the department properly, and I am sure that you try, for goodness sake you can make this kind of commitment in this House.

Mr. Chairman: Does the hon. Minister wish to add anything to his prior remarks on this point?

The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): If I may at this time ask the hon. Minister what plans there are under research and planning; what are the plans of the department? What type of research? Is it something similar to the studies conducted in Hamilton years ago? In the city of Windsor? An attempt to rehabilitate individuals on welfare?

Hon. Mr. Yaremko: Actually, Mr. Chairman, this is a division that I look forward to with great expectations. We are now completing the staffing of the department and when that is completed all the social science disciplines—a very good term—will be represented: economists, psychologists, sociologists and social workers. We hope to have the base to do research which will be on a continuing basis to provide guidelines for future policy development. Economic and sociological aspects of current and longer term needs are to be evaluated; existing welfare programmes will be assessed in the light of these requirements; in-depth studies of individual programmes will be undertaken to see where these may need to be modified to meet the changing needs of the community they serve; an inventory of welfare services made available by various levels of government and by private agencies is to be compiled so that gaps in service may be identified and policies developed to overcome the deficiences which may appear.

One of the first studies undertaken is an analysis of the statistics compiled from various programme activities in this department. Greater advantage is to be taken of the data presently available. Once the production of this data has been refined and systematized it can be exploited to highlight the need for future research projects for administrative changes and for programme changes. Since the demand for service will outstrip the ability of the branch to provide it, priorities will have to be established, based on the relative urgency of the problems encountered.

Now that is research that is to be undertaken, Mr. Chairman, within the department. Then of course we will have, outside the department, those things which have been designated as demonstration projects, which are really a lab within the field, from which we will gain our knowledge and experience.

Mr. B. Newman: Mr. Chairman, some years ago, 1963 if I am not mistaken, the Minister's department conducted a fairly intensive study in the city of Hamilton. They did exactly the same thing in the city of Windsor in 1965. What developments have there been as a result of these two studies? If the Minister prefers to be specific I would prefer him to mention what changes have taken place as a result of the Windsor study in 1965, what substantial changes in the department's outlook concerning public assistance.

Hon. Mr. Yaremko: I do not have the 1963 study on the projects that the hon. member has mentioned before me.

I do have before me the Hamilton Unemployed Youth Project, which was sponsored by the Hamilton Young Men's Christian Association. The purpose was to attempt to discover and develop effective means of assisting chronically unemployed young men, 16 to 25 years, with poor employment records, to achieve steady employment. It was started

in 1967. It is completed and we are still awaiting the report. That report, we hope, should demonstrate to what extent volunteer counselling, with some psychological assessment, can change the unemployment attitudes and habits of young men.

Mr. B. Newman: Mr. Chairman, the studies are all well and good. The studies do not mean a thing unless there is some result from the studies. I would specifically like to know from the Minister: as a result of these studies in the city of Windsor what changes have been implemented in the city by his department?

Hon. Mr. Yaremko: My understanding is that as a result of those changes—rather a result of that particular study—that is they had some bearing on the rates of change in the schedules for family benefits and general welfare assistance.

Mr. B. Newman: I will not carry this any further, Mr. Chairman. That is very minor. The important thing is to come along and get these people off welfare, and that was the essential purpose for the study in the city. However it has not achieved the objective, because today we have more people receiving assistance from this province than we had back in the year when the study was conducted.

Now I do not have to tell the Minster that these pamphlets that he has put out would be nice if they were put out in other languages. I know he will follow through; I would appreciate him saying "yes," that these will be issued in languages other than the English language.

Hon. Mr. Yaremko: That is also done in conjunction with the programme of the Provincial Secretary, the 13-language programme.

Mr. Nixon: Mr. Chairman, I wonder if the Minister could give us some information on how the announced $400 million budget cut affected his department? I asked this specifically on the first vote rather than on the one that may apply directly to the children's aid societies or the homes for the aged or some others because I feel it is of more general importance.

The impression we get from the Treasurer's remarks was that it was many services administered by this Minister, the Minister of Health and the Minister of Education that bore the brunt of the surgery that the Treasury board performed on the requirement that had been put before it by the various Ministers. I would like to know specifically the recommendations that the Minister had put before the Cabinet, and particularly the Treasury Board, that have not been acceded to.

He has indicated himself, that there was a decrease in the support for homes for the aged and certain other programmes, but perhaps he could enlighten the House more specifically as to just what part of that $400 million cut he, in his department, had to bear.

Hon. Mr. Yaremko: I think, Mr. Chairman, that the hon. member placed the wrong interpretation on the remarks of the Provincial Treasurer. They may have put the emphasis on the wrong place.

I may say that as I have come to know the effects of the Treasury Board on other department submissions, that The Department of Social and Family Services was exceedingly well treated. I have acknowledged this to the Treasurer. When one examines the fact that a number of departments were—if I may use the term—kept at the level that they had been last year; that several departments had been cut from last year's programmes, and ours have gone up. I think the estimates for this year have gone up some 16 per cent over that of last year, which is a very significant increase and is quite comparable to the increases which took place in previous years.

I may say that to review the submissions would be very difficult because there was a continuous going back and forth. I may say that as Minister I emerged from the final consultation feeling—what should I use, I do not want to have the Treasurer quote me some time in the future at a Treasury board meeting—but I felt that we had done well enough to carry out in a general way our commitments.

There is no doubt that the capital expansion programme which had been growing at a very rapid rate will not grow as rapidly. In fact, there will be a great deal of phasing in and phasing over a period of time. However, even from that point of view, there are some benefits to be gained because as formerly, where applications for capital assistance were submitted and processed almost in a routine fashion, we are now examining very closely the submissions; the needs in the terms of the whole community; the area.

In the short run there are some side benefits which have been gained from not having as much of the capital moneys as was possible. The one aspect probably where I had hoped something would have been done—and the Treasurer did make reference to it—I have

been hoping in the last couple of years to increase the subsidy for maintenance for homes for the aged from 70 to 80 per cent to bring it in line with that of charitable institutions, which is presently 80 per cent.

Unfortunately, that was not possible. But when one considers the fact that in the last few years we have picked up percentages from the municipalities, I think we have done fairly well by the municipalities in the field of welfare.

Mr. Nixon: Mr. Chairman, I find it interesting that the Minister is satisfied with the results of his confrontation with the Treasury Board.

Hon. Mr. Yaremko: I will never be satisfied, Mr. Chairman.

Mr. Nixon: Perhaps that is so, yet his remarks would indicate that the programmes that he had in mind for this year have been adequately funded. It may well be that there are those who are concerned with children's aid societies, and particularly the homes for the aged—which he himself mentioned a moment ago—who would surely feel that the Minister has taken a strange attitude, indeed, if he is in fact trying to economize in the Budget that he, as an individual Minister, supervised.

I need only recall to his mind the circumstances in Niagara Falls and in Brantford where the local community had made substantial financial commitments with the understanding that these would be met by the Minister of Social and Family Services with similar funds, and that the Minister backed down on these commitments, when really the understanding was that it was the general economy required by the government policy that was the driving force behind the Minister's decision to retract what was tantamount to Ministerial approval to buildings that were already under way. How can the Minister justify his statement that he was well treated by the Treasury Board, with the fact that at least two municipalities are having to go ahead entirely on their own, in this case with expansions to homes for the aged and in other cases with the financing of children's aid society work, when the excuse given was that the funds were simply not available to support it to that extent here.

Mr. Chairman, I want to relate this to the first vote; I want to relate it to ministerial policy and just what this Minister and this department had to bear in the reduction of governmental expenditure that had been predicted as being $400 milion more than was actually brought down by the Treasurer. I am asking the Minister how he justifies his retraction of approval for the homes for the aged and certain work for children's aid societies with the statement that he was adequately funded.

Hon. Mr. Yaremko: Mr. Chairman, I beg to differ with the hon. leader of the Opposition, there was no retraction of any commitment. I have sufficient funds, I believe, to meet all commitments made as such and all approvals given in accordance with the legislation. I have all the moneys to fulfil all of those things which everybody throughout the province, including myself, would like to do this year. But as I have said to those who come, this department has been in business, is in business, and will continue to be in business, and the plans will proceed and those homes will appear in due course.

Mr. Nixon: Those homes will appear in due course, because they are being financial, *in toto*, as I understand it, by the municipalities concerned. Is the Minister, in his statement, in fact saying that the municipal officials concerned are in error when they state that the Ministerial approval was available, and that they never would have proceeded in the first case unless with the understanding that approval had been gained.

Hon. Mr. Yaremko: I imply no error on the part of the municipal officials. As I have explained earlier, in the past, in the affluent period, applications were submitted and they went through the procedure. I have not had any instances brought to my attention where some sort of non-approval was given, in that period of time where someone said, "No, you do not need it." Over a period of time the vast bulk were processed. That procedure was going on, and there were various capital undertakings at various stages—from those that were mere ideas in people's heads to those where people were poised with their foot on their shovel.

There are procedures which have to be carried out, and I suggest that there may have been misunderstandings on the part of some people, but I have taken the position that I believe that I have the sufficient funds to carry out commitments. I do say that one thing that has come to mind has surprised me, and it is the fact that there are several municipalities which do not have to borrow, but have all of the funds necessary. This came as a surprise to me that we, who are their partners and give them money, are

unable to continue at the rate that we would like to—

Mr. D. C. MacDonald (York South): Oh, nonsense.

Mr. Nixon: Well, I certainly hope the Minister understands that no municipality that I am aware of is prepared to go alone unless the commitment has been made, as the Minister said, in error, perhaps based on a misunderstanding which I am not prepared to admit; and the hole has been dug, the foundations have been laid, and the Ministerial approval—which has been automatic, presumably, in the past, particularly after the Ontario Municipal Board had approved—was not forthcoming, and these municipalities now find themselves in a position where they simply must proceed, they simply cannot leave the excavations sitting there until the Minister and his government return to what he would choose to call, I presume, affluent times. I think this is a considerable problem, and while it can be discussed in detail, particularly under the second vote in this regard, I wonder if the Minister can tell us if his recommendation to the Treasury Board were fully met, or, in fact, what part of the $400 million reduction that the Treasurer was talking about is being borne by The Department of Social and Family Services.

Hon. Mr. Yaremko: Mr. Chairman—

Mr. Chairman: Perhaps before the hon. Minister replies, the committee would permit the chairman to indicate to the committee that we have a group of visitors with us in the west gallery tonight from the Dovercourt Progressive Conservative Association.

Mr. Nixon: Mr. Chairman, we welcome them and the hon. member for Dovercourt welcomes them—

Mr. Lawlor: Could we not offer condolences to those in the gallery.

Mr. Nixon: —but I was wondering if the Minister might give me some specific reply associated with the reduction in his requirements.

Hon. Mr. Yaremko: Mr. Chairman, as the Treasurer is fully capable of explaining to the hon. leader of the Opposition with respect to the government in general about the procedures of the Treasury Board, each department submits its estimates, and then the cloth has to be cut in accordance with what the Treasurer has available. I may say that of the figure of $400 million, which is a very significant sum of money, the percentage difference between what we may have hoped for and the ultimate received, was not really a significant portion of $400 million. Other departments, I believe, took a much bigger brunt.

Mr. Nixon: It appears that we are not going to get further information other than that the reduction for this department was not significant, even though it was one of the five—

Hon. Mr. Yaremko: Not significant in relationship to $400 million.

Mr. Nixon: How significant was it?

Mr. V. M. Singer (Downsview): Give us some figures.

Hon. Mr. Yaremko: Mr. Chairman, the hon. leader of the Opposition can compare last year's estimates with this year's estimates and see the growth. Recognizing the fact that in a period when the Treasurer has made known to the people of the province of Ontario what he is trying to do in relationship to the Budget, the fact that we got a significant increase speaks for itself. Those are the figures.

Mr. Nixon: Mr. Chairman, I think the thing that speaks for itself is the fact that this Minister brought forward a significant, I would say, a brave new programme in association with children's aid societies, but that he has been equipped with the funds to meet the principles of that programme. As a matter of fact, preventive care has become a thing of the past. We had it, perhaps, for a few months during what the Minister himself has called the previous lucrative days. I would like to bring to your attention, Mr. Chairman, that of the $264,700 we are asked to vote, practically half of that is met from the federal Treasury. Really, we are talking about a vote of something close of $130 million of funds that are raised in the province here, that is on the provincial tax base. While the growth in the funds available for this Minister has, as he said, been 16 per cent, it does not meet the needs of the programmes that the Minister has enunciated.

I am concerned with the direction that has come to the Minister from the Treasury Board, perhaps from the Treasurer, perhaps from the Premier, to cut down on those communities that had expected the basic support from this Minister, and his share of the provincial Budget subsidized to the extent of at least 50 per cent and sometimes 80 per cent from the federal Budget, for the expansion of the care that we are so concerned with.

Now we can deal with it in detail. The Minister has assured us that the reduction of

his budget was not significant and that he has funds which will meet the programme as he envisages the responsibility of his department. I would say to him that he has a very peculiar view of his responsibility, particularly when we look at those two areas of homes for the aged and the children's aid societies, where I believe his support is inadequate and being reduced in its adequacy.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member has his opinions of my adequacies, and I have my opinion of his knowledge. I have explained time and time again in this House, that so far as Ottawa is concerned, they do not participate in capital grants. In those homes that you have referred to, there were no federal moneys as such for capital grants.

Mr. Nixon: That is what you are asking us to vote—

Hon. Mr. Yaremko: The hon. leader of the Opposition would have this House believe that Ottawa pays 50 per cent and 80 per cent of the capital costs of the homes. That is not so.

Mr. Singer: He did not say that.

Hon. Mr. Yaremko: Well, that is what I understood him to say.

Mr. Nixon: Half the money you are asking for—

Hon. Mr. Yaremko: The hon. member has been talking about capital grants. Now let us talk about capital grants, and in respect of capital grants where we have made provisions, the federal authorities are not yet participating the way that they should.

Mr. Nixon: Well let us get to the point. Your grants are not adequate.

Hon. Mr. Yaremko: I have a department Mr. Chairman, in which the grants will never be adequate, but they keep getting more and more so every year. We are meeting the demands and the needs of the people. With relationship to the child welfare, the increase in the last two or three years has been significant.

Mr. S. Lewis (Scarborough West): Oh come on. What is significant about it?

Hon. Mr. Yaremko: I would say that doubling is a significant change.

Mr. Lewis: You are destroying the preventive services entirely.

Mr. Nixon: If the Minister thinks that doubling is significant, they have not been doubled this year, they have gone up 16 per cent and still there are these waiting lists for the facilities for the homes for the aged which are grossly inadequate in many communities and which this Minister has cut back on this very year. Now, if this cannot be attributed to—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order. The hon. leader of the Opposition when he commenced his remarks, in a very general way I suggest he was in order in speaking of vote 2001. But when he gets into specific areas relating to homes for the aged and child welfare I submit we deal with those items when we come to the appropriate vote.

Mr. Nixon: Mr. Chairman, I will accept that point of order. I have raised it myself. The reason I have raised this point on the first vote is that there is every indication that this department has been subjected to the attrition of the Treasury Board.

I am delighted to know that this is not the case, but I am appalled by the statement made by the Minister that he has got all the funds to fund the programmes that he feels necessary for this coming year. I would say that I seriously disagree with him, and that this, in fact, is becoming a very important issue in all communities of this province.

Mr. Chairman: The hon. member for York South.

Mr. MacDonald: Mr. Chairman, I really want to have a chat with you rather than with the Minister because that is rather futile. We have spent almost two days trying to get from the Minister a simple admission with regard to the review boards; that he would let these people know and be specific.

He will not be specific. It is a sort of cat and mouse game and we have spent two days wasting the greater part of them. If he would be willing to be open and above board. Now we are back to the same kind of a proposition.

The question put to the Minister was: By how much were his estimates cut? I put this question to the Provincial Treasurer and he operates in a much different way. He said I do not know, but I will find out and I will let you know. I said, if I do not hear I will put a question to you before the orders of the day which I will do tomorrow since I had forgotten up until now. We are entitled to know from the Treasurer if we cannot get it from this Minister because he just will not

communicate or cannot communicate. We are entitled to know from this government where the $400 million in cuts in estimates came from.

This government, in its budget debate, boasted that they had gone through blood, sweat and tears to cut estimates down, to get a balanced budget and they give us where these cuts were. We have now the right to say to the Minister, "How much did you ask for? By how much were your estimates cut?" He cannot just say that the cut was insignificant in terms of the overall budget and so on. That is not what we are interested in.

How many dollars were your estimates cut by?

You boasted about the $400 million as a government. Now if you have got something to hide, maybe we will go to the Provincial Treasurer and we will find out from the Provincial Treasurer that we had a certain number of cuts made and they add up to $400 million. But we have already indicated in this House that now the leader of the Opposition has joined our forces, so you have got the Opposition on this side of the House.

I assume that in every estimate throughout this session we are going to have to seek and question, if it takes us a half a day or a day, to find out how much they were cut by. We are entitled to examine the estimates very very carefully. We are entitled to scrutinize whether the cuts are in services to people. Where your cuts took place there are legitimate priorities. We are entitled to expose these to the people of the province of Ontario, and we are entitled to ask the people of the province of Ontario, "Would you not wish to retain taxes in a certain area instead of cutting back on homes for the aged, programmes for emotionally disturbed children, programmes for psychiatric hospitals, programmes for children's aid.

You have boasted about what you have done. Now we are going to dig in to expose what you have done. So I just put it finally, Mr. Chairman, through you to the Minister, by how many dollars were your estimates cut? What proportion of the $400 million came from your department?

Hon. Mr. Yaremko: Mr. Chairman—

Hon. A. F. Lawrence (Minister of Mines): You have no right to know.

Mr. MacDonald: Just a minute now, Mr. Chairman. Another member of the government intervenes and says we have no right to know.

Interjections by hon. members.

Mr. Chairman: Order!

Interjections by hon. members.

Mr. Chairman: Order, please! The interjection by the hon. Minister of Mines was out of order; the hon. Minister of Social and Family Services has the floor.

Hon. A. F. Lawrence: Mr. Chairman, on a point of order.

Mr. MacDonald: I was on a point of order before you rose.

Mr. Lewis: What is wrong with the Chairman?

Mr. Chairman: If the hon. member for York South has a point of order; proceed.

Mr. MacDonald: You see, Mr. Chairman, you are right that that interjection was out of order, but the reason why is very significant—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. MacDonald: You can have your turn in a moment. The reason why that interjection, though out of order, is extremely significant is it is precisely the attitude that this Minister has evidenced for three days.

Hon. Mr. Yaremko: Mr. Chairman, on a point of order.

Mr. MacDonald: I am on a point of order and when I am finished you can interrupt me.

Hon. Mr. Yaremko: What is your point of order?

Mr. MacDonald: I have got a point of order and when I am finished you can interrupt me. We have been trying to get from this Minister—

Interjections by hon. members.

Mr. Chairman: Order! Order, please!

The hon. Minister asked the Chairman what the point of order was. The hon. Minister of Mines had made an interjection which the Chairman said was out of order. The hon. member for York South is explaining why it is in order. The hon. member for York South has the floor.

Mr. E. W. Sopha (Sudbury): I insist on a point of order.

Mr. MacDonald: I have a point of order, Mr. Chairman.

Mr. Sopha: And I insist that the exact words of the interjection go on the record.

Mr. MacDonald: They are on the record I trust.

Mr. Sopha: He interjected by saying we have no right to vote.

Mr. MacDonald: Right. Now, Mr. Chairman, I want to keep in order because we have been asking this Minister for three days how he is going to inform the people of their rights with regard to review boards. He says we will not tell you. We have no right to know.

Interjections by hon. members.

Mr. MacDonald: Now we say to him how much were your estimates cut by? He shared a $400 million cut. "You have no right to know" says he. Now, are you going to tell us?

Interjections by hon. members.

Mr. Chairman: Order! Surely the hon. members of this committee realize there are people in the galleries and that we are conducting a Legislature. The Chairman is doing his best to maintain order. I ask the hon. members to please maintain order.

Mr. Lewis: The people in the galleries have a right to know.

Mr. Sopha: That is why we are here; we have a right to know.

Mr. MacDonald: What we have had, Mr. Chairman, is confirmation from the Cabinet colleagues that how this Minister is acting is the way the Cabinet as a whole acts. We have no right to know. Because if the Treasurer is going to get up and boast about $400 million cuts we have the right to know where the cuts took place, and if you want to stay here till the month of August or September we are going to find out where the cuts were made.

Mr. Lewis: And this department is going to be on the griddle a whole lot longer now with this kind of arrogance.

Interjections by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: Mr. Chairman—

Mr. Singer: Come on C.D. Tell us how you are going to do it.

Mr. Chairman: Order! Would the hon. member for Downsview please permit the hon. Minister to have the floor. He has the floor.

Interjections by hon. members.

Mr. Chairman: Surely the hon. Minister has a right to reply to the point of order.

Mr. Singer: What? His arrogance? Is that what he is replying to?

Interjections by hon. members.

Hon. A. F. Lawrence: No, I have no point of order, Mr. Chairman.

Mr. Chairman: Then the hon. Minister is out of order.

Hon. A. F. Lawrence: Mr. Chairman, may I not speak to the estimates?

Mr. Chairman: The hon. Minister is out of order at this particular time.

Hon. A. F. Lawrence: Why?

Mr. Chairman: A point of order had been raised.

Mr. MacDonald: Because people ahead of you will be put down.

Mr. Chairman: Because the hon. Minister of Social and Family Services had the floor at the point the order was raised.

Hon. A. F. Lawrence: May I not speak on the estimates at all, sir?

Mr. MacDonald: Yes, in your turn.

Hon. A. F. Lawrence: All right. Now we are talking about arrogance here, sir. May I not get a word in edgewise about it? Why not?

Mr. Chairman: The hon. Minister is out of order at this time. I will recognize him in proper course.

Interjections by hon. members.

Hon. A. F. Lawrence: May I ask you when it would be in order for me to speak on these estimates?

Mr. Chairman: Order please! When the first point of order was raised the hon. Minister of Social and Family Services had the floor. That hon. Minister took his seat to hear the first point of order. Now the point of order has been made to the committee and I believe that the order of speaking should revert to the hon. Minister of Social and Family Services.

Mr. Lewis: On a point of order, Mr. Chairman, the Opposition in this House does not have to suffer that kind of interjection, and that should be accepted by the Chair. It is, I submit to you, sir, on a point of order, no prerogative of government to assert that the Opposition is not entitled to know how public money is spent. That is the simple nature of the point of order—no prerogative at all.

Hon. A. F. Lawrence: Mr. Chairman, I rise on a point of order.

Mr. MacDonald: Well if you had done that a few moments ago you might have had the floor.

Hon. A. F. Lawrence: I think is is a façade to have people stand up to fictitious points of order. Now come on. Be reasonable about it.

Interjections by hon. members.

Hon. A. F. Lawrence: My point of order is this, sir. As I understand the situation, claims have been made in this House that the members of the Legislature are entitled to know the initial form of the estimates that may be drawn up by a department before it gets approved by Treasury Board, which is a subcommittee of Cabinet, before it gets approved by Cabinet, and before it gets approved by the government as a whole for presentation to this House. All I can say, sir, when I indicated to you and to the House, and I do not backtrack on it for a moment, that no one outside of Cabinet has a right to know what those preliminary estimates are, is simply and solely because no one within government—and this is a collective responsibility within government—is responsible for those estimates until they are approved by government.

Now, the approval by government means that they get inserted in the estimates for presentation to the House and I can tell the hon. members of this commitee, sir, through you, if I may, that on occasion I am sure there is some pretty senseless stupid, nonsensical things that come from departments to Treasury Board and to Cabinet to get approved. And certainly in no manner, shape or form, could the government as a whole, the Cabinet, the people who are responsible to the people for the administration of the government, be responsible for some of those items. And for persons to ask that these be made public would not only be unfair to the government as a whole, sir, but would certainly be a very serious breach of the oath of secrecy that every member of the Executive Council has to make when he assumes office.

When I say, sir, with regard to preliminary estimates, before they are approved by government, before they are approved by Cabinet, that the hon. members of this House have no right to know about them. I reaffirm this, because that is the basis on which this is founded and at no time has the Treasurer of this province—

Interjections by hon. members.

Hon. A. F. Lawrence: I have as bellowing a voice as anyone else in the House, and if you want to create the indignities that you have shown here tonight, just continue to do so.

Interjections by hon. members.

Mr. Singer: Patronizing is not going to help.

Hon. A. F Lawrence: I am merely saying, sir, that at no time am I aware that the Treasurer of this province, in his presentation of his Budget to this House, indicated that there had been any amount of dollars cut off those preliminary estimates. What he indicated, sir, was that there was a certain amount in the way of a total of dollars that had been pared as far as the preliminary work by the Treasury Board had been concerned. These were not, sir—

Mr. Chairman: Point of order.

Hon. A. F. Lawrence: I am speaking to a point of order. At no time had there been any indication that the preliminary estimates by the departments themselves, that is the very preliminary estimates, and I think by speaking in this manner, sir, the Opposition show their ignorance of the system, had been cut down because in many ways these are not even known by the Treasury Board themselves and because the preliminary estimates in the first instance come to the Minister from the departmental officials, this is not known by anybody, even, in the case of The Department of Mines, by the Minister of Mines.

Mr. Lewis: A point of order, Mr. Chairman. I am speaking specifically to misinformation.

Mr. Chairman: Order, order. The hon. member is on his feet.

Mr. Lewis: On the point of order. I do not think this House, having suffered the abuse from the Minister it has already taken, need suffer the misinformation as well. In the Treasurer's Budget statement, if the Minister

had taken the trouble to listen to it, or to read it, on page 19 he indicates specifically that he has had to reduce certain amounts in the Budget by virtue of austerity programmes.

He says, for example: "Grants for the construction of hospitals reduced by $13 million, public works construction programme is cut by $4 million, funds for acquisition and developments of parklands were cut by $2.6 million."

Overleaf on page 20, after listing all the programmes which the government has illegitimately cut, he then says: "Our rationing measures eliminating approximately $400 million from expenditure estimates—"

Interjections by hon. members.

Mr. Lewis: Now, Mr. Chairman, on the point of order. We were not in any sense discussing what the Minister of Mines purported that we were discussing. We are discussing what we have every relevant and valid right in this Legislature to discuss—the nature of the cuts which the government itself has made. Also those departments in which the cuts took place, and the precise items of the departmental estimates to which those cuts apply.

It is nothing short of a totally anti-democratic attitude to suggest in this House that we have no right to that information. This entire government is culpable of a "guilty man's" psychology; Mr. Chairman, we are not prepared to accept that.

Mr. Nixon: On a point of order that was originally raised, surely we can now retutrn to the Minister of Social and Family Services and ask him once again what his original estimates were reduced by as they went through the Treasury Board. The $400 million reduction is a part of the Treasurer's budgetary estimates, as we have said, and we demand to know to what extent the programmes of this particular department have been reduced because of the decision of the government as a whole and the Treasury Board in particular.

Mr. Singer: We had one such Minister a while ago. He has gone now. Are you taking over the role now?

Hon. A. Grossman (Minister of Correctional Services): Is that how they run meetings at the university.

Hon. A. F. Lawrence: May I speak now, sir?

Mr. Chairman: The hon. Minister.

Hon. A. F. Lawrence: Sir, I think it is a very legitimate duty, if not the responsibility of the Opposition parties to compare cuts for programmes and compare estimates as presented to the House. In other words, compare what we are doing this year and the cost thereof, or rather what we plan to do this year and the costs thereof, with the programmes and the plans approved by this House last year, and the amounts indicated in the budget at that time.

I say, sir, that no one outside the Executive Council, or those who take the oath of secrecy in relation to the affairs of that Executive Council, have any right to know what goes on in that Executive Council. These are estimates that are presented to the Treasury Board, which is a committee of Cabinet, and for those matters to be dispersed we cannot do it.

Mr. Singer: Why do you not get rid of the Treasury? He said what he should not have said.

Mr. Chairman: Order!

Mr. Sopha: I want to speak to this point of order because this appertains to a matter critical to the viability and strength of this Parliament. On the one hand, it can be said that all of us sat here and listened to the Treasurer, strident and boastful and proud. On budget day he told the people of Ontario, indeed through the medium of the television cameras, that through his efforts, those of the government, his Cabinet colleagues, including the Minister of Mines, a total of $400 million had been carved or chopped, or struck, from the estimates that had been tendered to the Treasury Board.

Then with what I call the grossest arrogance and impertinence, the Minister of Mines shouts over to us that we have no right to know the details of that $400 million cut. Then he gets up and he lectures us—

Mr. Singer: Told us to shut up.

Mr. Sopha: —with a long disquisition about Cabinet solidarity and Cabinet secrecy, totally irrelevant to the point at issue. We would be remiss in our responsibility on this side if we did not question how the sum total of $400 million was arrived at.

Let the records show that in each department, as the Minister has come to his place to answer to his estimates, that Minister has been asked what portion of the $400 million is represented by a cut in his estimates; that process was continued with this Minister.

Now, I resent very strongly indeed, and it strikes at the viability of this as an institution, for this impertinent Minister to sit there, whose estimates are not before the House; his remarks are not germane to the proceedings of this House; to hurl over at us in the evening hours such an arrogant command that we have no right to know.

We have the right to know, and we must demand it. We must show for what it is this ingenuous argument put forward by the Minister of Mines seeking to explain away the gaff that he has made.

Well, this Party, as my leader has indicated, is not going to tolerate that for one minute. I ask you to rule right now, Mr. Chairman, on our behalf, that these are proper quetsions to be directed to this Minitser, and, indeed, to each one of the Ministers of the whole Cabinet Council as their estimates come before this House. I think you can do nothing less than that.

Mr. T. Reid (Scarborough East): Mr. Chairman, may I speak to this point of order?

Mr. Chairman: Proceed.

Mr. T. Reid: I would like to say to the Minister of Mines that he cannot have his argument both ways. I would like to remind him that on page 20 of his colleague's, the Treasurer's, Budget statement, the Treasurer said in this House:

> Although our rationing measure eliminated aproximately $400 million from expenditure estimates to come down to our final expenditure total of $2.996 billion, we believe that the final expenditure package that has emerged represents a wise and responsible allocation of our limited public funds.

I would like to say that if the hon. Minister of Mines' interpretation of his budget oath is as it is, then he has said to this House, and to the people of this province, that the Treasurer of this province has broken his oath. Either that, or his interpretation constitutionally is arrogant and false, and simply an attempt to tidy up his own gaff in this chamber.

I suggest that his remarks simply confirm Professor Fred Schindcler's analysis of this government between the years of 1948 and 1965, that what this government has, and has had, and has continued to have is a Cabinet dictatorship.

Mr. Chairman: Any further comments to the point of order?

Interjections by hon. members.

Mr. Nixon: Are you going to make a ruling on this, Mr. Chairman?

Mr. Chairman: As soon as the committee will give the Chairman an opportunity. It seems to me that the suggestion that the hon. Treasurer did indicate there were cuts in the Budget totalling a certain number of dollars, is an indication that there were certain cuts in the estimates, or in the original estimates, as compared to the estimates presented to this House.

On previous occasions there were three departmental estimates before the House. I believe on the first one, the hon. Minister in that department said he would obtain the information at a later date. He did not have it available. I believe that the hon. members of the Opposition in committee have every right to ask any Minister to indicate what he has cut from the Budget. Whether or not the Minister replies is another matter. If the Minister can give the information, or wishes to, I believe that is up to him. There is no way in which the Chairman or the Opposition members can enforce a reply from the Minister. I do believe that the hon. members have a right to ask that question.

Mr. Nixon: Mr. Chairman, I know it is not possible for either you or any member of this House to compel an answer from any other member, but I would put to the Minister now the question, by what number of dollars was his original requirement for the functioning of his department for the coming year reduced by the Treasury Board?

Hon. Mr. Yaremko: Mr. Chairman, the whole intent and purpose of that question is, as I would take it, to try to demonstrate to the people of Ontario that the people's services have been cut—

Some hon. members: Right! Right!

Hon. Mr. Yaremko: I direct the attention of the hon. member for Scarborough West—on page 20—

> On the other hand, spending under The Department of Social and Family Services will increase by 12 per cent to a total of $134 million to sustain our present income maintenance, rehabilitation and child care programmes.

Then if you go back to page 18, the hon. Treasurer gave a breakdown of "Development of Ontario's Spending and Investment Priorities," and priority areas. He refers to

education and health and social services and aid to local authorities, and demonstrates the increases that have taken place. The hon. member for Scarborough West was very careful to indicate that the Treasurer prior to the—

Interjections by hon. members.

Hon. Mr. Yaremko: Prior to the statement by the Treasurer of rationing measures which altogether eliminated $400 million the only reference he has to The Department of Social and Family Services is the postponement from 70 to 80 per cent in maintenance subsidy for the homes for the aged.

Mr. Chairman, I take this position, that I would suggest that some of the duties—not necessarily all of the duties—of the Opposition is to examine the adequacy of this programme, the adequacy of $267 million to meet the needs of our people. If the hon. member, the leader of the Opposition, expects me to give to him a reply to every dollar figure that I have in mind, of every programme that I believe would be good for the people of the province—

Mr. Singer: Surely we are entitled to expect the Minister to come in and know about his estimates.

Hon. Mr. Yaremko: I know my estimates, Mr. Chairman. I am prepared to talk about the adequacy of $267 million, an increase over last year in a period when the Treasurer is attempting to balance his Budget on behalf of the people of the province of Ontario.

Mr. MacDonald: What is the answer to the question?

Mr. Nixon: Mr. Chairman, the Minister has refused to answer the specific and straightforward question that deals directly with the responsibility that we have as members of this Legislature. He has admitted that the amounts that he received by the decision of Treasury Board were not up to the amount that he requested, he has refused to tell us what he has requested.

Now, because of that, it is certainly incumbent upon us to reduce the amount available by at least the sum that the public purse is charged for his salary.

As he was quick to point out in the original discussion the Minister's salary is statutory. But because of that I find it necessary to move the following motion: "That the amount in item 1 of vote 2001 be reduced by an amount of $12,000"

If the Minister can make that out of the statutory commitment, then he is welcome to do so. Surely we in this House have the right not only to ask the question, as you pointed out, Mr. Chairman, but to receive an answer. Because of that, put this motion before the committee.

Hon. Mr. Yaremko: Mr. Chairman, speaking—

Mr. Chairman: I will read the motion first, if I may. Mr. Nixon has moved that item 1 of vote 2001 be reduced by an amount of $12,000.

Mr. Nixon: Now, you understand, this is item 1.

Mr. Chairman: Right.

Mr. Lewis: Mr. Chairman, on a point of order. When this motion is voted on, what happens to vote 2001?

Mr. Chairman: If the motion does not carry, the remainder of the vote will be open for discussion.

Does the hon. Minister wish to comment now on the motion? I believe he was on his feet.

Hon. Mr. Yaremko: Mr. Chairman, if the motion were to carry, it would put me in a very difficult position. I would be confronted with a proposition of having to—

Mr. Singer: Resign.

Mr. Nixon: Then you would have no further responsibility.

Hon. Mr. Yaremko: I would have a great deal of responsibility because there are a great many salaries of a great many hard-working people involved in that—

Mr. Singer: We are not talking about a great many.

Hon. Mr. Yaremko: —in that $1,733,000. Mr. Chairman, I would suggest that I am willing to put my hourly rate at stake at any time.

Mr. Nixon: Oh, come now!

Hon. Mr. Yaremko: I put my work in the hands of the members of this Legislature. I am sure the vote will be defeated.

Mr. Lewis: We will put you before the review board.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, before the vote is called, would you clarify again what the result will be if this vote should not be passed?

Hon. A. F. Lawrence: You guys are full of confidence.

Mr. Chairman: If the motion is defeated, item 1 is carried, but the remainder of the total vote is open for further debate.

Mr. Lewis: Mr. Chairman, I am not at all sure what one does in this kind of case. I really do not think that should, by some fortuitous chance, the Minister's colleagues come to his defence and vote for him—which would surprise the entire Legislature under the circumstances—then we are still back in a similar position of dealing with a department where the Minister has no information whatsover, no grasp of departmental estimates and will not share that information with the members.

Mr. Chairman: Order! The hon. member is not speaking directly to this motion.

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. The hon. member made a statement that I have no information. That is utter nonsense, I have all kinds of information.

Mr. MacDonald: It is inadequate.

Hon. Mr. Yaremko: And if you want to stay here for six months, I have enough answers for six months too.

Interjections by hon. members.

Mr. Lewis: I am wondering, Mr. Chairman, whether it would not serve the House better for these estimates to be withdrawn at this point of time and that we move under rule 97 that the Chairman do leave the chair, pursuant—

Hon. Mr. Grossman: Out of order.

Mr. Lewis: It is not out of order.

Mr. Chairman: There is a motion before the committee and the Chairman is dealing only with this motion.

Mr. Lewis: I know, but this is a motion which takes precedence over other motions. I am speculating, sir, pursuant to rule 97 whether we would be better to say that the Chairman do now leave the chair, because in terms of pursuing these estimates at all we are met with total futility. In terms of a vote being meaningful in the context of what we are after, we can elicit no information on any count. I am wondering whether the leader of the Opposition would consider that as an alternative.

Hon. Mr. Grossman: Either the hon. member should make his motion or shut up.

Mr. Lewis: Mr. Chairman, I move, seconded by the member for York South, pursuant to rule 97, the Chairman leave the chair for the reasons that I have indicated.

Mr. Chairman: Well, I think the reasons are really irrelevant, as far as the chair is concerned. I have a motion before me which is entirely different from the motion introduced by the hon. member for Scarborough West. This rule 97 would take precedence over the motion introduced by the hon. leader of the Opposition. The motion by the hon. member for Scarborough West is simply that the Chairman do now leave the chair and report.

An hon. member: Not much progress.

Mr. Chairman: Just report.

Mr. MacDonald: Your only opportunity, Mr. Chairman, is to report the facts—no progress.

Mr. Chairman: That is in the event that the motion carries.

Mr. Lewis moves that the Chairman do now leave the chair and report.

Mr. Nixon: Mr. Chairman, I would like to speak to the motion, and I am not going to comment particularly on the motives that put it forward, other than to say that I would say that we agree in our position that the Minister's answers are inadequate. Surely we would agree further that money for the provision of welfare services to this province is essential.

Naturally, Mr. Chairman, if the hon. member will permit, we will support the motion since it has taken precedence and that it has the same effect. It is simply showing that we on this side have no confidence in the Minister, nor the policy of this administration in funding, nor of the philosophy of looking after the welfare of the people of this province.

Hon. Mr. Yaremko: On a point of order.

Mr. Chairman: It is debatable.

Hon. Mr. Yaremko: Mr. Chairman, why permit the leader of the Opposition to get into another harangue?

Mr. Nixon: This is not a motion to adjourn. I am not sure what it accomplishes, but certainly it will have the effect of dividing the House on this basis and this is certainly what we seek.

Mr. Chairman: I must point out to the hon. member—

Hon. A. F. Lawrence: Mr. Chairman, on a point of order, if I may please.

Mr. Chairman: Actually the rule simply says that the motion is an order and that it shall not be debatable. Now if there is a point of order, the—

Hon. A. F. Lawrence: You have already allowed one member, sir, to stand up on a point of order.

Mr. Chairman: I was just about to rule on it.

Hon. A. F. Lawrence: Can we retain saneness and reasonableness in the House tonight? I do not know where people have been, but I mean this discrimination in reverse, this arrogance by the Opposition, by the minority, of occasions that we have seen amply demonstrated here tonight where they want to cut off discussion. This last bit of one-upmanship, sir, by the NDP group, where in a petty-like attitude, they have to be one up on the leader of the Opposition.

Mr. Chairman: Order!

Mr. J. L. Brown (Beaches-Woodbine): Say it to the Young Conservatives.

Hon. A. F. Lawrence: There is one other motion that takes precedence over them all, which is also non-debatable, and I, therefore, would move, sir, that the original motion be not put, and that takes precedence over the second one, and it also is non-debatable.

Mr. M. Shulman (High Park): Mr. Chairman, may I speak to this point of order?

Interjections by hon. members.

Mr. Sopha: Without the Prime Minister, they are a disorganized rabble.

Mr. Shulman: Mr. Chairman, I would like to speak to this point of order.

Mr. Chairman: Perhaps the hon. member would just wait a moment until the Chairman tries to figure out what is going on. Regarding the Minister's motion to the Chairman, which previous question was he referring to?

Hon. A. F. Lawrence: To the original motion, sir, by the leader of the Opposition.

Mr. Shulman: I wish to point out that a motion cannot be moved after rising on a point of order.

Interjections by hon. members.

Mr. MacDonald: You cannot move a motion on a point of order.

Mr. Chairman: I think that the motion was entirely out of order and we are faced with the application of rule 97. Mr. Lewis had moved that the Chairman now leave the chair and report.

All those in favour of the motion will please say "aye".

All those opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

Those in favour of Mr. Lewis's motion will please rise. Those opposed to Mr. Lewis's motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 36; the "nays" 53.

Mr. Chairman: I declare the motion lost. We will revert to vote 2001.

Mr. Nixon: And the other motion is on the floor, too.

Mr. Chairman: Yes, I believe the hon. member is quite correct. Mr. Nixon has moved that item 1 of vote 2001 be reduced—

Interejctions by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: Mr. Chairman, will it be in order—

Mr. Nixon: Mr. Chairman, it would certainly be a reasonable assumption to do so, but half the members supporting the Minister have left the House already and we certainly cannot accept the same vote under those circumstances.

Mr. Chairman: Mr. Nixon has moved that item 1 of vote 2001 be reduced by an amount of $12,000.

Interjections by hon. members.

Mr. Chairman: Order! I might say that there had been debate on this motion before the motion was put before the committee. Further debate would be out of order.

Mr. Nixon has moved that item 1 of vote 2001 be reduced by an amount of $12,000.

Those in favour of the motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it. I declare the motion lost and item 1 carried.

Now is there anything further on the board of review?

Mr. Sopha: Just a moment. It is unfortunate that the first citizen graces us with his presence just so momentarily—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order.

Mr. Sopha: What is bothering you?

Interjections by hon. members.

Mr. Chairman: Order! Will the hon. Minister please state the point of order.

Hon. Mr. Yaremko: There is nothing in this estimate which permits the hon. member to embark upon the discourse which he has.

Mr. Chairman: The Chairman has called for further discussion on the board of review. Is the hon. member for Sudbury on his feet in that connection?

Mr. Sopha: I was going to make the point that it was a pity that the first citizen gracing us with his presence so momentarily, that we did not draw to his attention the weight of the argument—

Interjections by hon. members.

Mr. Sopha: —that we made in respect of the total cut of $400 million. I protest to you, Mr. Chairman, that it is the responsibility of the Prime Minister to come in here and take charge of this revel that he leaves behind, and to tell us as a matter of government policy whether it is a proper line of enquiry in respect of the cut of $400 million.

Now I am accusing this Minister of dissimulation tonight when he said—

An hon. member: Wait till we look that one up.

Mr. Sopha: Clear dissimulation when he said to the House, in response to a challenge from this side, that he did not carry the figures in his head in respect of the original estimates with which he had approached the Treasury Board. Of course, no one is to be misled into thinking that when his estimates are prepared, we preseume that the papers relating to those preparations are thrown away, nor do we expect that the Minister is going to carry the figures around in his head.

After all, we have our conception of the capacity of his cranial space and we find it easy to constrain ourselves short of exaggeration in describing its amount, the quantity.

Hon. R. S. Welch (Provincial Secretary): Let us not get personal. It is unbecoming.

Mr. Sopha: He is getting personal with us.

Hon. Mr. Welch: Never. Never personal.

Mr. Sopha: He has been personal all day, and it affects us personally.

Mr. Nixon: There goes the Minister of Mines. We will never see him again.

Mr. Sopha: Surely, we do not have to accept the explanation that because he is bereft of memory of the figures, we are to be deprived of them. It is not reasonable, Mr. Chairman, that, as you pointed out—I believe you referred to the Minister of Correctional Services, who undertook to obtain, I believe it was him—

An hon. member: The Provincial Secretary.

Mr. Sopha: Pardon me, the Provincial Secretary, undertook to obtain the information. Now surely this Minister can give us that undertaking also—that he will obtain the comparable information in respect of his department and provide it to the House before his estimates end. That I say to him, and I do say to my friend, the Provincial Secretary, that if I gave the impression of being personal I retract that.

I do not want to indulge in that. But I say to him, as an hon. gentleman, that that is a modest enough request to make and he can tell us, contrary to the disposition that he has shown all day in respect of other undertakings which this side asked of him, that at least in regard to this one, we will be acquainted because we do want to know at the end of the 22 or 23 departments of government, we want to be able to see where the $400 million is arrived at and how it is arrived at. How the Treasurer created that figure.

I am sure the Treasurer, being a responsible official, did not create a ball park figure. That figure must have been used as a term of fact that the amount was within a few dollars of $400 million. Presumably the Provincial Treasurer had totalled it up some place and had arrived at that as a precise statement of the trimming of the Budget.

Now we want to be able to say how much The Department of Social and Family Services contributed. Now let it be absolutely

clear—I want to end making this point—we, on this side of the House, say that the amount in this department is inadequate.

There is no ambiguity about our position at all. We say it is inadequate. We say it is niggardly. We say that the total sum voted does not provide proper welfare services for the people of Ontario and in the words of Mr. McRuer, in the recent article in "Human Relations", the publication of The Department of Labour, this amount "does not permit people to live in dignity", in this province.

If they are in need, we say there is a right for the individual, the human being, the citizen of this province—he has an inalienable right to be adequately provided for. And from now on, for all time, I take my stand with Gunnar Myrdal, the great world figure, and it is support enough, you do not need to go beyond him.

I notice he is coming into Ontario the latter part of May, but I take my stand with him when he sets it down as a fundamental postulate of human dignity that we are obliged to buy out poverty, that is how we get rid of it. We buy it out. We do not permit people to be poor, even if they try to be poor.

We do not permit them to be, and he says that is a fundamental human right. In other words, what this great economist, this internationally famed economist is saying is that it costs more if you allow people to be poor; you pay more by the fact that they are poor. Now that is where we take our position. All right. Taking our position on that fundamental postulate, of course we say the total amount to this department is inadequate.

Then, to show its inadequacy, we want to know how much this Minister felt he needed to approach adequacy, because presumably if he wanted more than he got, then the hon. Minister was forced to cut his cloth into a smaller suit than he wanted to wear, if I am not mixing a couple of metaphors.

Then the Minister must have been disappointed, and accordingly, we want to have that information, because we are not going to permit the Treasurer of Ontario to boast, to show that attitude of magnanimity throughout the province that this is a penurious government that is trimming its sails—and then permit his individual colleagues, who bear the responsibility with him, to come in here and refuse to give us the information.

This Minister, to his credit, only refused to give it to us. He did not parade the attitude of arrogance of the Minister who has left the House and has gone to his home to soak his head, I hope, in regret for the outburst for which he was guilty this evening. He did not put it that way. That utterance was about the equal of Mackenzie King's famous one, "not a five-cent piece to a Tory government". Just about the equal of that, and we shall not forget that; we shall not forget that interpolation here tonight.

Surely this Minister cannot in these late hours continue to maintain this posture with us that he will not provide the information? If he continues to maintain it, how can he justify the attitude of the Provincial Secretary who has undertaken to get it, albeit he has not got it yet? It is some weeks now since he gave that undertaking, but he is a man of his word and presumably he will stand up to his solemn undertaking.

As I say to leave off where I began, the Prime Minister is entitled to come in here and cast his vote—he did not even know, I suggest, what he was voting for—and then wander out without taking some charge of his Cabinet colleagues, and in giving some resolution to this on behalf of the whole government.

You can bet your boots that if the old fox of Lindsay had been here some years ago he would have been right in the midst of it; he would have been up talking and motioning the lesser prophets to sit down. The only one he could ever get to sit down in response to his peremptory command was the Minister of Health, of course—and there was that famous night when the Minister of Health told the Premier to sit down himself.

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, on a point of privilege, I think the hon. member really misunderstood. Far be it from me to presume to order my chief, or anybody, to sit down.

Mr. Sopha: I was right here.

Mr. MacDonald: You did not presume, you just did it.

Mr. Sopha: I was here.

Mr. Nixon: That is why you never got to first base.

Mr. Sopha: I cannot understand why the Premier will not do it and decide once and for all so that we do not go through this. I am pleading for an economy of time that once and for all he will state the policy of the government. In order to make it perfectly simple, the simplest thing to do would be to provide us with a chart showing the cuts that were applied to each department right

across the board. Then we would have the whole $400 million at once. Now—

Hon. A. A. Wishart (Minister of Justice): What good would that do?

Mr. MacDonald: We have asked for it.

Mr. Sopha: What good does it do? Do we have to justify to you? We do not have to justify, nor do we have to explain to you.

Hon. Mr. Grossman: We do not have to justify the money we ask for from Treasury.

Mr. Sopha: Let us get that comment on the record. The Minister of Correctional Services—

Hon. Mr. Grossman: We do not have to justify the money we asked for from the Treasury Board in the first instance. We have to justify the money we ask for in this Legislature.

Mr. Sopha: You do not have to justify it, but you can boast about it all across the nation.

Hon. Mr. Grossman: Yes.

Mr. Sopha: All across the nation you can boast about it—

Interjections by hon. members.

Mr. Sopha: After the Prime Minister and the Treasurer have been to Ottawa to talk to the senior government and the rest of the provinces about the penury, the straitened circumstances of the government of Ontario, they come back here and they cut the budget by $400 million according to their own admission. According to their own words.

To get the measure of what the Minister of Correctional Services is saying, they do not have to itemize, or demonstrate how the $400 million cut was achieved. That is a remarkable proposition, and I cannot recall for many years that we have gone through such a parade of arrogance as we have seen tonight from the Treasury benches. Where I must lay the blame is on the lack of direction and leadership over there. I regret that the first citizen treats the matter so lightly; that he comes in here very casually, casts a vote for his side and gets out of here.

Hon. Mr. Grossman: We have lack of leadership, and you change your leader every two or three years.

Mr. Sopha: Now, presumably, we are going to be left with one Minister in the category of the Provincial Secretary, who will provide the information. The next one is not going to and, like a tennis ball over the net, we are going to go back and forth.

Mr. Nixon: He is looking it up in *Hansard*.

Mr. Sopha: Yes, my leader deftly points out that the poor Provincial Secretary—and I hope he will not find that word offensive—is looking it up in *Hansard* to see where he gave the undertaking.

Hon. Mr. Grossman: He may have to make a correction.

Mr. MacDonald: And if it is not in *Hansard*, I will go back to the original tape, and I will find it, be assured.

Mr. Sopha: My final plea is, let us, above all, be intelligent and rational individuals. Let us not carry on this ying and yang, looking for parliamentary advantage about it. It is a valid, legitimate enquiry for information. It is a responsible enquiry, so let us stop pussyfooting around and decide the thing once and for all. All this Minister need do to be a big man in a big department is stand up and say, "Look, I will get it, I will look it up, I will have my people assemble the figures"; or, at the very least, "Look, I will go to the chief and I will ask him if we should do it and we can get it resolved once and for all."

For all I know—I do not want to prejudge anybody—if he put it that way, "I will ask the head man, the first citizen," maybe he can come in here and give us a persuasive argument that it ought not to be supplied. That is as far as I can and want to go; but I do want to approach the thing intelligently. I do not want to be left in the position that it is one party striving against the other for political advantage. Really, we are vitally interested in this $400 million and genuinely so. I do not have to make my case to show—it is so obvious that it does not need the buttress of argument to support that proposition.

The Provincial Secretary saw it readily during his estimates.

Mr. Lewis: And he is still looking for it.

Mr. Sopha: He is still looking for it, indeed, but he is going to find it because he is an assiduous young fellow. I do not want to get into any rhetorical debating devices here, but I want to leave this on a rational, argumentative basis—let us do it once and for all. I plead with this Minister to accede to the reasonable request from this side.

Mr. Chairman: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Chairman, could I ask the Minister about the research and evaluation activity under this estimate?

The Minister has noted that there have been many studies done by his department in conjunction with city or municipal departments of welfare or social and family services. One such project was entitled "Long Term Assistance Families", a demonstration project done in 1964 with the city of Toronto.

Mr. Sopha: Mr. Chairman. Eureka! he has found it.

Mr. T. Reid: In the introduction the Deputy Minister, Mr. Band, makes the following comment. He says this: "You will come across the remark of the wife of a relief recipient."

And that remark was this: "The worst thing the department ever did was to give my husband his first welfare cheque."

Mr. Band continues: "This statement provides us with a viewpoint worth reflecting upon." And then he says: "I have commented elsewhere that we should sometimes pause in the midst of planning what we can do for people to ask what we do to people in granting them public assistance."

I think it is about time, sir, that this Minister and his department asked the question: "What can the poor people of this province do for us?"

What I mean by this is simply the following, that it is sometimes a very wise thing to include on projects of research and projects evaluating programmes of the department the people who are most intimately concerned and knowledgeable about those programmes, and that happens to be the poor people who are receiving them.

I would suggest to the Minister whether he intends in the year ahead when he is engaged in the evaluation of his programmes to ensure that the funds are well spent, that they are doing the things that should be done to help people to get off welfare, to become self-supporting? Whether he would include on the supervisory committee of the people doing the research welfare recipients?

The Minister, Mr. Chairman, is no doubt aware that this practice has become quite common throughout certain states and in certain federal programmes in the United States. If he really wants to find out what is wrong with his programme, he should get the people who are receiving them to participate in the evaluation of those programmes.

In brief, Mr. Chairman, I would like the Minister to let me know whether or not in the year ahead there is any money in this particular estimate on research and evaluation programmes and programme analysis in which the welfare recipients are co-opted on to a supervisory team. If the Minister is not aware of what I am talking about I would be delighted to elaborate at length on it, but perhaps he could try to answer my question.

Hon. Mr. Yaremko: Mr. Chairman, there is within the specific words that the hon. member has used as part of the supervisory team. I do not think there is any such instance. However, I have already indicated my views within the department. The point of view of the recipient should definitely be sought, not necessarily, as the hon. member says, to point out what is wrong because the programme may be all right.

It is a question of trying to find out what the recipient thinks of the programme, to get his point of view. I think there is always merit in finding out what the consumer thinks of the product, and that should be just as applicable within this field as all others.

Mr. T. Reid: Mr. Chairman, I am glad the Minister has clarified his philosophy on this. I would say that he is sadly out of date—probably a good 10 years out of date—for a number of reasons.

The first is that self-evaluation of one's own programmes is useless. If you have a programme underway, and if you have the Deputy Minister appointing the people who are to make the evaluation of one of his own pet programmes, then you can be assured, sir, that the results will be very wishy-washy indeed.

It will not be a hard-headed evaluation. I suggest that if the attitude of the Deputy Minister, Mr. Band, about the participation on getting the views of those people who are on the receiving end of the Minister's programmes is as I have described it here, then things are in a very sad state in the Minister's department.

The only thing Mr. Band thinks is worth while putting in this report in the preface is that he heard somewhere from a wife of a relief recipient that the "worst thing the department ever did was to give my husband his first welfare cheque".

If that is the attitude of the Deputy Minister, if that is the one statement he takes

from the interviews with the people on welfare to support his particular view of the place of the poor and the outcast in our society, then I suggest, sir, that this Minister has a department under him which is not concerned with helping people, but with perpetuating its own programmes, the good ones, and the bad ones too.

Unless the Minister has same way of getting outside people to evaluate his programmes, out in the open, then he has no way of knowing which programmes are good and which programmes are bad. He has no way of knowing because his Deputy Minister appoints the people to evaluate the pet projects of the Deputy Minister.

I would suggest to the Minister, Mr. Chairman, that he must open his eyes, that he must insist that the civil servants be cross-checked so that he, as a representative of the people, can make the policy decisions and not the civil servants.

I suggest that one of the best ways of getting outside evaluation is to insist that the research money and the guidelines that must go with that research money be allowed, partly at least, to letting the poor and the outcast in our society—the people who are on the receiving end of what his department takes so long to do—in on the evaluation. They know more about the programme than anybody else.

I simply say that if the Minister wants to look for examples, he can look at some of the new initiatives taken by Mr. Robert Andras in Ottawa, and Mr. Jean Cretien, albeit I do not think they have gone far enough. But they are involving the people who are on the receiving end of their programmes in the evaluation of their programmes, not behind closed doors in some report that trickles up and gets cancelled out as it goes through the layers of the civil service, but evaluation projects financed by the government to evaluate the performance of government departments, the performance of government policies. And it is done in the open.

I would say that if this Minister really believes in his programmes, if he really belives in his priorities, if he really believes in the quality of the people whom he, in the end, has hired to implement his programmes, then he would be only too happy to have his programmes evaluated out in the open, and evaluated harshly by the people who know more about his programmes than even he does—the people who receive those programmes.

I would suggest to the Minister that some of his money should go into this type of research. I would hope at this time next year the Minister will come into this House and say, "Yes, I am so confident of my department, so confident of the judgments I have made in the past, that I will open my department up to outside scrutiny, and I will include in the research, supervisors who participate in that scrutiny, the poor and the outcast who may have a chance to raise their voices directly to the Minister instead of through layers and layers and layers of professional people who have too much to protect themselves."

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I would like to direct a few remarks to this item 8, demonstration projects, and matters which ought to, if they do not, fall within the scope of this particular vote. We are voting $100,000, and I would like first to refer to a programme that was conducted in this area about four or perhaps five years ago, maybe a little longer than that.

There were 200 families and a multiple family programme was conducted where they took 100 families and continued to give them the welfare assistance they had been receiving previously. Then they took the other 100 families and they gave them the special counselling, and the special assistance required.

The results were devastating. The results were that the 100 families who continued to receive their normal welfare allowance really did not achieve anything during the test period of the programme, while the other group, the other 100 who received the special care, the special counselling, the special programme, rehabilitated themselves, and the majority became useful in society.

Now, it seems to me as I view the entire programme of the department, that this was never really elaborated on sufficiently to make it a major part of the Minister's overall programme for welfare assistance. I happen to believe it is very necessary that if we are going to continue as we are with this particular Minister in the seat, that he immediately embark upon a programme that is going to put people back into society in some useful form.

I am quite sure that there have been other projects undertaken by this Minister, and I have been looking through the 1966-67 annual report. I cannot find anything in it in relationship to demonstration projects or research

projects, as you might call them, and it surprises me.

I would have hoped that somewhere in there, there would have been an elaboration of the type of programmes that are presently being undertaken in this demonstration field in order that we might understand what kind of research is going on within the Minister's department. It seems quite obvious to me that the whole answer to the rehabilitation of the family unit lies in the special service field, and in the educational field. There is no purpose, as I see it, in taking a person and handing him or her a welfare cheque and then allowing them just to go on indefinitely in their present condition. There is a purpose, a reason why they are on welfare in the first place. And these demonstrations and research programmes that we have could quite easily have point the way towards a much broader concept of welfare assistance.

I happen to believe that money is much better spent if it is spent in the education field. Take those people who find themselves outside the realm of society as we understand it and who are unable to cope for themselves. If this money was to be spent in educating them it could bring them to a level where they would find that their services were required.

I am curious to know from the Minister exactly what has been undertaken in the past two years in the field of demonstration projects, and what ongoing and intensive programme has evolved? What about the programme I mentioned where the 200 families in the multiple problem group were divided into two and where the one showed such significant improvement while the other showed the inability to cope with the present system as it stands today?

Could the Minister answer that particular portion and then perhaps we might go on from there?

Hon. Mr. Yaremko: Mr. Chairman, I have not got that particular report before me. I do say this—now that the department itself has a research and planning division, we will be able to evaluate ourselves in a more thorough way and more speedily and become involved, I hope, in some of these demonstration projects. The philosophy that the hon. member has expounded is one that I expounded right from the very beginning of taking over this portfolio. I completely believe in that.

I do not think the answer is in the welfare cheque, the answer is in the rehabilitation. Within the department itself, we have embarked on rehabilitation both in our rehabilitation branch, in our family counselling service, and, as a matter of fact, those of our field workers who deal with the recipients of family benefits are getting into the direct field of counselling in this regard. One of the primary purposes of county and district administration boards is to enable the setting up of machinery to do this rehabilitative type of work.

I may say that this is now coming to the fore to such a degree that, following the federal-provincial conference of Ministers held at the beginning of the year, one of the task forces was set up. Its purpose is to explore the issues involved in a developmental approach to public assistance that would give appropriate emphasis in social assistance programmes to the rehabilitation of those who have a potential for self-support.

Mr. Lewis: What an insult that is. How can the Minister read that?

Hon. Mr. Yaremko: We will make known to others what we are undertaking and we will in due course learn what others have in mind. And as a result bring to bear the experience and attitudes and approach of all concerned in this field.

Mr. Deans: Mr. Chairman, if I may, just for a moment. I find great difficulty in accepting what the Minister says in this regard because I see no tangible proof of any kind, of the programme that he is talking about.

In my dealings with people, particularly in my area, who are on the welfare roll, there just is no indication of any insight by this department into the need to rehabilitate. Now, the Minister says it is there, and I think he would agree with me that it is very difficult to find out what has been going on—since we are dealing again with a report that is some years old. But I quite frankly cannot see any real result from the programme—

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. I would suggest to you that if the hon. member is going to get into the details of attitudes and that subject, that this might properly be left until vote 2003, in which we refer to rehabilitation and special services.

Mr. Deans: Well, it might properly be left to that if that was what I was about to talk about. But it is not. What I want to discuss is this: we are going to vote for this department $100,000 for demonstration projects.

These are in effect research projects, projects to understand the attitudes and behaviours of people and what we should be doing in the field of rehabilitation. This is my view of what the demonstration projects ought to be doing.

Now, I cannot in good conscience vote $100,000 to you based on the experience that I have had about the lack of use to which the results of the demonstration projects that have been carried on in the past have been put.

It appears to me that, after the project has been completed, there is very little effort put forward by this department to institute this on a scale sufficiently large to make any indentation into the problem of welfare. That after the project is completed—and I am sure the Minister would agree if he takes a look at the results—the results are tabulated and show up as being favourable, as was in the case of this particular project conducted in 1964, 1965 and/or 1966, in that area, that surely when we find that there are desirable results achieved from one particular approach, we should be moving into that on a much larger scale.

We are just not doing it or, if we are—and I say to the Minister if he can prove to me that we are then this is fine—but if we are moving into it, it is not obvious. It is not obvious in the city of Hamilton. It is not obvious in the city of Toronto. It is not obvious anywhere, that the results of the development programmes that you undertake are being put in practice.

Could the Minister indicate to me where there has been a change in policy since the year 1965, for example where there has been a massive shift from the previous practice of handing out the cheques, to a practice or a programme of rehabilitation on a large meaningful scale? I have looked and, as I say, since we are dealing with reports that are at least two years old, it is very difficult to ascertain what might have happened in the intervening period. I cannot find it. I cannot find it anywhere in the reports, and I cannot find it in the practice of the department. I cannot find it when I go to the people on welfare in the city of Hamilton, and I cannot find it in the reports in this building.

Now, can the Minister tell me where there has been any appreciable shift of emphasis from hand-outs to rehabilitation as a result of the demonstration projects?

Hon. Mr. Yaremko: Well, Mr. Chairman, the hon. member is asking for a direct causal relationship. All I suggest to him is that he compare the estimates of this department over the last five years and he will see a shift in emphasis.

I suggest to him that he make a comparison in relationship to vote 2003 over the years and he will see that in relatively recent years these matters have come into being and, as I have indicated in this House, they are just a base from which our approach will continue to grow in this regard.

Mr. Deans: Well, Mr. Chairman, let me ask the Minister more specifically, can the Minister indicate to me what tangible rehabilitation programme is presently being carried on in the city of Hamilton and surrounding district? Exactly what is happening in terms of the people presently on welfare assistance or family benefit assistance? What change has there been in that area toward a rehabilitation programme and away from a general hand-out programme as a result of the results or what came out of the development scheme, any research done under this particular vote?

Hon. Mr. Yaremko: Well, Mr. Chairman, a demonstration project is not a demonstration project for the physical area in which it is carried on. A demonstration project is a project undertaken so that we may gain general knowledge and experience to make it applicable across the province. I suggest to him that again in vote 2003 there is sufficient there.

Mr. Deans: But there is not sufficient. I ask the Minister seriously, what has been done in terms of rehabilitation in the area that I talk of, that one area? Tell me what programmes you presently have underway that came about as a result of research done under the development programme?

Hon. Mr. Yaremko: The emphasis in that particular area has been on the rehabilitation of the disabled persons, and any other extensions would be through our field workers who deal with The Family Benefits Act.

Mr. Deans: In other words, there really has been no shift of emphasis.

Mr. Lewis: That is what your rehabilitation branch does anyway. It has nothing to do with your projects.

Hon. Mr. Yaremko: Mr. Chairman, that is the hon. member's opinion. I have a counter opinion—there it is.

Mr. Deans: No, it is not simply an opinion. I arrive at this conclusion from what the

Minister says. It is not just an opinion. I have asked him to tell me what has happened as a result. I ask then another thing. Show me one area outside of Metropolitan Toronto where there has been any rehabilitation programme instituted as a result of the development programme.

Mr. Lewis: As a result of Jack Amos, not as a result of any demonstration project.

Mr. Deans: This is what we have to get to. We are spending money on things from which we derive no benefit.

Mr. MacDonald: Maybe this is one of the non-sensical items that should have been cut out.

Mr. Deans: I hate to say this, that something in the way of research should be cut out, but as I look at this and as I hear the Minister answer my questions, it makes it very difficult for me in good conscience to support $100,000 expenditure when the Minister cannot stand up and tell me one place where we have derived benefit from the results of any demonstration programmes.

Mr. Chairman: Vote 2001?

The hon. member for Sudbury East was trying to get the floor previously.

Mr. E. W. Martel (Sudbury East): Mr. Chairman, today I learned of the frustration one must have in trying to nail a butterfly to a wall, as we try to get an answer from the Minister that makes any sense.

I would like to pursue a couple of topics, one the review board, but first I would like to go to the point my colleague was just talking about. If the Minister has a programme for rehabilitation, it would be advisable that he advise the local fathers and municipal governments that this programme does, in fact, exist.

I raised this matter with the local mayors and reeves a year ago, that we would be better off to spend some $5,000 to rehabilitate a man rather than $3,000 a year to keep him on welfare and they practically threw me out of the building. The policy of the government certainly is not filtering back to the local fathers, that is for certain.

Like my colleague, I would like to see something concrete, in Sudbury, out of these studies which have been made. But I would like really to move on to the board of review again, and I want to illustrate, if I might, why it is essential that we get an answer of this Minister before we move.

I have a constituent who was cut off welfare, a monthly guaranteed pension. She went to her solicitor in December. The solicitor wrote the department in Toronto on December 29 and he followed up with subsequent letters. On about March 15 the solicitor finally contacted me to see if I could be of assistance because he could not even get a reply from this department.

Now for these three months this woman was without a cheque. A review board would have brought the problem to light very quickly, Mr. Chairman. Someone had assessed the value of a chunk of land at a very, very inflated figure, and there was no one to check this out. There was nowhere for her to appeal. She went to a solicitor who in turn had to come to me, and I finally got through to the right people and we got the matter resolved.

We just cannot allow a woman or a family or a disabled father to go through this three- or four-month period without income. I think we have to have some guarantee from this Minister that this will not occur again. There is only one way to assure that and that is that the people who have had their welfare cut off, who have had their pensions stopped, have a forum to appeal to and that they are aware of this forum immediately.

It is strange, Mr. Chairman, that even the solicitors were not aware of this committee. It is strange that this department did not even see fit to reply to the solicitor. Now what kind of hanky-panky is going on? What was this woman supposed to live on for three months, soda biscuits and water?

It would have been resolved rather quickly if there had been a board, but it was not. Now we have got the matter resolved. She gets her three months cheques paid up. This is fine, but if someone had not been there to give this woman a handout she would have starved.

I do not think the Minister would want any of his family faced with this situation, and we must have a guarantee from this Minister that these people will know immediately that they have recourse to appeal decisions which were made by one individual on a set of figures which made no sense. I can present the figures to the Minister if he wants them; these inflated figures that were presented in the property that this woman was supposed to have; when someone from the department was supposed to consider it much more valuable than it was.

As I say, we must have an answer and I know, as I said in my opening comments,

it is like nailing a butterfly to the wall trying to get an answer. But before I go on to a second point, I am wondering if the Minister can give me some guarantee, how we will prevent this from happening tomorrow or next week?

As I said, it is quite obvious the Minister does not care whether the people are confronted with this sort of problem or not. He is not the one who is going to go three months without a cheque and that is fine. But it can happen and is happening every day to people in Ontario.

Mr. Lawlor: Tell that to the Tories out in the corridor.

Mr. Martel: The just society.

Mr. Lawlor: —and those on vacation.

Mr. Martel: That is Trudeau, pardon me. We have another here, and this is the province of opportunity

Mr. T. Reid: A place to stand.

Mr. Martel: Yes, a place to stand. They have each got their own clichés.

Mr. Lawlor: You cannot stand, though. You are only going to fall.

Mr. Martel: After three months without food you do not stand very well.

I would like to go on to the treatment of people. Now I want to make it very clear. I am not speaking about the regional administrator in the city of Sudbury who, by the way, is excellent, just excellent. And I am making reference to Mr. Bellanger, just about one of the finest people I have had to deal with in any civil service. However, I want to go to the Sudbury Welfare Board, where I have written to the doctor, Dr. Band, regarding this problem.

It was going to be investigated; and, from my contacts, it has been investigated. However, I have not received a report of that investigation — where people are "hung up" on during telephone calls, where the administrator there refuses to talk to them. He insults them to a point that they refuse to go back. Let me illustrate a few cases.

There is the case of a man on compensation drawing $156. There is a wage assignment, and the compensation board does not pay if the man can go back to work. I can assure you, this man every two weeks had to go to the Sudbury and district welfare office and fight for a cheque, literally fight. His rent was paid late every month because he could not get his cheque, yet there was a cheque coming in regularly to that office from the workmen's compensation board. Now why was there a need to fight? Well I have not yet received a reply on this investigation.

Let me draw your attention to another case where a woman whose husband was in jail and where her little two year old boy was freezing in the house because the Sudbury and district welfare officer would not give fuel in the month of November—because he was under the impression there was someone living with her. Consequently, welfare was eliminated.

He did not bother to enquire why the man was there, or the fact that she was not receiving enough on the $75 allowance for rent to prevent her from losing the house, and that she took in a boarder. No, he assumed in blunt terms, she was "shacked up." She was saving her home, but the district man said: Either this man gets out or you do not get any payments. Well, she kicked him out. The man moved to an apartment in Sudbury, but as he had no place to store his motorcycle the bike stayed in front of the woman's house, on the outskirts of the city of Sudbury.

Well, we heard a caustic remark of "how convenient" from that certain section—he did not have a two year old son in that house in freezing November, where the neighbour had to go in and put a hundred gallons of fuel in the tank.

The interesting part, Mr. Chairman, is that I worked on this case and I suggested to the woman—and I knew it was a bluff—that maybe we could set up a guard to prove that the man was no longer living there. She agreed immediately. She had no opposition whatsoever. I knew, of course, that the department was not going to send a man there to stand guard 24 hours a day. But, by this means, I was able to go back to Sudbury and convince the man there that she was willing to have a guard set up. We were then able to get assistance for this woman and for the two year old boy in the house, freezing in November. I can assure you that there was not even a crumb of bread in the house.

I could go on at length, about this man in Sudbury, Mr. Chairman. I could tell you about the four times he cut off a woman in Copper Cliff last year and four times I had to get this woman back on welfare. The fourth time, I had to come to Toronto to do it, because she is a neurotic old lady who does

things that are not quite within the regulations; she visits the son who is in a mental institution—

Hon. Mr. Yaremko: Mr. Chairman, on point of order. Please, I direct your attention, Mr. Chairman, that vote 2002 is headed municipal allowances and assistance. I direct your attention to it, Mr. Chairman, and I point out the fact that the hon. member should be discussing this under vote 2002. Now I suggest that either we have some order or we should take votes 2001, 2002 together, or take all four together, and discuss it.

An hon. member: No way.

Hon. Mr. Yaremko: I ask your attention, Mr. Chairman, to this.

Mr. Chairman: The hon. member for Sudbury was speaking in generalities, as other members had been doing all evening. He did get slightly off track and refer to matters, which would perhaps more properly be discussed under vote 2002. I believe he suggested, just a few moments back, that he was going to use something as an example in connection with the general administration, although if it deals with municipal administration, he should keep those details for vote 2002.

Mr. Martel: No, that is income maintenance. I am not talking about the income, Mr. Chairman. I am talking about administration. I am talking about attitudes. I am talking about people who, because of some administrators—

Hon. Mr. Yaremko: Do I understand then, Mr. Chairman, that the hon. member will not be talking on attitudes when we come to vote 2002?

Mr. Martel: No—I am talking about general administration policy.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member has been talking about general welfare—about municipal allowance. The administration of municipal allowances and assistance comes under vote 2002.

Mr. Martel: Mr. Chairman—

Mr. Deans: Mr. Chairman, why is it that the hon. Minister can always find an answer when there is not even a question?

Mr. Martel: Mr. Chairman, I am not talking about the allowance payable. I am talking about a man that I wrote to this department about, asking that an investigation be conducted. I was advised there would be one and I have never received the report.

Mr. Chairman: Vote 2001 specifically does deal with the departmental administration.

Mr. Martel: Right—and an investigation from that department, or a request for an investigation in that department, must come under vote 2001. What I am trying to do is to illustrate how that man treats people, and how this department, even though we have made a formal request, does not even acknowledge the findings of its investigation.

Mr. Chairman: Well the hon. member, within that context, is quite in order.

Mr. Martel: Thank you Mr. Chairman. I was talking about a woman for whom I had eventually to come to Toronto, to the head office. As I said, she made a lot of mistakes. She visited a son who is in a mental institution in Orillia. She forgot to advise the department, and she was cut off. This went on three or four times—in fact four times to be precise. The interesting thing is that the last time I tried to get her back on to assistance, I got into a great clash with this man in Sudbury. I was sitting by the telephone, and the interesting thing was, Mr. Chairman, I was writing everything down as he spoke.

Then I phoned Toronto and I presented my point of view, and also what he had stated. Of course Toronto contacted this administrator. And, my goodness, the whole thing was completely different. However, when Toronto phoned me back several days later and challenged some of the things I had said, I was able to repeat them because I had them written down.

This man must be investigated—and his attitude must be changed. He has an attitude that everybody on welfare is a parasite—this is his exact attitude toward people on welfare. This must change, Mr. Chairman. Some of these are elderly people. In fact, I had a case last weekend of an elderly couple who refuse to ask for assistance, although they are drawing a great pension of $65 a month between the two of them.

They have a disability pension, but they are using up every little bit they have in the bank because they refuse to go and ask for welfare. So, the situation in Sudbury—the Minister knows precisely what I am talking about—ought to be rectified, and a new attitude must be put in that department in Sudbury, or the man must be removed, one of the two. It can no longer go on.

Mr. Chairman: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Chairman, I have a number of points I want to ask the Minister about. Under general administration I was wondering if one of the policies of the Minister, one of the ways in which he uses some of the funds in this department, is to encourage the recipients of cheques from his department to become involved in administration of his own programmes.

For example, suppose there are a group of people receiving assistance of various sorts from his department and living in Ontario Housing projects. Would it not perhaps be a good idea for the Minister, as part of his administration, to have a number of the recipients of his grants on a committee which would investigate people abusing, or suspected of abusing, the grants from his department?

In other words, this principle of administration, Mr. Chairman, is simply that if he wants to get his programmes administered effectively, he should make sure that the people who have the most to lose from others abusing that programme are involved in investigating those abuses.

So what I would see, Mr. Chairman, in an Ontario Housing project, where most of the people—say 60 per cent of the people are receiving cheques directly from the Minister, or indirectly from his department—I would see that in that Ontario Housing building, there would be elected from the tenants' association, a committee which would be charged by the Minister to participate in the administration of his programme, particularly that aspect of his programme to investigate potential abuses.

As the member from Sudbury East has pointed out, let me give you an example of how this might work. Instead of having some fully paid official of the city welfare department, or perhaps directly from the Minister, investigating whether or not the man living in that particular house with that woman whose husband was in jail, was a boarder or "shacked up" with her, perhaps it would be a good idea to have other people who are involved in receiving welfare formed as a committee in some democratic way. Or perhaps appointed by the Minister to look into that type of thing because those people might understand the problems that that woman is having.

They might not attribute motives before the proof is in, or the evidence is in, concerning why that man is living in her house.

My question, Mr. Chairman, and I have a number of other questions that I would like to follow up, is that I was wondering if the Minister might not comment on this philosophy of administration. I know it is *avant garde.* It is only taking root in certain community action programmes, say in the city of Montreal, where it is called "animation sociale."

I know it might be very far ahead for this province and for this government, but I was wondering what the Minister would say about actually involving the recipients of welfare payments in the actual administration of the programmes with his department.

Earlier I was speaking about involving them in the research and evaluation. Now I am talking about involving the poor elsewhere. It is not "poor power." It is getting the poor participating in the administration of the programmes. I was wondering if the Minister has any experimental projects in mind for the coming year on which he is spending funds, or whether he intends to do this in the future. At least to test it out, to see if it works.

If it does not work and if a fair try has been made, then he can come into this House and say to us who criticize his department, who criticize his personal judgements even, and his philosophy of the poor in our society, and our relationship to them, if he tried this type of experiment, perhaps in a demonstration project, then he could come in and say: "We have tried it. We have had outside evaluation, and look, here are the results, it does not work."

I would be willing to bet ten to one that a properly set up programme like this would work. It would be much more efficient. There would be fewer abuses because the people involved in checking those abuses have the most to lose. Could the Minister comment on this philosophy of administration of welfare to the poor?

Hon. Mr. Yaremko: Mr. Chairman, I have already explained my position. I do believe in involving the recipient. I do believe in contacting and getting the information from the recipient to find out how they feel, how the individual feels.

However, I may say with respect to the details of what you have outlined, I would have to take a very hard look before even beginning to go counter to the whole concept of the privacy of the recipients. You are going to have to do a lot of persuading.

Mr. T. Reid: Mr. Chairman, I appreciate the Minister replying and making his personal views clear. I think there is a clear distinction between his philosophy of programmes for

the poor and the outcast in our society, and the opposition philosophy in view of government programmes for the poor. I appreciate the Minister stating his value judgments so thoroughly.

We have different value judgments on this side of the House and that brings me to my second point, Mr. Chairman, which is this. The Minister has said that he seeks out the views of individuals on the receiving end of his programmes, but I do not think he goes nearly far enough. I do not think he really gets involved. But that is a question of judgment, I appreciate that.

I would like to suggest to the Minister, Mr. Chairman, that if he really believed in his programmes, if he really believed they are being effective, he should let the people on the receiving end of his programmes organize, he should encourage them to get together. This might be part of his rehabilitation programme.

Instead of treating people as individuals where they are weak, he should encourage them to come in contact with his department in terms of groups—tenants' associations, for example. I made this suggestion earlier in my Throne speech, Mr. Chairman, and I will not go into detail now, but surely if the Minister really believes his programmes are effective, he would set up an experimental demonstration project in which he says to recipients of his programmes, to those people who are in groups, say, not in ghettos, but where enough people live in a certain area who are on the receiving end of his programme, "Look, why do you people not form an association, or perhaps a committee of a larger ratepayers' association including people other than welfare recipients? Why do you people not form together in a democratic way and in a democratic way elect an executive, and then approach my department for a $10,000 grant a year, or a $15,000 grant a year, to hire someone who has the professional skills that you do not have in knowing your way around society, in knowing your way within the welfare system"?

In other words, they would hire a social animator. They would hire a skilled person who knows how communities work and who knows how government works in great detail, who knows the voluntary sectors. And that person would fight for them. They would hire that person and that person would fight against Ontario Housing, if Ontario Housing was abusing any individual involved in that ratepayers' association, and protect their rights in that way.

It is almost like hiring a fighter; someone who has the skills, who has the knowledge, to fight for these people. But let them hire them; do not let it be a person appointed by Ontario Housing, say, an Ontario Housing project which includes many people who receive the Minister's programmes.

This is a concept that is coming to the fore in Gaspé; it has come to the fore in downtown Montreal. There are certain projects in Toronto—Don Vale, as the Minister knows—where this principle, to a certain extent, has been incorporated in a different way. I would like to suggest to the Minister, Mr. Chairman, or rather to ask him whether, in any of his proposed demonstration projects, he has incorporated this concept of community action programmes as part, perhaps, of a general philosophy of rehabilitation. By that I mean that if you want people to respect themselves, you have to let them be able to fight back if they think their rights are being abused. I suggest that people on welfare have the same rights — civil rights, legal rights — as anyone else, but too often they are intimidated. Too often they feel they cannot fight back because their cheques might get cut off. What they need is someone to fight for them.

I wonder if the Minister would comment on this philosophy of general administration. This philosophy is cross-checking the old abuses of the old bureaucracy that gets slowed up so that people can fight; so that abuses come out in the open; so that I do not get phone calls, or people will not give me their names because they are terrified I might use their names in this House and their cheques could get cut off.

Could the Minister, Mr. Chairman, comment on this aspect, or this principle of community development rehabilitation which is very much tied up with the concept of a pluralistic society in which the poor can participate as a group as well as other groups. Then I would like to move on to a specific type of questioning.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member is really running his first concept, the thread of his first concept, into his second concept. The idea of participation within general ratepayers' associations by those who are recipients for puting forth their ideas and their positions, their criticisms and evaluations, I think, is quite different from hs earlier part. There may be some merit in that type of thing. There is no doubt about it that here, within the city of Toronto, the citizens' groups are becoming more active,

not necessarily restricted to getting welfare allowances or maintenance allowances, but participation in the development of their own particular areas. I think that this is a sign of the times and will become increasingly so in the immediate years ahead.

Mr. T. Reid: Mr. Chairman, I would like to return then to specific questioning.

It is my understanding that under the Canada Assistance Plan there is a clause which states that funds will be made available from the federal government to community development programmes designed to help people in need. The interpretation placed on that clause under The Canada Assistance Act by The Department of Health and Welfare in Ottawa includes people living in public housing, or any group of people who are residents of public housing. That, of course, includes Ontario Housing Corporation residents in this province.

I would like to do my questions in a series of questions, Mr. Chairman. Could the Minister state whether or not he is aware of that clause and his understanding of the nature of that clause?

Hon. Mr. Yaremko: I believe the hon. member made reference to this in his Throne speech debate; or was it in the Budget debate that he made reference to it? I have some recollection.

Mr. T. Reid: Mr. Chairman, I would like to know if the Minister could tell me his understanding of that clause in The Canada Assistance Act and what it entails.

Hon. Mr. Yaremko: I think, Mr. Chairman, that this item might properly be discussed under vote 2002 when we come to provincial allowances and benefits which are a portion of the Canada Assistance Plan.

Mr. T. Reid: Mr. Chairman, I would be quite prepared to discuss that at that time. I hope the Minister will do research on the Canada Assistance Plan because I am sure he knows now where my questioning is leading. It is simply this, sir, that to my knowledge he has refused to process applications for those federal funds to his department to allow ratepayers' associations, tenants' associations, to get those grants from the federal government, to organize themselves to tell the Minister what they think of his programmes.

Mr. Chairman: On vote 2001 — the hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I would like to return for a moment to item number 8. I would like the Minister to tell me what he is going to spend this $100,000 on. What is the programme he has for this coming year and where this money is going.

Hon. Mr. Yaremko: No decision has been made yet with respect to the spending of that $100,000.

Mr. Deans: Upon what did you base the request? You ask us to allow you $100,000 to be spent on demonstration projects and you have not yet decided what you want to spend it on. How can we vote $100,000 when you do not know what you are going to use it for?

Mr. J. E. Bullbrook (Sarnia): Can you imagine setting out a figure of $100,000 and having no idea what it is based on?

Hon. Mr. Yaremko: Mr. Chairman, there is a figure of $100,000 in the estimates. The requests can either come to us and they are channelled through to Ottawa or they may go directly to Ottawa and then Ottawa refers them to us during the course of the year. Then the project is either approved or not approved.

Mr. Deans: I go back to what I said before because I find it very difficult to vote $100,000 to the Minister for the purpose of demonstration projects when I have seen no tangible results from anything that has come out of previous demonstration projects. I must say quite truthfully, it is very difficult for me to understand why the Minister cannot predetermine what demonstration projects he intends to undertake for this coming year and how he intends to spend the $100,000. I am going to say to you, through the Chair, that I will not vote this money unless you tell me what you are going to spend it on.

Your cohorts in the back benches point out it makes no difference whether I vote it or not, but it makes some difference to the people of this province.

Hon. Mr. Grossman: The hon. member means colleagues.

Mr. Deans: They were cronies before; I will change it to cohorts.

Hon. Mr. Grossman: Not very parliamentary.

Mr. Deans: It seems to me, Mr. Chairman, that the finest thing the Minister could do for his department would be to get out and make

way for somebody who does know what the money is going to be spent on.

Mr. Singer: You are very sensitive.

Mr. Deans: Well, would you please tell me what you are going to spend this $100,000 on, or withdraw it from the estimate?

Hon. Mr. Yaremko: Mr. Chairman, I do hope that the hon. member will vote for this very worthwhile vote. As a matter of fact, of all the votes, I think this is one of the most significant ones and I want to say this to him. The hon. member has misconceived and misconstrued estimates if he is under the opinion that every dollar that is voted here is committed as of this date. Every dollar is not committed to a specific item because these matters arise during the course of the year.

Mr. Lewis: If you mean that this is a non-committal department you are right.

Hon. Mr. Yaremko: In our estimate of the coming year to the Toronto School of Social Work there will be the sum of $39,500—

Mr. Lewis: For what?

Hon. Mr. Yaremko: $39,500 for demonstration projects, for research.

Mr. Deans: Mr. Chairman, could the Minister tell me what the Toronto School of Social Work have indicated to you they intend to do with this sum of money?

Hon. Mr. Yaremko: Those projects have got to go through Ottawa for approval before—

Mr. Lewis: What projects?

Hon. Mr. Yaremko: Whatever demonstration projects the Toronto School of Social Work put forward for approval during the course of the year.

The Carleton School of Social Work, we estimate at $16,100. The amount of—

Mr. Lewis: What is it?

Mr. Singer: How do you hit the figure of $16,100?

Hon. Mr. Yaremko: The Carleton School of Social Work project is designed to demonstrate a new method of field practice for students in social work. A group of first year students at Carleton University will participate in the first year of the project. Cases will be selected from four agencies of the city of Ottawa and students will have the opportunity of working with each type of case, thus broadening their learning experience.

Field practice will be supervised by members of the faculty at the School of Social Work instead of by the staff of individual agencies. The duration of the project is four years. It started in 1968 and will continue till 1972. There was $16,100 allocated last year. There is the same amount of dollars in this vote.

Mr. Deans: Can I then deal with that one for a moment please? We are asked to vote $16,100. Now, as I understand a demonstration project, the purpose of it is so that we might arrive at a conclusion about something, so that we can take out of that a decision or the conclusion that certain things ought to be in the field of Social and Family Services.

Now, how are we going to get anything out of this? Are they working towards some ultimate goal? What is the ultimate goal in this particular project?

Hon. Mr. Yaremko: The ultimate goal is to evaluate the learning content of field instruction, and to evaluate the performance of project students as compared to students who will not be within the project.

Mr. Deans: Could you continue with the remainder of the projects that you have?

Hon. Mr. Yaremko: There is the model community centre for the retarded, and that is the Ontario Association for the Mentally Retarded in the Hamilton-Niagara district. The Canadian Association, in co-operation with the Ontario Association and nine local associations, commenced this project covering the counties of Lincoln, Welland, Haldimand and Wentworth.

Mr. Deans: How much?

Hon. Mr. Yaremko: $39,500.

Mr. Deans: Could the Minister indicate exactly what that project is doing at the moment?

Hon. Mr. Yaremko: It is to co-ordinate the services of those in the area, and is the focal point from which the effectiveness of service to the mentally retarded in these four counties will be evaluated.

Mr. Deans: Would you agree that it is not a demonstration project? It is not actually a project. It is simply moneys being granted to them for the purpose of co-ordinating their services. It is a subsidy.

Hon. Mr. Yaremko: No, Mr. Chairman, it is to demonstrate the effectiveness of what they are doing.

Mr. Deans: Well, let me just say this to you in all fairness, that in the field of mentally retarded children, the amount that you have allowed is pitifully little.

Hon. Mr. Yaremko: Mr. Chairman, this is only for the evaluation project and the amount is not pitifully small. The programme in respect of the retarded in this province is one of the best in Canada.

Mr. Deans: Fine. It is still totally inadequate. Now, could you tell me what this $39,300 or $39,500 is being spent on? What are they actually doing with the money?

Hon. Mr. Yaremko: We do not have those details here, Mr. Chairman.

Mr. Deans: Why? How do you judge whether or not it is a worthy endeavour if you do not have the data?

Hon. Mr. Yaremko: I said, we do not have those details here, Mr. Chairman.

Mr. Deans: Then how do you intend to tell us how you should spend your money if you do not bring the details with you? Could you finish off the $100,000? I do not believe that is quite the full amount.

Hon. Mr. Yaremko: The remainder of $4,900 was in relation to a study we have planned with respect to adopted children.

Mr. Nixon: Mr. Chairman, on a point of order. May I, through you, bring to the attention of the hon. House leader that it is now after 11 o'clock and I would suggest that it would be a reasonable hour in which we might adjourn this discussion.

Hon. Mr. Welch: Mr. Chairman, we have had a recess and I think we could sit here for a while longer.

Hon. Mr. Grossman: Until we make progress.

Hon. Mr. Welch: I really do not think I could truthfully ask the Chairman of the House to rise and report progress. There has not been very much progress.

Mr. Deans: Whose fault is that?

Mr. Lewis: Mr. Chairman, on a point of order.

Hon. Mr. Grossman: We are trying to get some money for those who need it.

Mr. Lewis: Is the House leader advancing the position that anything productive will occur beyond ten after eleven?

Hon. Mr. Welch: Mr. Chairman, if this discussion is in order, the leader of the Opposition asked me if I was going to move the adjournment of the House. I am not moving the adjournment of the House yet. That is all. Just as simple as that.

Hon. Mr. Yaremko: Mr. Chairman, I want to make it clear that no commitments really have been made except with respect to ongoing programmes. These are our estimates for what we think should be and will be done during the coming year. But there has been no commitment in regard to all of this.

Mr. Chairman: Vote 2001; the hon. member for Sarnia.

Mr. Bullbrook: Mr. Chairman, if I might. I had not intended to rise, but in connection with the motion made, or at least the suggestion made, by the hon. leader of the Opposition, and the reply by the Deputy House leader, if I could bring to your attention, sir, I believe it was two weeks ago Thursday, on vote 2001, I discussed subsequent to the hon. member for Scarborough West, the question of the review board.

Now, the Deputy House leader says we cannot report progress. I am going to suggest to you, Mr. Chairman, that the only vigour and the only forthrightness that has been shown by this Minister all night is on his points of order. That is the fact of the matter. He has been very able time and again in getting up and telling you what the proper order of this House is, but for seven hours—

An hon. member: Out of order!

Mr. Bullbrook: I am talking about boards of review which come under 2001. For seven hours members of the Opposition have requested of this Minister that he give them a simple undertaking and I am not going to review this whole debate again. But I want to bring this to your attention, Mr. Chairman.

The nub of this whole situation is this, that this Minister gets $130 million from the Dominion of Canada to assist in his programmes administered by his department.

The House of Commons in its wisdom says, "We'll give you this money, province of Ontario, but we restrict it. We say for you to properly dispose of these funds and administer these funds certain things are necessary, and one of the things that is necessary is a board of review, properly established by legislation and properly functioning" as that House of Commons wished it to function.

I want dispassionately to do this. I want to charge this Minister with one of two things; either he has completely breached faith with the federal government or he is afraid—to use the vernacular—to open a can of worms. This I think is really the nub of the situation.

He is saying to himself, "If we desseminate information about this board of review, these welfare recipients and these applicants, being the type of people that they are, will just deluge us with appeals," this is what he is afraid of. Make no mistake about it, this is what he is afraid of. And I charge him with having this attitude. He, as the Minister of Social and Family Services in this province, has this attitude. If we are here at the eleventh hour it is because of him that we are here.

Mr. Chairman, do not tell us in the Opposition that we are going to be here until July; all we required of this Minister was a simple forthright answer. We did not want to know from him, "how" and we did not want to know "when," all we wanted him to say was, "Yes, my colleagues in this House, I assure you that in the future recipients or applicants will know henceforth—as the House of Commons wanted and as I tacitly promised the federal government—they will know in the future that they have a right of review."

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: Mr. Chairman, we went through the ritual of two to three days on these estimates—still on the first vote, of attempting to extract what the member for Sarnia so incisively has put. We then moved to the simple proposition of the Minister indicating to us the nature of the cuts that had to be made in his department. He again reneged on the provision of any information. He was then requested by a member of this House, tonight, to discuss in some detail the proposition of recipients in his programme participating in those programmes, in a more direct and active way. He refused to give us any detail. My colleague indicated that in the demonstration project, certain moneys were being allocated and had been for a number of years, the results of which are entirely unknown and he asked the Minister for some detail particularly in respect to a given area and there was not a single detail forthcoming.

We now ask, given the allocation of $100,000 which we are presently requested to vote, for details of this, and for the other $39,500 the Minister has no information whatsoever, and could give us no specifics other than a vague generality about the project itself. There is absolutely no information coming from this Minister at all on anything that has so far been discussed in these estimates. If the House leader at this point wants to know why we have prolonged it so long it is because of the intense frustration which the Opposition feels when dealing with this department. It is intolerable that this Minister should come to the House in such an ill-prepared fashion and that we should have no access to any of the departmental information whatsoever.

Mr. Chairman, I think it is relevant for members of this House to ask, for instance, what the $39,500 being given to the U of T school of social work is to be used for? What is it to be used for that they cannot get through the University of Toronto? What projects are they about to do which will illuminate further the social welfare field?

I think, Mr. Chairman, to put it in perspective—and we obviously have time, we can be on this $100,000 item for another number of hours and that is all right, I suspect, with the Opposition, if need be. What we are coming to, Mr. Chairman, is this simple proposition: We have had over the last seven or eight years a number of research projects undertaken by this government and one of them has been alluded to at some length tonight. It was a research project relating to multi-problem families, an analysis of those who received counselling assistance and those who were left on a straight financial hand-out, and the results of that research experiment are also well known. Indeed, Mr. Chairman, it did not take a research experiment, or it need not have taken a research experiment, to have given us the divine revelation that if you provide help and counselling to people they are more likely to enter or re-enter the work force. That money is money extravagantly wasted.

This Minister, and this department, have for years indulged in projects which demonstrate the obvious. Booking $100,000 a shot to undertake experiments in this, and extravaganzas in that, which provide no further evidence in the field of social welfare than that which has been known to the authorities in the field for decades. We are not prepared to continue voting money for projects which serve as a sop to the professions in order to say to them or to recipients or to those who are engaged in the field, that we are here experimenting, we are here endeavouring to fathom the intricacies of social and family services in the province, when everybody in

this Legislature knows the outcome of those projects before the money is even spent.

And now in the year 1969, at approximately 10 o'clock, the Minister rises in his seat and with some pride says that a "task force" has been created to take a look at certain of the priorities in the field of social welfare and to do further projects and undertake further demonstraitons.

Mr. Chairman, everyone in this House—let alone the professionals in the field—know what is required as a remedial measure for this department. It is not merely the easy ejection of the Minister—God knows who his replacement would be—it would be rather more important, Mr. Chairman, for the complete overhauling of the nature of the projects and the way in which the department approaches all its programmes, and they have been detailed endlessly in this Legislature.

We need no more task forces and we need no more research experiments and we need no more grants of $100,000 to confirm what all of us recognize as obvious. If one wants to talk, Mr. Chairman, about a gross abuse of public funds, then nowhere is that abuse more evident and more striking than in this department. Millions of dollars, tens of millions of dollars of public money extravagantly run down the drain by this Minister.

Because for all the cynical and perverse Tory notions, he continues to maintain people on income maintenance programmes when if he provided them with some direct counselling and support they would re-enter the work force and contribute to this economy in terms of dollars.

The greatest failure of his department is the fact that he has 108,000 people still, relatively speaking, on the rolls. If there was any substance to this department he would have halved that by now. The income in terms of the provincial product, Mr. Chairman, is virtually incalculable, it would compare favourably with man hours of work lost in terms of unemployment in the province of Ontario. It would amount in the millions of dollars, and there is nowhere more than in this department that absurd fetish, to which you subscribe, that the only way you deal with people who have social problems is to give them a few dollars and that the few dollars should keep them at a level of subsistance which is totally repressive.

Hon. Mr. Yaremko: That is the NDP theory.

Mr. Lewis: What in God's name do you have 108,000 people on the rolls for—

Hon. Mr. Yaremko: That is the NDP theory.

Mr. Lewis: —in the year 1969?

Hon. Mr. Yaremko: It was the NDP theory until you started to listen to my speeches.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): Why do you engage in it then?

Mr. Lewis: Until we started to listen to your speeches?

Hon. Mr. Yaremko: Yes. The hon. member for Peterborough knows what I am talking about.

Mr. MacDonald: Nonsense.

Hon. Mr. Yaremko: He probably had it mimeographed.

Mr. Lewis: Mr. Chairman, the Minister's speeches ante-date feudalism. There is no point at all to that particular kind of rhetoric—

Mr. MacDonald: Santa Claus's hand out, his own words.

Mr. Lewis: —and one knows where they fall in terms of the century. There is no point to that at all. The simple matter is, that under your department, sir, the number of people who have been receiving allowances, has continued at an inordinately high level and there has been no demonstration at all on the part of this department, other than certain of the welfare co-ordinators or welfare administrators, that the Minister is serious about counselling. No, I did not mean pre. I mean ante-date. I wanted you to fall somewhere between the 13th and the 17th century.

Mr. W. G. Pitman (Peterborough): At about the Elizabethan Poor Law.

Mr. Lewis: The Elizabethan Poor Law, precisely. It is exactly the Elizabethan Poor Law, and I would have thought that it was possible at this point in time to advance just a little further. I must say, Mr. Chairman, and I do not mind saying it at all, that some very senior people in the social welfare field in this city, some of whom receive great sums of money from this government for a variety of reasons, said to me privately in the very recent past, that the views of the Minister's predecessor were so enlightened in terms of the Minister, that it was a qualitative difference. That the department had moved back

ten years with the tenure of this Minister in terms of its thinking about social welfare and social allowances. And they themselves had a view which was moderately jaundiced about the Minister's predecessor. Their views now cannot bear description.

And I may say, Mr. Chairman, that it is such a self-defeating and frustrating proposition, words fail. To deal with estimate after estimate, consecutively, item after item, with a Minister who will provide us with no information whatsoever, no breakdown of departmental expense, and none of the details which would make this a more legitimate debate. That is why we will be here for a very long time, because the Minister will not, in fact, give us those details.

I do not know how the Minister justifies the expenditure of $100,000 without any of it being documented sufficiently for him. I do not know how you justify it. Do you have no idea at all where in your department you, as a Minister, would like to see money expended for development and research projects? Do you have to allocate your funds to the University of Toronto, and to Carleton University and the association for the mentally retarded? Is there no concept at all in the entire apparatus of your department about what you would want to investigate, what you think needs research? What kind of travesty has this department been reduced to? What kind of travesty has the Legislature been reduced to in the four days that this estimate has been before the House, in the unwillingness of the Minister to allow us to proceed beyond vote 2001. There are endless items under this vote which now must be raised, and I appeal, Mr. Chairman, that now is not the time to raise them, although it can be done.

Let me revert to the simple point that I was asking at the outset. Has the Minister any information at all about the details of the nearly $40,000 he is giving to development programmes by the University of Toronto school of social work?

Hon. Mr. Yaremko: We have not the details.

Mr. Lewis: You have not the details. Well, you see, Mr. Chairman, it puts the Opposition in a really invidious position. How do we vote for it? Nobody impugns the integrity of the University of Toronto School of Social Work. I suppose Professor Rose, and before him, Professor Hendry, and all the notables that grace that institution are honourable men and women, and they would use the money usefully. But in terms of priorities about what we have to know about this department, how can we vote $40,000 for something about which not a single detail is available.

Mr. MacDonald: And the Minister does not know.

Mr. Lewis: And the Minister has not the faintest idea. The Minister's associates are frantically gathering the information for him. Your two deputies in front of you, thank God, have some control over what is happening in the department, but it is not easy for them to give you all the information you require on the spot. Now, does the Minister think it is responsible for us in the Opposition to vote *carte blanche* $40,000 without any detail at all? Does he think that is an appropriate filling on an opposition function?

Mr. MacDonald: Maybe the Provincial Secretary will give the Minister overnight to get the information.

Mr. Lewis: Well, it is a difficult prospect, is it not? I see, that for the first time tonight the Minister is feeling real emotion.

Hon. Mr. Yaremko: Mr. Chairman, I just want to say this. I am asking this House to allocate $100,000 to be used for demonstration projects. That is my request during the course of the year.

Mr. Lewis: You may as well ask for $100,000 on the origins of blackberry in the Bruce Peninsula. Well, what point is it to vote monies about which we have no details? Have you finally been given the details? You have not yet been given the details. I was hoping they might be found in the midst of all those loose leaf notebooks. But I want to revert to what I said, Mr. Chairman. The Minister is feeling some emotion. I see his brow is furrowed for the first time tonight, his brow is furrowed, and his tie is not knotted with that delicacy which was there at eight o'clock, and I note, too, a smile for the first time in three and a half hours—

Hon. Mr. Yaremko: Let us not be personal.

Mr. Lewis: Even the hand is moving. One thought that automation would not allow himself the normal gesticulations of a member in this Legislature, but I am glad to see you understand the quality of Opposition concern, Mr. Minister.

Mr. Chairman: The hon. member is straying somewhat from the estimates.

Mr. Lewis: Well, I do not think it is straying Mr. Chairman, I do not think it is straying at all.

Mr. MacDonald: We are on about the fifth item on which we have sought information in ten to twelve hours.

Mr. Lewis: We have had the basic answer tonight from the Minister of Mines, who should have lingered over his liqueur another hour and a half and this would never have happened. But I do not think, Mr. Chairman—

Hon. A. F. Lawrence: Oh, come off that. I did not have a liqueur. If you are going to make that type of allegation, let me make some.

Interjections by hon. members.

Hon. A. F. Lawrence: Well, just cut that out. I take that very seriously.

Mr. Lewis: Well all right. If it makes you feel any better I had some Danish Schnapps at the Viking Restaurant.

Hon. A. F. Lawrence: I would make no such allegations. I am just asking you to withdraw.

Mr. Lewis: I certainly will not withdraw, it was said in jest. What is said in jest—

Hon. A. F. Lawrence: Well, just uncurl that jestful lip, will you?

Mr. Lewis: Many a false word is said in jest, Mr. Chairman.

Mr. Chairman: Vote 2001?

Mr. Lewis: You are right, Mr. Chairman. I strayed from the estimates. I simply wanted to aid in demonstrating, Mr. Chairman, the finite and deliberate progress that is made at these hours of the evening. All right, I will certainly accede to the hon. member.

Mr. Bullbrook: Mr. Chairman, if I might, I want to direct through you a question that I think bears some logical relationship to our discussion tonight. Now, as I understand the reply that the Minister made in connection with the expenditure of $100,000 relative to demonstration projects, you are not in a position to give us details, so, in effect, in your reply to the hon. member for Scarborough West, you say I am asking this House to vote $100,000. So, in essence, you are saying to me: "I ask you to vote $100,000 on the basis that I know the proper appropriation of these funds."

Now if the Minister would care to listen just for a moment because his deputies have not been much assistance to him so far. If I follow it logically can you not say to us, "I ask you to vote $264,789,000 without detail"?

It seems to me it follows as the night does the day. So why is this what I heard so many times? Is this the true exercise in futility right now? Now I request a reply, because if you are correct that you will not give us details on $100,000, that we must accept you and your word for the expenditure of these funds, then does it not follow that we must accept you and your word for the expenditure of $264 million? And are we really wasting your time?

Mr. Chairman: Is vote 2001 agreed?

Mr. MacDonald: No, the Minister has been asked a question.

Hon. Mr. Yaremko: Mr. Chairman, I have answered that question. I answered it before it was asked. If the hon. member wants to let his imagination run rampant he can do so on his own time. I do not necessarily have to answer his imagination.

Mr. Bullbrook: This member does not let his imagination or reputation run rampant. I was one of the very few in this House tonight that did not interject and it is not until a quarter past 11 o'clock that I first spoke in this House. But I tell you quite frankly, Mr. Chairman, I had great admiration for you. It has completely dissipated tonight. You have done nothing to gain my respect. It is obvious you do not know your department. You sit there stoically all night. Why do these people—why are they so frustrated? Because they had intelligent questions to put to you, and either you are too obstinate, arrogant, or ignorant of your department to answer – one of those three.

Mr. T. Reid: Mr. Chairman, I would like to say one thing about what the House leader said. He said that we should not leave here because we could not report progress.

Hon. Mr. Grossman: He did not say that either.

Mr. T. Reid: Well we will look it up in *Hansard*. I would just like to say this. When I stand up in this House as elected member for Scarborough East, I stand here in a constructive way. Unless I lose my temper to too great an extent. And I try to inform the Minister about some of the latest thinking that is taking place in the universities in this

country and south of the border. I have only a tenuous relationship with York University now.

This is a type of research that I came in contact with every day when I taught full time with other members of the economics department of York University. I can name those who are engaged in fundamental research about what should be done to let the poor in our society into our society. And the House leader tells me there is no progress.

Well OK, if that is the way things are in this House we will go out of this House, we will stand on the steps, we will get involved in demonstrations.

Mr. A. F. Lawrence: It will not be the first time.

Mr. T. Reid: But if nothing gets through to this Minister—

Interjections by hon. members.

Mr. T. Reid: Mr. Chairman, I do not know what has happened to the rabble over here.

Mr. MacDonald: Speak to your leader.

Mr. T. Reid: But I am very interested.

Mr. MacDonald: This gets more and more laughable.

Mr. T. Reid: Mr. Chairman, I will not digress on this, I will say only that I got down to Picton before they did.

The House leader stands up and says, "No we cannot leave the House because there has been no progress."

Hon. Mr. Grossman: He did not say that.

Mr. T. Reid: Well, I wish he would withdraw that then. I say to him, sir, that we are wasting our time in this Legislature.

Let me turn to why I thought that perhaps I was saying something constructive to the Minister on some of these new ideas which filter from the top down into his department.

He has listed some of the projects which will receive money from this $100,000 estimate, he has listed them—the University of Toronto, Carleton University. He even read out the intent of some of those research projects.

The whole point of our remarks from this side of the House—I am glad to see the two Opposition parties together on this—the whole point of our attack is to suggest to the Minister that he is not allocating these funds to the most useful areas of research. There are new areas opening up which would challenge the whole concept on which his department is based, and he has not got the guts to allocate the money to that type of research project. Either that or he does not know about that type of research. What I was trying to draw to his attention is that there are new areas—they are called "social action projects" or "animation sociale"—which should be receiving funds, and which are not receiving funds.

Let me say this, Mr. Chairman. About six weeks ago I was invited by the graduate class at the University of Toronto School of Social Work to be one of their seminar discussants. I had the privilege of going to that class and discussion with about 30 graduate students at the school of social work my views about some of the things that they should be involved in. I learned a great deal from that because I learned that they thought that most of the curriculum that they had been receiving at the school of social work at the U of T at the graduate level, was really not relevant to solving the problems of poverty in Ontario.

These students were the ones that are involved in projects outside of the classroom. This is the special seminar where they discuss that type of thing, and they came to that class and we talked these things out for three hours. They said, "You know we really feel it is hopeless to go down and work with people on a case-by-case method unless something is happening in terms of what might be called the general level." And they said, "You know at the school of social work here in the graduate course someone wanted to take a course in the department of political science on how local government works; on how local welfare departments work; the politics of it; how police departments work. That student was told by the graduate school of social work, "You cannot take that. It has nothing to do with social work."

I suggest, sir, that if the money that is going to the school of social work at the University of Toronto is being allocated to band-aid research as opposed to new areas of research such as social action research, then this Minister has not got a hope in hell of really making his programmes effective. The sad fact is, Mr. Chairman, that the programmes of this government in the area of welfare and social and family services for 26 years in this province, have failed.

There has been no basic redistribution of income for 25 years in Ontario. The percentage of poor people in our society is exactly the same as it was 26 years ago.

We seal them in, we are in a fourth generation cycle, and what this Minister has to recognize—and if he does not we will in 1971 —is that his whole programme is out of date.

That is what the questioning on this side of the House is all about. We want to know what the Minister is doing with his funds. We want to know what philosophy of society that allocation of funds represents.

Mr. Chairman, I would like to point out two types of research projects that surely this Minister should be involved in, or be financing, because they have to do with the views of some of his Cabinet colleagues. The Minister of Revenue has come out with the statement that we should have a guaranteed minimum income based on a negative income tax—that is a type of maintenance programme.

I would ask the Minister, Mr. Chairman, simply to say that he is taking the advice of his Minister of Revenue, his colleague in the Cabinet, seriously by allocating funds under this demonstration grant to doing a research project or having such a research project done, to see the feasibility of such a guaranteed minimum income based on negative income tax. If he is not, then the Minister of Revenue is just talking through his hat.

Hon. Mr. Yaremko: Mr. Chairman, the department is doing its own studies and its own evaluation within the department of all these ideas that are being put forward.

Mr. T. Reid: Do I understand, Mr. Chairman, that the Minister's department is engaged in this research?

Hon. Mr. Yaremko: Yes, our research and planning will be the agencies through which we, as a department, will evaluate all of the ideas put forward in this field.

Mr. Lewis: Well we will ask you 30 or 40 questions about that.

Mr. T. Reid: I am delighted to know that, Mr. Chairman, I hope the results will be known before 1971.

Perhaps the Minister could answer another question, Mr. Chairman. Is he financing a research project or a demonstration project, or is his department engaged in a specific project to examine what happens to people receiving grants from his department who live in Ontario Housing projects?

This is what Mr. Band calls for in that report of 1964. He said, surely government should know what happens to the recipients of welfare. Has the Minister followed up on his own Deputy Minister's suggestion in this specific context of welfare recipients living in Ontario Housing, public housing? If not, why not?

How does he know that the allocation of funds to people living in public housing is having any return whatsoever in terms of helping these people to become self-supporting, and helping their children to be able to make their way in life?

I take it, then, that the Minister is not engaging in any research project concerning his colleague, the Minister of Trade and Development, who is responsible for Ontario Housing, concerning the double impact of Ontario Housing on recipients of Ontario Housing in the sense and the impact of the Minister's own programmes, a "double whammy," if you like.

Is there no research being done in this area? If not, how do we know that the Minister is allocating his funds in the most efficient way? How can he sit on that side of the House with the responsibilities of being the Minister for this department and ask us, on this side of the House, to vote for these programmes — I will not call them programmes even—for these items listed in the book when he is not engaging in the basic type of research and action programmes, demonstration programmes that will enable us and himself to evaluate the effectiveness of his programmes? Perhaps he should have a reallocation of his funds in different areas? But the Minister cannot tell us this.

Hon. Mr. Yaremko: If the hon. member would sit down every time he asked a question perhaps I might be able to answer a few—

Interjections by hon. members.

Hon. Mr. Yaremko: I will not even attempt to please the hon. member for York South. I may say that at the present time there is no such specific project either underway currently, or one that I can say will be underway in the very near future. I will say this, that we are aware of the community action within at least two of the housing projects, and it is my intent to explore, with the Minister, how the two departments can relate their work to each other in order to achieve people who will be self-sufficient in providing all of their needs, both from the point of view of not being on our rolls and, as he is suggesting, to bring about a situation in which they will be self-sufficient in the provision of their own shelter. I may say in respect of these latter remarks I see some considerable merit in pursuing this.

Mr. T. Reid: In the light of the Minister being in a much more responsive mood at the present time, perhaps the lesson from this is that we have to go three days before the Minister comes out with—

Hon. Mr. Yaremko: You should have asked this question at the beginning of the estimates and you would have got the answer. If you had asked it three days ago at the beginning of the vote you would have had the answer then.

Mr. T. Reid: Well, Mr. Chairman, I wait for answers on this. Could I ask the Minister a specific question? What was the result of the $10,000 grant to the University of Toronto School of Social Work in 1967-68? In other words, in the past he has made a grant to this School of Social Work, it was $10,000. Now he is asking us to make a grant of close to $35,000-$40,000.

Hon. Mr. Yaremko: Those were for special bursaries.

Mr. T. Reid: Are those bursaries continuing?

Hon. Mr. Yaremko: The bursaries are now being paid under vote training and staff development. Bursaries and costs of training and staff development, item 10 in vote 2001.

Mr. T. Reid: Mr. Chairman, I would like to simply say that this Minister has not satisfied me that he has a rational allocation of the funds at his disposal. He really does not know where his funds are going. This amount to that area and that amount to another area. And I would say, sir, that for the Treasurer to stand up in this House and stand in front of the television cameras, and boast that—

Hon. Mr. Grossman: That is a good place to stand, in front of them.

Mr. T. Reid: —and boast that he has cut $400 million from expenditure estimates then to come down and say, Mr. Chairman:

> We believe that the final expenditure package that has emerged represents a wide responsible allocation of our limited public funds,

is nonsense when a particular Minister cannot tell us how and on what grounds he has made the allocation of his funds.

How can the Treasurer stand up in this House, speaking for all the Ministers and pontificate and say, "We are rational allocators of scarce resources, we are wise people, we are responsible people," when we cannot even find out how this one Minister has decided how to allocate the total funds available to him in his department?

Hon. Mr. Grossman: We have confidence in that Minister; not necessarily in you.

Mr. T. Reid: I find this one of the biggest bribes I have ever seen in the allocation procedures of any budget. If a particular Minister cannot give us a rational explanation of how he has decided to allocate the federal government funds that he gets and the funds he gets from the taxpayers of this province directly, then how can the Treasurer stand up in this House and say, "The government as a whole is allocating its funds in a wide and responsible way"?

Nonsense! Unless he gets involved in research projects that enable him to have some idea of the benefits received from the expenditures of funds in various areas of his department, Mr. Chairman, he cannot, as a responsible Minister, come to this House and ask us in a serious way to approve of his estimates.

Mr. Chairman: Vote 2001? The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, it has been a frustrating two or three days. It is very difficult to extract from this Minister whether or not he has any knowledge at all. In fact, it becomes more and more apparent as the day has worn on that he does not know really where the money is going.

In the case of item number 8, for example, one asks upon what the Minister has based his request for the $100,000 and you just do not get any answer. It seems quite obvious to me that the Minister requires some time to dig into this and to come up with the answer to the questions we have asked. In light of that I would move that the committee rise and report progress.

Mr. Chairman: I believe the motion is quite in order.

Mr. Deans moves that the committee rise and report progress. Shall the motion carry?

All those in favour of the motion will please say "aye"; all those opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

All those in favour of Mr. Dean's motion, will please rise.

All those opposed to Mr. Dean's motion, will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 25, the "nays" 42.

Mr. Chairman: I declare the motion lost.

On vote 2001:

Mr. Lawlor: While the Premier is still in the House, I would seek—

Hon. J. P. Robarts (Prime Minister): I think I am going to be here for some time.

Mr. Lawlor: On a point of order, I would seek to prevail upon the hon. Premier, through you, Mr. Chairman, not to subject this House and the Opposition to this kind—

Hon. Mr. Robarts: Oh, come on!

Mr. Lawlor: It is self-defeating, I suggest to you—

Interjections by hon. members.

Mr. Lawlor: It is a silly game to play, and two can play at it.

Mr. MacDonald: Mr. Chairman, I rise on a point of order because the Prime Minister has not been here for most of this estimate—

Hon. Mr. Robarts: I have been in touch.

Mr. MacDonald: Well, what I want to draw to the Prime Minister's attention and request him to examine, is that we have gone through about 10 to 12 hours in this estimate, we have dealt with a half a dozen major issues and we have yet to get an answer from the Minister.

Hon. A. F. Lawrence: That is not true.

Mr. MacDonald: I submit to you, Mr. Chairman, for the consideration of the Prime Minister, that it is the Minister who is responsible for the delay of these estimates, not the Opposition.

Mr. Chairman: Is vote 2001 carried? The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Chairman, I would like to ask the Minister if he would look at the series of grants to agencies which are listed under this vote, and if he would deal with each one of them in the following way: Would he tell me when his department was last in contact with particular agencies in a formal way to ascertain whether or not for this year the amount of money which was requested is the amount which the particular agency needs—

Hon. Mr. Grossman: On a point of order, Mr. Chairman, that was passed.

Mr. J. B. Trotter (Parkdale): No, item No. 1, that was all.

Mr. Chairman: We passed item 1 of vote 2001. The remainder of the vote remains open for debate.

Mr. MacDonald: Where has the Minister been?

Interjections by hon. members.

Mr. Chairman: Order.

Mr. J. Renwick: What I am concerned about is whether or not each year there is an annual correspondence or negotiation with the particular agency to settle the amount, or whether the amounts are just determined each year on the basis of the amount which was granted in the preceding year. And I would ask the Minister, first of all, about the Canadian Welfare Council grant of $28,000.

Hon. Mr. Grossman: I still say we are discussing item 8.

Hon. Mr. Yaremko: Mr. Chairman, that is an increase of $1,000 over last year and it is worked out with the Canadian Welfare Council on more or less a *per capita* grant, across Canada.

Mr. J. Renwick: It was worked out on a *per capita* basis. Could the Minister explain the *per capita* grant basis on which it was worked out?

Hon. Mr. Yaremko: Well, the Canadian Welfare Council turns to all of Canada for its money, and in order to get some sort of a distribution across Canada with those they are going to approach, they use I think a pretty rough yardstick on the basis of other provincial grants. It works out to $28,000 for Ontario, and we have made that grant.

Mr. J. Renwick: As I understand it, the first grant to the Canadian Welfare Council was done on a *per capita* basis, and that is the same amount for the province of Ontario. The same basis was used.

I would draw the attention of the Minister to the fact that the Ontario Welfare Council also receives $28,000.

Hon. Mr. Yaremko: That is not computed on the same basis. The Ontario Welfare Council deals with Ontario alone, that is not done on the *per capita* basis.

Mr. J. Renwick: Mr. Chairman, what was the amount of the grant to the Ontario Welfare Council last year?

Hon. Mr. Yaremko: $27,000.

Mr. J. Renwick: Would the Minister deal with the remainder of the items listed?

Hon. Mr. Yaremko: The Canadian Legion remains the same at $4,000; the Canadian Legion, provincial command, the poppy fund, remains the same; the last post fund remains the same; the Royal Canadian Humane Association remains the same; the Salvation Army grant is the same; the Vanier Institute of the Family is again $125,000. There was a commitment made of $125,000 over a four-year period and I think we are into our third year.

An hon. member: Very generous despite contrary representations.

Hon. Mr. Yaremko: Yes, that interjection is very appropriate. It was, I believe, four years.

Mr. MacDonald: I would not acknowledge it.

Hon. Mr. Yaremko: Carleton University, $5,000, the University of Toronto, $5,000. No change in those items. And then the largest single grant here is the Yonge Street Mission youth centre of $58,000, which was 10 per cent capital grant to this institution that is raising $580,000. They approached us and we made a grant to them of 10 per cent. I have the brochures here and would be very pleased to send the hon. member the details of it. It was discussed at some length prior to the Easter recess.

Mr. J. Renwick: Mr. Chairman, I would like to draw the attention of the House particularly to the $1,000 item for the last post fund. During the summer recess last year, I wrote to the last post fund in order to inquire whether or not the $1,000 item was sufficient for their purposes. I would like first of all to comment briefly on the correspondence which I had with the last post fund, and then to deal with another matter related to that fund.

The secretary-treasurer for the Ontario headquarters of the last post fund wrote to me on August 30 to tell me that while they had no more recent booklet than the one which they sent to me, "that April 19, 1969 would mark the 60th anniversary of the last post fund, and that plans are afoot to launch a publicity campaign about that time. This will undoubtedly include articles in the press reviewing the history and functions of the organization."

He asked me to be sure and contact him if I needed any further specific information. I replied to him:

> I acknowledge and thank you for your letter of August 30 about the last post fund. What prompted my inquiry was the item in the estimates of The Department of Social and Family Services of the government of Ontario for the fiscal year ending March 31, 1969, showing among the miscellaneous grants a grant to the last post fund in the amount of $1,000.
>
> I assume this is a grant dating back on an annual basis over several years. I was curious at the time the question was raised as to whether or not this is, in your judgment, adequate contribution by the government of Ontario to the fund.

The secretary-treasurer wrote back to me to say that while his connection with the fund dated back only to April 1, 1965, that a search of the organization's files revealed that the province of Ontario had been good enough to make to the last post fund, Ontario, an annual grant of $1,000 since at least 1942. Beyond that his file does not go.

Hon. Mr. Robarts: Condense it, do you have to read it all?

Mr. J. Renwick: To continue:

> The $1,000 is used to assist the Ontario Branch of the last post fund with its administrative expenses which are not very heavy. In addition to the $1,000, we are entitled to a $15 grant from the municipality in which an indigent veteran buried by the fund resided for three to six months prior to his death. These grants are recovered in approximately 90 per cent of our cases.

It goes on to say,

> As long as the municipal grants keep coming in I feel that they, plus the $1,000 received from your government are adequate for the Last Post Fund, Ontario, administrative purposes.

Hon. A. F. Lawrence: Did he say "Yours sincerely" or just "Yours truly"?

Mr. J. Renwick: "Thank you very much for your interest in our behalf. Yours very truly."

Mr. Bullbrook: Wrong again.

Mr. J. Renwick: I think it only fitting that we should on this occasion, as it is getting close to April 19, record in the House some of the background about the last post fund not only because of the interest of the topic, but because of the 60th anniversary which is fast approaching. I quote, and I think I will

at some length, because it is a very rare occasion when one can pay tribute to a fund which has performed a service which has not always received the attention, or the concern that it deserves. This article appeared in the current issue of the *Legionary* which most members of the House would know is the official publication of the Royal Canadian Legion. It deals with the last post fund on its 60th anniversary this month. This patriotic organization can take pride in having saved thousands of service men from paupers' graves.

The origin of it is really quite interesting:

The compassion felt by a Montreal hospital employee for a derelict ex-British soldier who was doomed to burial in Potter's Field led to the formation of the Last Post Fund, a unique organization which this month marks the 60th anniversary of its existence.

The Montreal man was the late Arthur H. D. Hair. The ex-British soldier was found by police huddled in a doorway on St. Alexander Street in Montreal in December, 1908. The police believed at first that he was drunk, but on examination found him to be in the last stages of starvation.

In his coat pocket were a few small crusts tied in a bandana handkerchief. In another pocket was a discharge certificate from the British army showing 21 years of service with good conduct. The certificate gave his name as James Daly.

Taken to Montreal General Hospital the man never regained consciousness. Nothing could be learned from him about his next of kin or other relations or friends. If he had a home of any sort in Montreal, there were no clues as to where it might have been.

The man's destitute condition had an immediate effect on Hair who happened to be on duty at the hospital when the unconscious ex-soldier was brought in that December night. The thought of such a man being neglected and abandoned in death to a pauper's grave stirred him to action.

He got busy at once importuning various veterans' societies inside and outside Montreal to try to keep such an event from ever happening again. He gradually gathered around him as helpers a small group of patriotic men and women who formed the nucleus of what has since become the Last Post Fund Inc., an organization which operates across Canada, in England, and in the United States.

Since its official inauguration 60 years ago the fund has spent more than $5 million providing a dignified burial for some 32,000 ex-service men and women who died without the means or the relatives or friends to look after their burial expense.

By April, 1909, Mr. Hair had enlisted enough support for his cause to enable the Last Port Imperial Naval & Military Contingency Fund to be officially inaugurated in the vestry of Old Trinity Church in Vigar Square, Montreal.

At that time Canadians were indifferent to the problem of burying indigent ex-servicemen. They were inclined to let the municipalities worry about them which meant a pauper burial and confinement to oblivion.

For the next 13 years, the fund existed on a purely voluntary basis and met its self-imposed obligations by means of membership fees and benefits organized in its interest. It never went to the public in open appeal. It was only through the tireless efforts of Mr. Hair, who became full-time secretary-treasurer, and his associates, that the organization was able to carry on.

In 1919 the federal government faced the problem of burying many veterans and found the Last Post Fund a source of valuable assistance and advice on how to perpetuate the memory of dead veterans.

In 1922, it authorized an initial grant from which stemmed the present arrangement whereby the federal government, through annual grants from The Department of Veterans' Affairs, supplies the funds for the actual cost of burial and permanent grave markers. The fund itself, however, raises the necessary money for the administration of its branches in each of the 10 provinces.

The Last Post Fund is administered under federal and provincial charter with regularly appointed trustees and a board of directors. It is a patriotic society, not a charitable organization, and it is not affiliated with any other organization.

One of the important regulations is that the fund may only handle such cases as come directly to it at the time of death and may not become involved if other funeral arrangements have already been made, or if actual burial has already taken place.

All branches are under the direct supervision of Dominion headquarters in Montreal to which regular reports are made. These burial details are transferred to the central archives which now record more than 32,790 dead who have served in units of the navy, army, air force, nursing services and women's auxiliaries of the armed forces. The flags of more than 14 nations decorate their graves.

Mr. Lewis: Look at the Attorney General, he is riveted to the spot.

Hon. Mr. Wishart: I am being regaled.

Mr. J. Renwick: To continue:

Neither race, colour or creed enter into the question as to who shall be buried in Last Post Fund cemeteries or plots.

In them may be found Protestants, Catholics, Jews, Buddhists, Confucians, Mohammedans and atheists. The fund burial includes a casket, embalming of the body, a hearse, an automobile for relatives and friends if required, the use of the undertaker's chapel for the funeral service, a flag to cover the coffin, and the service of a chaplain to conduct the funeral. Later, a uniform granite marker, suitably inscribed, is placed on the grave.

The cemetery of the Last Post Fund is the beautiful Field of Honour located at Pointe Claire, some 14 miles west of Montreal. In addition, Last Post Fund plots are established in civilian cemeteries in every major city in Canada. The Field of Honour is the only cemetery devoted strictly to veterans. It consists of 12 acres on a hill overlooking Lake St. Louis, a wide portion of the St. Lawrence River.

The only one of its kind in Canada, it is not a plot or reservation within a civil cemetery, but is incorporated under The Quebec Provincial Cemeteries Act as a distinctly military cemetery, owned and operated by the Quebec provincial branch of the Last Post Fund, the parent branch of the national organization.

The Field of Honour is devoted exclusively to the burial of ex-members of the Commonwealth armed forces and those of Commonwealth allies. Financial arrangements may be made in advance by those other than indigents who wish to be buried there and many ex-servicemen do choose to lie with their comrades in this last resting place. Also when such arrangements are made in advance, a veteran's widow or child may also be buried in his grave.

In its earlier years, the fund used plots in the Mount Royal and Cote des Neiges cemeteries, but when these became filled, the Field of Honour was opened in 1930. The Last Post Fund has also been keenly interested in the old Papineau Avenue military cemetery in Montreal which contains the remains of 1,700 Imperial soldiers who had died during the British occupation of Montreal between 1814 and 1869.

The Department of National Defence in 1944 sold the Papineau Avenue cemetery to Montreal and employed the proceeds to the preparation of a special section in the Field of Honour. The remains and headstones from the old cemetery were transferred to the new location.

More than six of the 12 acres in the Field of Honour are used for graves and are beautifully laid out with lawn, trees, shrubbery and permanent roads. An impressive stone "Gate of Remembrance" gives entrance to this hallowed ground.

The gravestones in the cemetery are laid flush with the green sod in the garden rather than the "sepulchral" concept. The flag flies from an 80-foot steel mast and a Light of Remembrance burns all night.

Impressive remembrance ceremonies are held by the Last Post Fund in Montreal and Pointe Claire each May 24. Early in the morning, services take place in the old plots in the Mount Royal and Cote des Neiges cemeteries.

At 11.30 a.m., the Montreal Harbour boat is placed at the disposal of the Fund and steams out on the St. Lawrence to a point opposite the Queen Victoria pier. At 12 noon, a beautiful wreath mounted on a lifebuoy is launched overboard.

As it floats down the river a white dove is released, symbolic of the departed sailor dead.

In the afternoon, a ceremony of remembrance is held at the Field of Honour. The speaker is always someone prominent in Canadian affairs and his address is broadcast nationally by the CBC. Each grave is decorated with small flags, and poppy wreaths are placed at various points in the cemetery.

Mr. Sopha: It will be national president of the NDP next year.

Mr. J. Renwick: Wreaths of fresh flowers are placed around the Cross of Sacrifice by representatives of military, naval and air force associations.

In recent years, decoration day services have been held in June with the Legion taking part. At the 1967 Decoration Day service 15,000 poppies were dropped from an RCAF aircraft onto the Field of Honour, gathered by school children and placed on the graves. Since the Last Post Fund was started, men who have won every decoration within the gift of the Commonwealth, including the Victoria Cross, have been buried in the Field of Honour and in the plots of the Fund.

Amongst the burials are veterans who fought in the Fenian Raid of 1860 and down through every war since then in which any part of the British Commonwealth took part. Privates lie side by side with men who have reached such high ranks as brigadier-general, for no distinction of rank is made except in the inscriptions on the markers.

There is then a reference to the anniversary services which will be held this year to commomerate the 60th anniversary of the Fund. I thought, Mr. Chairman, at this particular time it was worth while to record something of the background and history of this particular fund, to ask the government, whether in the light of this anniversary, they might give some consideration to some special commemoration on the part of the government or some way in which a member of the government might possibly participate in the ceremonies to mark an organization which has made a contribution which, in a strange way, no other organization could cope with. And for that reason I took the time of the House, even at this hour, to record these remarks about that fund.

Mr. Chairman: Vote 2001, carried. On vote 2002.

Mr. Lewis: Mr. Chairman, vote 2001 is not carried. There were two members rising. It is just that we rise a little more slowly at this time of night, Mr. Chairman.

Mr. Chairman: The Chairman is still quite alert.

Mr. Lewis: Oh, well, this happens too, you know. It all depends on what one does.

Mr. Chairman, it is very oppressive and late, and warm, I am going to take off my jacket, and I am telling the Chair now, so I do not get into difficulty with it, because—

Hon. Mr. Robarts: Take it all off. Just be your usual rude self.

Mr. Lewis: I am going to be on my feet for a little while. Mr. Chairman, I would like to move to the vote on the Vanier Institute and ask the Minister what it is that he has in mind for the $125,000 which he has been spending successive years for this institute. To tell the Legislature a little bit about what the institute is doing, because more and more as the institute evolves some of us have qualms about its activities.

Mr. E. A. Winkle (Grey South): You support your colleague on the veterans, do you?

Mr. Lewis: I support my colleague on the veterans.

Hon. Mr. Yaremko: Mr. Chairman, as I indicated to the hon. member for Riverdale, the total of four grants of $125,000 each to make a total contribution by the Ontario government of $500,000. This grant will add to an endownment fund for the Vanier Institute of the Family. The fund will be large enough to provide the institute's annual financial requirements for their foreseeable future.

The Vanier Institute was launched by the late Governor General, Georges F. Vanier, and Mrs. Vanier, as a centennial project. It was incorporated in 1965. The institute has several major purposes which can be summed up by saying it will gather information, conduct research and studies and offer services all toward the general goal of strengthening the family.

Mr. Lewis: Mr. Chairman, has the Minister taken a look at what the Vanier Institute has, in fact, done to strengthen "the family"? What does the Minister think about the general concept of strengthening the family? I am speaking to him quite directly in view of the obvious family disintegrations that are occurring. Does one perhaps think that there are other kinds of monies which can be spent on tracing the pattern of disintegration of the family as well as tracing the pattern of strengthening the family, and what exactly has the Vanier Institute done about strengthening the family tie?

Hon. Mr. Yaremko: Mr. Chairman, I will be very pleased to send to the hon. member the article from the *Globe and Mail*, March 22, 1969, of editorial comments on the Vanier Institute of the Family.

Mr. Lewis: Editorial comment?

Mr. MacDonald: We are not interested in that.

Mr. Lewis: Well, what is the gist? I am glad that the *Globe and Mail* is commenting editorially on the Vanier Institute. That is a wholesome fact for the *Globe and Mail*, and shows its familiar pattern, but what is the Vanier Institute doing with the half million dollars which you, as a government are allocating to it? I had the very, very dubious pleasure of attending the founding convention of the Vanier Institute in Ottawa a number of years ago before I had any recognition of what it was about. I have taken a slight interest in its activities ever since then, and I would like to know how the Minister is justifying the expenditures and what the institute is doing.

Hon. Mr. Yaremko: Mr. Chairman, the institute has, as some of its activities, a study of family law in Ontario and Quebec; with particular reference to the effects of family law on deserted wives and dependent children. This is an area of law which has received much criticism in the past but, comparatively, very little study.

Mr. Lawlor: Oh, come off it—3 great volumes under Leal.

Hon. Mr. Yaremko: In co-operation with the University of Toronto, and The Clarke Institute of Psychiatry, an analysis of the characteristics of the normal Canadian family with a large sample being studied in the East York-Leaside area of Metropolitan Toronto. A study of what is being done across Canada in the area of family life education. At the moment very little is known about what is being currently done in this field. The institute has so far received replies from 17,000 groups in Canada.

In co-operation with the Economic Council of Canada, participation in a poverty study with emphasis upon the relationship between the early childhood environment and the person's capacity to make use of the educational system and eventually to become an economically independent member of the society.

Mr. Lewis: Well, Mr. Chairman, I had intended to make some observations which suggested themselves to me over the last two or three years. I did not realize that they were so succinctly put by the *Globe and Mail*. I am very pleased because the editorial gives us food for thought, I would think, for some considerable period of time. I thank the Minister for sending it over. I will quote some of the editorial's critique of the Vanier Institute to the Minister in just a moment.

Mr. T. Reid: Mr. Chairman, on a point of order. The Minister has supplied the hon. member for Scarborough West with a copy of the *Globe and Mail* editorial. I have some remarks to make on the Vanier Institute and I feel at a distinct disadvantage at not having a copy.

Mr. Lewis: That is right; it is a very good point.

Mr. T. Reid: Could the Minister provide me with a copy?

Mr. Lewis: It is all right, Mr. Chairman, I will read the editorial from beginning to end and then all the members will have it.

Hon. Mr. Robarts: You are not reading it? I will be back.

Mr. Lewis: Mr. Chairman, the Prime Minister should know that it is pretty erotic stuff about the family, and one might want to stay. The editorial lead is specializing in marriage—

Mr. T. Reid: Mr. Chairman, could I return to my point of order? I appreciate the possible intent of the hon. member for Scarborough West in wanting to put this into the record, but I would say that our time could be better used if the Minister supplied at least one Opposition member of this party with a copy of the same editorial which would eliminate the necessity of the hon. member for Scarborough West reading this thing at length into the record.

Mr. Winkler: Why do you not share it? You are both together.

Mr. Lewis: Mr. Chairman, I think the Minister was just acknowledging the precedence of parties in the House. I do not think that he was meaning to descriminate one from the other.

Hon. Mr. Yaremko: Not at all. I only had one copy, you asked for information. I do not acknowledge your precedence. For the record, I do not acknowledge your precedence more than any other group in this House.

Mr. Lewis: I thought I would elicit an opinion from you as a refreshing change to the events of the day.

Mr. W. Hodgson (York North): Read it all.

Mr. Lewis: Well under the constraint and encouragement of the Tory back bench, Mr. Chairman, I will accede to that. I will read it all. The editorial is entitled "Specializing

in Marrage". It surprises me that the Attorney General leaves, since the Minister of Social and Family Services indicated that the Vanier Institute is doing such seminal work in the field of family law. "What God hath joined together in turmoil," is the way the editorial begins. It becomes ludicrous thereafter. But it does say, Mr. Chairman, rather later on and I think this is what I really intended to get at:

> But regrettably even the most charitable assessment of the Vanier Institute must be critical.

This is from the *Globe and Mail* editorial.

> Its membership of about 125 is drawn almost entirely from the middle and upper classes of English and French Canada. Its board is composed of persons whose average age is in the vicinity of 55 and its research tended to remain in areas that will not stir antipathy from any segment of its membership.

Mr. MacDonald: The Minister obviously did not know any more about what is in the editorial than the rest of his estimates.

Mr. Lewis: Now it is interesting. I must admit, I thank the Minister, I had not known some of these rather salient details and I—

Mr. Bullbrook: Which one of your deputies gave you that? He or she has to go.

Mr. Lewis: Actually, I am pleased to say that that is only the beginning. There is much more that is equally illuminating. But let us take it point by point because $125,000 is no laughing matter.

Hon. Mr. Yaremko: $500,000.

Mr. Lewis: $500,000 that is right.

Mr. MacDonald: Thanks for the correction.

Mr. Lewis: What justification is there, through you, Mr. Chairman, to the Minister, for granting half a million dollars to an organization whose entire board is composed of people drawn from the middle and upper class strata of this society when they are supposed to be studying the disintegration of the family, and obviously that means, *prima facie*, the disintegration of the poor, because family disintegration is largely evidenced in the underprivileged?

Mr. J. W. Snow (Halton East): The rich have families too.

Mr. Lewis: Well the rich have their problems. One does not deny that, but relatively speaking, we are discussing a phenomenon which bedevils the lower strata. I would like to know, Mr. Chairman, how does the Minister justify half a million dollars to this eletist group to study the impoverished in this society?

Hon. Mr. Yaremko: Mr. Chairman, I read now from a letter from Mrs. Plumptre, the president of the Vanier Institute, in reply to that editorial.

Mr. Lewis: Perhaps you could give that letter to the member for Scarborough East.

Hon. Mr. Yaremko: Mr. Chairman, I will not read the letter into the record but I say this, I had sufficient confidence in the Vanier Institute to warrant the initial granting of the money. And I may say that I know of no person within this country really who has contributed more than Madame Vanier. She participated in the first of the conferences which were held in Montreal with the participation of the school of social work of the University of Toronto. It was the first conference of its kind, I may say, in which the—

Mr. Lewis: Was that in the world or just in Canada?

Hon. Mr. Yaremko: Well, it is the first that I have ever heard of in North America. It was one of the things that the other member for Scarborough is unaware of, judging by his remarks. I may say that Madame Vanier played a very significant role in that and I have confidence in, as I said—

Mr. MacDonald: That is no answer to the question.

Mr. Lewis: I want to pursue this. I am very dubious about that letter. I suspect it has pretty damning paragraphs. I would be pleased to be proved wrong, but I would like to know what Mrs. Plumptre really wrote to the Minister. Is it a letter directed to you?

Hon. Mr. Yaremko: No. It is a letter to the *Globe and Mail.*

Mr. Lewis: Oh, to the *Globe and Mail*, in answer to the editorial?

Hon. Mr. Yaremko: Yes.

Mr. Lewis: I see. Well, perhaps you would like to quote from those portions of it which refute specifically the funding of an elite group.

Hon. Mr. Yaremko: You say that the institute membership is drawn almost entirely

from the middle class and upper classes of English and French Canada. Actually, Mr. Chairman, I do not really see anything wrong with the middle class and the upper class.

Mr. Lewis: One never knows what one achieves at the witching hour.

Hon. Mr. Yaremko: I would like to see all of the disadvantaged, the outcast; I would like to see them, in our very mobile society—

Mr. MacDonald: Santa Claus speaks again.

Hon. Mr. Yaremko: —move up into the middle class and upper class. I wish them well.

> The rehabilitation programme of this province will be dedicated to achieving that.

Mr. Lewis: You are talking about the upwardly mobile poor, is that it?

Hon. Mr. Yaremko: I continue:

> —and that it is composed of persons whose average age is in the vicinity of 55. This criticism is one which has been made by many of our members. It is valid, but only in part. We are attempting to broaden the base of membership, but accomplishment is not as easy as the statement of the objective.

That is something that the NDP in this province, not ever having been called upon to discharge or achieve anything, would not understand. That is an interpretation of mine, not from the letter.

Mr. Lewis: I would say that your comprehension of discharges is a real one. I am just a little tired of the absence of, again, any answers to questions. That from Mrs. Plumptre does not answer the very interesting point that is made in this editorial that fell into my hands like some divine intravention this evening that one can now base an attack on. The fact is, Mr. Chairman, that you cannot have $500,000 of public funds going to middle and upper class families, or middle and upper class personnel to study the disintegration of a family.

The Minister perhaps does not comprehend that. The Minister in the context of this vote, Mr. Chairman, has not seen fit to allow a recipient or an applicant to sit on this board of review. He has not seen fit to incorporate any of the disinherited poor in his research programmes participating directly in those research programmes.

He is not seeing fit to extend, as part of any of his programme, into the areas of the uprooted and disinherited in this society, and yet he is willing to philander another $500,000 of public funds to an elite group. It must be an extraordinary elite group, 125 of the chosen sitting there at the top of the cultural pyramid of Canada, pontificating about the nature of the poor and of the disintegration of the family structure.

I am sure it is nice to have $500,000. I can think of some welfare recipients and applicants who would not mind a marginal chunk of that bequest from government extended gratuitously over a four-year period.

I dare say, Mr. Chairman, if one looked at it, that the 125 people who are drawn from the middle and upper class of English and French Canada, that those who are from French Canada are from the English elite in Quebec. Even there I would venture the guess the discrimination which is prevalent in much of Quebec society is also reflected on the institute of the family.

The reason I feel rather strongly about it is not just a cavalier interest. It is that the conference which I attended back in Ottawa a number of years ago was a piece of the most pretentious falderal I have ever had to sit through. I cannot remember in my experience so much empty vacuous material produced in papers by quasi academics and others to legitimize the Vanier Institute of the Family, which has done no particular justice to the adornments which the Minister would wish to add to the Vanier name.

Madame Vanier has made a very significant contribution, but throwing $500,000 to the selected elite is hardly in the tradition of holding the family together. It may contribute to the financial drain which might otherwise bring some rehabilitation to families, but it does very little positively. I do not object to its board being composed of members whose average age is in the vicinity of 55, that is a regal age, a creative and intellectually stirring age in life.

It would be nice, I suppose, if a few young punks were allowed in, and I would think that even those who suffered a sort of querulous senility, if they could be allowed in on the board too, maybe would bring the average up in the other. But I suppose an average of 55 is as good an average as one will get from 125 from the middle and upper classes.

But that its research has tended to remain in areas that will not stir antipathy from any segment of its membership, that is a real shocker. I mean, imagine $500,000 of this

government to support the status quo, that is really a departure that can barely be tolerated in this Legislature, and I hope that changes. However, that is just the first of many paragraphs.

The second paragraph is an editorial which is relevant to the session tonight. The next comment is, "its mood"—meaning the mood of the institute—"is best typified by its past president, Dr. Wilder Penfield, a great neurosurgeon". The Minister will agree? A great neurosurgeon, probably one of the greatest, one might say almost one of the greatest in the world.

Hon. Mr. Yaremko: A great Canadian.

Mr. Lewis: A great Canadian, right. "A fine man," a kind of tepid adverb to throw in, "who during his term worried that skirts in Canada were drifting too high." Now, that is obviously the thrust of the social analysis made by the Vanier Institute.

The deterioration can be directly attributed to the mini-skirt. "Last summer in a winsome gesture of Afghanistanism, the Vanier Institute sent a man to Paris to deliver a learned paper on the evolution of the family in agricultural society." Now, there is something worthy of half a million dollars. It is not every day, Mr. Chairman, it is not just your every-run-of-the-day during the week that you have somebody sent to Paris to give a paper on the evolution—

Mr. T. Reid: That is not the editorial.

Mr. Lewis: No, no, there was no sleight-of-hand, the Minister offered this to me himself.

Hon. Mr. Yaremko: I know that the hon. member would like to have the facts correct.

Hon. Mr. Robarts: Oh, do not be too sure of that.

Hon. Mr. Yaremko: Mrs. Plumptre writes that nobody was sent to Paris.

Mr. Lewis: As a matter of fact, I think they are right, I think it was Afghanistan. I do not think it was Paris. I think the *Globe and Mail* editorial writer jumped at that point and asumed that Paris was the capital of Afghanistan when, in fact, as everyone knows, that is not the case. But that is a question for the Minister, not for us.

The *Globe and Mail* asks quite pertinently, quite incisively, "What about Don Mills?" meaning what about the evolution of the family in agriculture of Don Mills. And I want to ask the Minister, what about Don Mills?

Hon. Mr. Robarts: Well done!

Mr. Lewis: Well, I would like an answer. This is not something one throws half a million dollars away on.

Mr. MacDonald: After all, you cannot throw away the Minister's script.

Hon. Mr. Robarts: This is a glowing example of constructive criticism.

Mr. Lewis: Well, is there an answer from the Minister? About the redistribution of—

Hon. Mr. Yaremko: I gave the answer in anticipation, far ahead of the member's question. I referred him to the study made—the Clarke Institute in the Leaside-East York area.

Mr. Lewis: Leaside-East York. Well, that is really not good enough. It alienates that area of suburbia which most agitates the members of this Legislature, so agitates them, in fact, that the Minister of Labour and the Minister of Trade and Development, who share that area, have fled the House lest the facts that might emerge be indicated.

At present, Mr. Chairman, I know I have your erstwhile attention, the institute has as its major research programme, research into other researchers and what researches they have turned up. Now, I want this to register; at present the institute has, as its major project, a research programme into other researchers and what research they have turned up. Now there is $500,000 worth for you. These are public funds used in the most discriminating fashion, that is what the Provincial Treasurer would call economic planning and what the Minister of Social and Family Services would term—well, I do not know what he would term it, we have had no terms during these estimates.

I must say, Mr. Chairman, that that kind of revelation is of some concern. I do not depreciate Afghanistan, heaven forbid that anyone in this Legislature should think that.

Mr. Chairman: Are we still on vote 2001?

Mr. Lewis: Yes, directly. As a matter of fact, I would have thought, Mr. Chairman, that I might be wandering from the topic but if a Minister of the Crown, in his own estimates, gives me material to read relevant to an item under the vote, I would not dare to transgress his authority, so I will continue with this editorial.

Hon. Mr. Robarts: Smart Alec!

Mr. Lewis: But is this the kind of tough-minded inquiry Canadians need into the influences radically reshaping family life today—the pill—

I would like to ask the Minister about the pill in just a moment:

> —urbanization, youth unrest and the inevitable relationships that grow up outside marriage in an age of mobility? We think not.

We think not, says the editorial. Well, what does the Minister think? Does the Minister think that papers researching into the research that other researchers do is an appropriate analysis of the disintegration of the family, always remembering that sort of underlying motif of half a million dollars to this outfit, half a million dollars?

Now does not the Minister think that some of the other topics suggested in this editorial might be legitimate research pursuits? The pill? Urbanization? Youth unrest? Relationships that grow up outside marriage in an age of mobility? Does the Minister think that that would be valid?

Hon. Mr. Yaremko: I would assume that some of them would be, yes.

Mr. Lewis: Some of them would be. What is the Vanier Institute doing about it? What have they given to you to indicate how they are using your $125,000?

Hon. Mr. Yaremko: I have indicated that for the—

Mr. Lewis: The Minister indicated that they are endeavouring to strengthen family life. Are they doing a research project on the effect of relationships that grow up outside marriage? Has the Minister any idea? Obviously not. Or on urbanization, or on youth unrest or on any of the others?

Well, let me move on to some of the rest of the editorial, Mr. Chairman.

Mr. Nixon: On a point of order, Mr. Chairman, since the Premier has been with us for some minutes now, I would like to bring to his attention the fact that it is now after one o'clock and I wish he would tell the House what mystical goal he has in the recesses of his cranium that we must achieve before he can move that the committee rise. I think it would be worthwhile, perhaps, as an effort to just see what the goals are so that we can achieve them without further punishment.

Does the Premier wish to answer that question? I was interested to read in tomorrow morning's paper that he is appointing a select committee to deal with the rules. It is interesting to read in the newspapers what you are going to do.

Interjections by hon. members.

Hon. Mr. Robarts: I like dead debate in dead time.

Mr. Lewis: Oh, the Premier was pretty involved a moment ago. Well, I will not take offence at that, Mr. Chairman, I appreciate that. I know that he can rise to more eloquent heights when the times are less demanding.

> If the Vanier Institute really wants to contribute in a creative way to the problems of the family, it has one avenue begging its help, for we have in this country no full-fledged professionally staffed school of family life education where teachers may be trained in this vital and demanding discipline.

I wonder if the Minister has ever thought about a full-fledged school of family life education? There is a project. I am not sure of its merit, in fact I am sure of its merit, but I wonder if the Minister has ever thought of advancing some funds for that.

To go on:

> The need for such a school as part of a university, or a teacher training institution, is made more compelling by some news from The Ontario Department of Education. This fall, classes in family life education will be available from the department for any school in Ontario which wants to provide them for Grades 11, 12 and 13.
>
> They will include instruction in such things as maturation, responsibilities inherent in marriage, and the importance of assessing future marriage partners realistically, not just romantically.

Ah so, to quote the Minister of Trade and Development, but it is also in the editorial of the *Globe and Mail*—ah so.

> Who will teach this intelligence? In general it will be teachers already on staff, probably those who give gym training, but without casting aspersions we suggest that even the brightest physical education instructor who perceives that life is indeed more than sweat and sinew simply is not trained to teach family life courses.

What is required are teachers who have made it their specialty—men and women of sensitivity who have taken in a formal setting the kind of courses in family life education offered by growing numbers of United States universities.

The Vanier Institute could help to make such an institution possible here if it would provide some of the substantial resources to start in. Then we will be laying the ground work for a better understanding of marriage in the space age and our young people will be taught that while nothing in life is finer than a happy home, it takes more than romance and a ritual to achieve one.

Mr. MacDonald: That is a magnificent editorial.

Mr. Lewis: It is a very good editorial, Mr. Chairman, and I am really pleased to have read it, I must say to the Minister. I must also say that it reveals a great deal more than one might wish about what the Vanier Institute is not doing. Instead of falling for the political plum, the easy way out of granting large sums of money through organizations which are graced by famous names, the Minister should view pretty critically how he speaks half a million for 125 members of the middle and upper classes in English and French Canada, average age of 55, no relationship whatsoever to the people for whom they are supposedly designing the research programmes.

Again, Mr. Chairman, we are in the very difficult position in this sub-estimate of having to vote a significant amount of money when the Minister has refused to give us any information, other than the reassuring homily that recementing family life is the object of the Vanier Institute.

It is pretty obvious, on the basis of this *Globe and Mail* editorial—and it would probably be obvious on the basis of any other materials which we sent this way—that the Vanier Institute is not doing this at all. The Vanier Institute is engaging in research which at best can be described as marginal and at worst can be described as wasteful. Having read one of the original studies—with no disrespect to its author Professor Fred Elkin, am I remembering properly?—"The Family and something or other in the Community," I must say that as a compendium of bits and pieces it was all right, but it served much the same function as "The Province of Ontario, its Social Services," put out by the Ontario Welfare Council, and it did not cost $125,000 to finance.

I wonder, Mr. Chairman, if I could ask the Minister does he intend to continue these grants, this largesse, for the Vanier Institute beyond the four years? Has he entered into any agreement with them, or is he tentatively approaching any agreement with them beyond the present four-year period?

Hon. Mr. Yaremko: That commitment was made for $125,00 a year for four years.

Mr. Lewis: There is nothing decided now? Have you any feelings about it? Are you getting value for your dollar? Are you looking forward to entering yet another era arm-in-arm with the Vanier Institute, walking towards the reconstructed family together? Do you envisage God over the horizon with the appropriate settings and strings? Have you in fact thought that the Vanier Institute has been sufficiently productive for you to invest further money in it? What is your feeling at this point?

Hon. Mr. Yaremko: The structure of the institute is such that it will not be necessary to invest any more money.

Mr. Lewis: I see. The interest itself will be sufficient to fund the projects and it will be rotating. That may be; I am dubious. I do not imagine it will amount to very much money and one knows that it takes a lot of money to keep 125 patricians happy for four years—a great deal of money. I hope the government will consider making yet another magnanimous contribution.

Mr. Bullbrook: It does not take much to keep 117 patricians?

Mr. Lewis: Well, 117 patricians; some of us are plebeians, I might say.

Mr. Nixon: You do not include yourself in that?

Mr. Lewis: No. I would never accept the proposition of patrician. I had some items on the Ontario Welfare Council but I thought that the member for Scarborough East might want to enter this. Perhaps he would like this editorial?

Mr. T. Reid: No, I have read it. Mr. Chairman, I have one very simple question. I understand that the Minister's department has a great deal to do with the welfare of the Indians of Ontario. Since the grant to the Vanier Institute from this government comes from his department, presumably the Vanier

Institute should be interested in the problems of the families of Indians. I would, therefore, like to ask the Minister, Mr. Chairman, how many Indians are on that 125-member governing council?

Hon. Mr. Yaremko: I do not have the breakdown of the membership of that institute.

Mr. T. Reid: Does this imply that the Minister does not think that the problems of the Indian family are serious problems?

Hon. Mr. Yaremko: I think the problems of every single family in this province are serious ones.

Mr. T. Reid: Are the problems of a family in Don Mills equally important to the family problems of the Indians in this province?

Hon. Mr. Yaremko: Yes, Mr. Chairman.

Mr. Chairman: Vote 2001?

Mr. Brown: I would like to enquire of the Minister—on the studies mentioned by him that have been undertaken with the funds contributed by this department to the Vanier Institute, such as the family law study, is there a report? Has this study been completed? Is there some work done to demonstrate the usefulness of this particular study?

Hon. Mr. Yaremko: No. No report has been reached yet.

Mr. Brown: What about the report on the study of the Clarke Institute?

Hon. Mr. Yaremko: No report of any kind has been forthcoming yet. This is a very recently launched undertaking. It was incorporated in 1967 as a centennial project.

Mr. Brown: Up to this date, despite the fact that you have been contributing $125,000 a year, you have no evidence that, in fact, these studies are ongoing; that they are indeed producing that which was set out to be produced? You are taking it for granted that somehow, because there is a family law study and money is being spent on it, that this is indeed happening? You are satisfied that that is all you need to know?

Hon. Mr. Yaremko: I have no reason to doubt the integrity of the people involved.

Mr. Brown: Who is involved?

Mr. Lewis: Name them.

Mr. Brown: Who is involved in the family law study?

Hon. Mr. Yaremko: You are talking about the institute itself?

Mr. Lewis: Name the institute members.

Mr. Brown: Well, who?

Mr. Lewis: Those whose integrity you do not doubt, who are they? Name them.

Hon. Mr. Yaremko: The commitment was made to the Vanier Institute in 1967 and it was launched under the auspices of the late Governor-General and Madame Vanier. A commitment was made by this government at that time for $500,000 over a period of years, and we are going to carry out the commitment.

Mr. T. Reid: Mr. Chairman, if I could intervene by quoting the Minister's remarks in this House on May 21, 1968, page 3157 of *Hansard*, 1968. The Minister said this referring to the Vanier Institute,

> The request is made, it is reviewed and then the grant is made. I think, however, in view of the fact that the government is getting into the provision of funds in this sector to be spent by others on a greater scale, that this whole matter will come under review. It would seem to me that the taxpayers' dollar, regardless of whom it is spent by, should be subject to the same control and same supervision.

Yet the Minister, Mr. Chairman, has just told us that he does not review this grant.

Mr. Lewis: That is a very, very interesting quotation—

Hon. Mr. Yaremko: These words are worth while repeating. I still stand by them.

Mr. T. Reid: Could I ask the Minister if he has reviewed the programme of the Vanier Institute and on the basis of that review made the grant of $125,000 that he is asking this House to support?

Hon. Mr. Yaremko: Mr. Chairman, we are in touch with the institute and in correspondence with them. We have no reason to doubt the integrity of the people involved, that they are not carrying out the purposes for which the institute was set up.

Mr. Brown: We are not questioning the integrity of the people of the Vanier Institute. We are questioning whether or not you are indeed aware or concerned about the expenditure of funds that are going from your department to a specific study, as you have outlined for us. It is not the integrity of the Vanier Institute that we are talking about. It is your integrity in this particular moment.

Mr. Lewis: What we are asking is not so much integrity as relevance. What relevance have these studies which the Vanier Institute is producing, for the Minister and for his department and for society as a whole? If he has reviewed any of the programmes, on what has he based his critique, his review? What is he doing, handing out a $125,000 a year—and that is what you are doing, I mean let us not have any flim-flam in the Legislature. We all know what you are doing. You are writing them a cheque for $125,000 and you are saying: Here, Vanier Institute, spend it, because I believe in your integrity.

You are not checking with them. You may have lunch with one of the members of the board, one of your staff may call one of their research staff or vice versa to exchange some information. You are just giving them $125,000 and you are saying: go to it. Well you are giving $500,000 to the Vanier Institute whose research programme is necessarily suspect by virtue of its own propensities as a board and membership, and you are using $100,000 for research in your own department about which we can elicit nothing. So, you are already indicating to the House tonight that you are involved in $600,000 of public money which, to all intents and purposes, is absolutely unaccountable.

Now again you know what kind of situation we get into as members of the Legislature. Why is this Minister perpetually putting us into with this particular situation? I think it is incumbent on you to say, what the $125,000 is being used for because you know your own Cabinet colleagues would think twice about the nature of the Vanier Institute research unless they were quite pleased to give that kind of money for the purpose of associating themselves with the great name. Maybe they are, but when austerity is as tough as it pretends to be, then that is a pretty irresponsible piece of behaviour.

I may also say, Mr. Chairman, that it is pretty irresponsible in the Minister's own preoccupation, if I can put it to him that way, that he grants $500,000 to a board which is dominated almost exclusively by middle and upper class English- and French-speaking elements.

What about the third element? Putting it to the Minister in the sense, not only is there inherent in the board a discrimination against the lower classes but there is inherent in the membership based on what the *Globe and Mail* editorial reveals, discrimination against other segments of this society, segments that are measured in other ways of a membership of 125, how many would there be on the board, 10, 12, 15? Do you know?

Does the Minister know how many there are on the board of the Vanier Institute? No, the Minister does not know. $125,000 the Minister knows well. $500,000 over four years, he has memorized. Do you know any of the members of the board? Can you give the names to us in the Legislature? Do you have it? Can you name two or three of the senior members of the board of the Vanier Institute? I will take my place and listen.

Hon. Mr. Yaremko: I can produce all of the names for the hon member.

Mr. Lewis: You can produce them? You are giving $500,000 in public funds and you cannot even name a member of the board of the institute.

Hon. Mr. Yaremko: Mrs. Plumptre I mentioned.

Mr. Lewis: Fortunately, Mrs. Plumptre wrote to the *Globe and Mail*, and you had something to hand out. I will concede Mrs. Plumptre. Well I suppose that is a piece of one-upmanship. I will not press you. I will not press you to indicate to the House who the other members are apart from Mrs. Plumptre. But I would point out to you that it is a closed shop. It is a pretty tight closed shop. There are very few social agencies that have a membership of 125, and a board of an appreciable smaller number drawn from a selected strata of society, and discriminating economically and perhaps ethnically in the process of their activity as well.

I must say, Mr. Chairman, I would never have generated such feeling about the Vanier Institute had all these facts not come to light. But I must say, I think it is pretty irresponsible, it may be possible that the Minister could justify to this House what he is spending the money for. It may be possible but we will never know because like everything else, he has not got the foggiest notion of what the money is involved in.

He does not know the people to whom it is going. He does not know the project it is going for. He does not have any contact with those who administer it. He has no idea whether it has been reviewed. He does not know whether the results are viable or legitimate or relevant. $500,000 and the Minister tries to sneak it through in vote 2001 at 25 after 1 in the morning, on the basis that the members will not be informed. Well the members are well informed. They read the newspapers too.

Mr. Singer: Mr. Chairman, I was interested in the remarks that part of the money that goes to the Vanier Institute is devoted to a study on family law and research on the problem of deserted wives.

Now it comes to my mind that the Attorney General has told us a bit about research into family law and the law reform commission has embarked on a very substantial study. I am not sure of the figure, but the figure of $30,000 seems reasonable. I think he mentioned that, I could check it later. And there is a lady named Anna Bacon Stevenson who heads a group that is studying family law at some substantial length. In fact at least one large volume of—

Hon. A. F. Lawrence: This is the same group.

Mr. Singer: Well I wonder if the Minister can tell us the relationship of the study of the family law, whether it is being done by the law reform commission, or by the Vanier commission? Is there any co-ordination or are these two separate studies?

Hon. Mr. Yaremko: The Vanier Institute is on a much broader basis. It covers at least Quebec and the province of Ontario. The Vanier Institute is a Canadian institute. It is not limited to the provinces of Ontario and Quebec. It is national in scope.

Mr. Singer: Well then, the interjection by the Minister of Mines was incorrect again—that it is all the same group. The Minister has said it is a different group.

Hon. Mr. Lawrence: You implied that the Attorney General had three different groups. I was saying that the three references you first mentioned apart from Vanier Institute were all one, as I think you know.

Mr. Singer: No.

Mr. Sopha: They were not originally.

Mr. Singer: No, I was just asking this is not what the Minister indicated. Now which one of you speaks for the government? Is it the Minister of Mines, or the Minister of Social and Family Services? We have had two answers in conflict. Which Minister is correct? Perhaps the Prime Minister could intervene and tell us which one to believe?

No, all right. I wonder if the Minister of Social and Family Services could tell us, the last time he discussed these problems with the Attorney General who seems to have some responsibility in this field?

An hon. member: The Attorney General went home in disgust about an hour ago.

Interjections by hon. members.

Hon. Mr. Yaremko: We have not as yet been involved in those studies except on an individual basis. But in a general study we have not as yet been involved.

Mr. Singer: You have not been involved with what the Attorney General is doing? Well, then, could the Minister explain to me why, by and large, since as I understand it, the whole question of family law is a constitutional prerogative of the provinces—all except divorce, and the federal government seems to be looking after that—why we are spending or allowing our money to be spent on studying family law, say in the province of Quebec, or even why we are spending, or allowing our money to be spent on studying family law, say, in the province of Quebec, or even in the province of Manitoba, which at least has a common law base as we do?

This is a little hard to follow, because the family laws that we control as is our constitutional right, are controlled within this Legislature and by our own statutes. Now, why would we be spending Ontario money to study family law in provinces other than Ontario.

Mr. Sopha: That is a good question.

Mr. Singer: Could the Minister answer that?

An hon. member: There is no answer.

Mr. Chairman: On vote 2001; the hon. member for Scarborough East.

Mr. T. Reid: Mr. Chairman, last year the Minister noted that: "the minute we gave a promise of $500,000 in four equal instalments, and so on." The question is a very simple one. How could the Minister promise last year to make grants of $125,000 in the next fiscal year, which we are discussing now, and the subsequent following two years, before the estimates had been approved by this Legislature?

Hon. Mr. Yaremko: Mr. Chairman, in working out programmes with various agencies, that often happens. It is explained to the agency that the commitment made, is a commitment by the government, but that it does not take effect until the moneys have been voted by the Legislature each year.

Mr. MacDonald: It is like the federal grants to aid and develop competitive research for the people of Ontario.

Mr. T. Reid: I understand, therefore, the Minister's subsequent remarks on that same page of *Hansard* where he said that, in essence, that promise was a conditional promise, because unless he was satisfied that the Vanier Institute was using its funds wisely and the funds of this government wisely the future grants might not be made.

Hon. Mr. Yaremko: No, the hon. member for Scarborough West might move, and you might second, that this amount be reduced to a dollar and then I might not be in a position to carry out my commitments.

Hon. Mr. Robarts: As long as that motion carried through the House.

Hon. Mr. Yaremko: If it carried.

Mr. T. Reid: I conclude from the Minister's remarks in the last half hour, Mr. Chairman, that regardless of what the Vanier Institute does, that this government, provided that the Conservative Party continues to form this government for the next three years, will continue to make grants to the Vanier Institute of $125,000 a year regardless of their programme.

It is just going to say, "You have a great name attached to you, and here you are, half a million dollars, four grants of $125,000 each, for four years, and we do not care what you do."

Now, if that is the case, we are glad to know it. But the Minister should not go around saying that he is going to evaluate the programme of the Vanier Institute to make sure, what did he say, "that the taxpayer's dollar, regardless of whom it is spent by, should be subject to the same controls and the same supervision as other government programmes.

You have not reviewed the programme of the Vanier Institute. That is what has become so clear here this morning. You have not examined the programmes or the policies of the Vanier Institute and you are just giving them a blank cheque. I suggest, sir, Mr. Chairman, that that type of—

Hon. Mr. Wishart: On a point of order.

Mr. T. Reid: I will just conclude my remarks.

Hon. Mr. Wishart: A point of order.

Mr. T. Reid: Nice to see you again.

Hon. Mr. Wishart: I was told, Mr. Chairman, that it was put on the record that I had gone home in disgust. I am here, Mr. Chairman, I stay.

Mr. Singer: He stays in disgust.

Mr. MacDonald: I apologize, I interpreted the Attorney General's comments when he said I cannot take any more, or I have got to leave, or something, and I thought he was going home in disgust, but I was wrong. I apologize.

Hon. Mr. Wishart: I could not take the flow of what was coming from the seat behind you.

Mr. MacDonald: As a matter of fact, you missed the best part of the evening. We really got some information from the Minister. He gave us an editorial from the *Globe* which was the best criticism of his department yet, and we have been trying for four days to get information from the Minister.

Mr. T. Reid: Mr. Chairman, in conclusion of these remarks on the Vanier Institute, I simply say this: That the discussion that we have had, if one can call it a discussion; the questions that the Opposition party members have been asking about the Vanier Institute; and the responses of the Minister to those questions leave me with this conclusion.

The Minister is going to make this grant of $125,000 to the Vanier Institute; he is going to make them for the subsequent two years regardless of what the Vanier Institute does with that money. I, sir, as a member of the Opposition, object to writing blank cheques without knowing how that money is spent and whether the expenditure of that money is having the desirable results in terms of the Minister's policies for his own department. I object strongly to writing blank cheques.

Mr. Chairman: On vote 2001; the hon. member for Scarborough West.

Mr. Lewis: Yes, I have a number of items, Mr. Chairman, one on the Ontario Welfare Council, the other on the Canada Welfare Council, and then in terms of research and development branch, later, I would like to entertain the whole problem of the guaranteed annual income, the way in which it affects income maintenance programmes, the various kinds of guaranteed annual income and what the Minister is contemplating in that area. But before—

Mr. Nixon: A marvellous conflict of wills here.

Mr. Lewis: Before that, Mr. Chairman, I would like to—

Interjections by hon. members.

Mr. Sopha: Mr. Chairman, it is twenty-five minutes to two in the morning. This is disgraceful.

Mr. H. Peacock (Windsor West): So it was with the gasoline tax bill.

Mr. MacDonald: I invite anybody to read the record and you will find it is substance and material going on in terms of the inadequacies of this department.

Hon. A. F. Lawrence: Read about the Last Post Fund again.

Mr. Peacock: The gasoline tax bill passed at 1.35 a.m. in the last session.

Mr. Lewis: No, I do not have the Last Post, I have the Ontario annual review. Mr. Chairman, I think that the whole guaranteed annual income thing is a pretty important issue and in this department, probably more important than any other in government, in terms of what it will do to income maintenance programmes. I think it is worthy of some time, and there was an earlier—

Hon. Mr. Yaremko: If it is worthy of some time, then it could properly come under vote 2002.

Mr. Lewis: No, I do not want to get it mucked into the general welfare allowances and to mothers' allowances, etc. That is what destroys any discussion of guaranteed annual income. The place for guaranteed annual income is on research and planning. What planning are you doing in that field? I would like to know the forms, the kinds, the alternatives which the Minister has contemplated in this area? It is pretty important. One Cabinet Minister is already on record, I guess two of them are on record, that this is a coming phenomenon for the provincial Tories, and even the federal leader of the Conservative Party—

Mr. Sopha: Robert Stanfield is on record.

Mr. Lewis: Robert Stanfield, right.

Mr. Sopha: It was in the Prime Minister's home town and he said—

Mr. Lewis: Right. Robert Stanfield is an urgent devotee, almost a fanatic, of the guaranteed annual income. If he were to come to power tomorrow, considering the speed at which he moves, Mr. Chairman, the guaranteed annual income—

Hon. Mr. Robarts: I think I would laugh harder if it were a little earlier.

Mr. Lewis: I would speak with more vigour, as it were, if it were a little earlier.

Mr. Singer: I think that is a little apt.

An hon. member: Did Robert Stanfield say that in London?

Hon. Mr. Robarts: Yes.

Mr. Lewis: In London, did he?

Hon. Mr. Robarts: I was there on the same platform.

Mr. Lewis: Did you share his views?

Hon. Mr. Robarts: Not exactly.

Mr. Lewis: Not exactly? Well, maybe—

Hon. Mr. Robarts: That is as exact a statement as you will get from me.

Mr. Sopha: How many seats did he win in London?

Hon. Mr. Robarts: None.

Mr. Sopha: You would not say it is a fertile place for the guaranteed annual income.

Hon. Mr. Robarts: We won a few.

Mr. Lewis: Is that completed now?

Hon. Mr. Robarts: Well, you know—

Mr. Lewis: No, I am listening, I just do not want to intrude.

Hon. Mr. Robarts: I hope I am as entertaining as you are.

Mr. Lewis: You are indeed, sir. I would not suggest otherwise.

Mr. Sopha: You know, Dalton Camp should be the leader of that party.

Mr. Lewis: As a matter of fact, I am not really sure about Dalton Camp. I have often thought that David MacDonald, is it David MacDonald?—

Mr. Chairman: We had better keep to vote 2001.

Mr. Lewis: Mr. Chairman, I would like to ask some compelling and pertinent questions about the Ontario Welfare Council.

Mr. Sopha: And David Lewis should be the leader of the other party.

Mr. Lewis: Well now, one would not wish that on him. I would like to ask first of the $28,000 that you—

Interjections by hon. members.

Mr. Lewis: I would like to ask the Minister in a very tentative way, you understand—

Hon. Mr. Robarts: Sit down.

Interjection by an hon. member.

Hon. Mr. Robarts: Other people would like to speak as well.

Mr. Lewis: Well, would the Premier like to come to his feet, Mr. Chairman? Would the first citizen like to rise and participate?

Hon. Mr. Robarts: I simply said I have so few opportunities to enter the debate here, that when I do have an opportunity I would like to get in, but I would be delighted to hear the point of questions the member has to ask about the welfare council.

Interjections by hon. members.

Mr. MacDonald: We are now getting another example of how to waste time.

Mr. Lewis: How much of the money which the Minister dispenses on the Ontario welfare council goes to the *Ontario Welfare Reporter*, to the publications division?

Hon. Mr. Yaremko: We do not have a breakdown of the grant.

Mr. Martel: You need a new record player.

Mr. Lewis: Well, I wonder, because this journal comes to the members quite regularly and I have always viewed it as a very suspect kind of journal because it has nothing but praise for the government, nothing but praise.

Hon. Mr. Yaremko: Would the member send me a copy?

Mr. Lewis: No. I would not send the Minister a copy lest there be material in it which could be used in the House. But I have always wondered what it is that draws the Ontario welfare council so firmly into the orbit of government. What incestuous relationship exists between government and the Ontario welfare council—

Interjections by hon. members.

Mr. Lewis: You understand — most metaphorical of terms—to allow the Ontario welfare council to hand out such perpetual accolades to the government? But there was, not so long ago, in the *Ontario Welfare Reporter* a major article relating to the Minister's department as a whole, to the basic policy discussion on it, and to guaranteed annual income, entitled "More money would help". It was written by Margaret Cragg. The Minister will know Margaret Cragg.

I want to read sections from that into the record prior to some remarks on the guaranteed annual income. Margaret Cragg begins:

> Wars on poverty have been declared before, even if not waged very actively, but in Canada and the United States at present it seems that peaks of affluence and social conscience have coincided to a degree that will mean a serious attempt to see that no one lives in destitution. Opinions as to methods differ. In both countries main lines of attack are being directed at the roots of poverty, lack of education, of opportunity, of good health and decent housing. But many social scientists, family agencies and the poor themselves hold that what the poor chiefly need is more money.

Hon. Mr. Yaremko: Is that the NDP theory or is it not?

Mr. Lewis: I am capable of making the distinction between those who are on allowances and those who are also considered poor. They incorporate a group rather larger than 100,000 in Ontario—25 per cent of over seven million comes to something more than 100,000.

> Transferring money from those who have it to those who need it may be done by private charity or through taxes, the latter in several ways; public assistance programmes administered by welfare departments; social security financed by contributions from earnings; negative income tax; guaranteed minimum income and universal payments such as old age security and family allowances. Public charity has long been recognized as inadequate. Public assistance has been attacked as inadequate and destructive of dignity. Social security is said to leave unhelped those who need it most. It is the in-thing to plump for negative income tax or guaranteed income. To clarify our own understanding of what they mean, we have been delving into some recent writings on

> negative income tax, guaranteed income and increased family allowances with particular reference to families.

Now, on the negative income tax, this is what Margaret Cragg says:

> Each of the proponents of the negative income tax approach to income maintenance believed that his plan would be an improvement over present machinery for aiding the poor. It would put a minimum income floor under the poor—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, I suggest again that if the hon. member is going to get into a whole embarkation on the guaranteed annual income, that that should properly be discussed under vote 2002.

Hon. Mr. Grossman: And, besides, it is a long opening speech.

Mr. Lewis: Hardly, I am just quoting in moderation from a short article.

Mr. Chairman, I made it clear that I wanted to discuss this in the area of research and planning, but I can do it another way. I can do it another way which will perhaps satisfy the Minister.

I would like to ask the Minister, under his research and planning branch, what thought has been given to a guaranteed annual income. What specifically has been done by way of any research study? Whether, if it has been done, that study can be granted to the Legislature, tabled in the House; and whether the study indicated for the Minister an avenue to implement the guaranteed annual income which the Provincial Treasurer and the Minister of Revenue have committed themselves to?

Could the Minister take some time to indicate his position on the guaranteed annual income and what work is being done in the research and planning branch?

Hon. Mr. Yaremko: Mr. Speaker, as I indicated earlier—

Mr. Sopha: Will you wake up the Minister of Tourism? He is cheating.

Hon. Mr. Yaremko:—in discussion earlier, that the research and planning branch is going to evaluate for our definite information all of the proposals which have been made in this field. I would not want myself to be in the same position was as the hon. member for Scarborough Centre, (Mrs. M. Renwick), who must have gone home early to get refreshed for tomorrow. She had embraced it without examining it too closely and made a statement in this House that she regretted her complete embracement of it.

Mr. MacDonald: What has the Minister embraced or examined?

Hon. Mr. Yaremko: We will take a position with respect to the specific after we have made a complete study of the matter.

Mr. Lewis: The Minister committed himself to a guaranteed annual income. Incidentally, the member for Scarborough Centre is not here for very good reasons. The Minister has committed himself to the guaranteed annual income. Surely he has explored some of the formulae; could he share some of that with us? What does he mean by guaranteed annual income? Let me ask him that.

Mr. Martel: Somebody had better tell him.

Hon. Mr. Yaremko: Mr. Chairman, I am surprised that the hon. member is uninformed about this matter. I am surprised; I am shocked.

Mr. Mr. Lewis: I am wholly ignorant.

Interjections by hon. members.

Hon. Mr. Yaremko: The hon. member has been speaking for three or four years about a matter of which he knows nothing. Why, I am surprised!

Mr. Lewis: I am wholly ignorant.

Hon. Mr. Yaremko: I am shocked. I am startled. So little knowledge and he has been talking for so many years, Mr. Chairman. There are many views. There have been views expressed by individuals such as Dr. Willard, the Economic Council of Canada; there is the Friedman theory—

Mr. MacDonald: What about the views of the Minister?

Hon. Mr. Yaremko: My views will be made when this department is charged with the responsibility of putting into effect some sort of a plan. But I will say this to the hon. member, that I was surprised, too, that the AFL/CIO rejected proposals of guaranteed income or a negative income tax. This is the AFL/CIO of the United States of America that I have always accepted as being in the forefront of social reform. I can say this to the hon. member; before I take a position that you can pin me down on it, I will know a lot more, based on scientific research on it.

Mr. Lewis: Through you, Mr. Chairman, if the Minister thinks that George Meany is in

the forefront of social reform, then he should think again.

Hon. Mr. Yaremko: He represents 14 million members.

Mr. Lewis: So be it. Perhaps from Walter Reuther and the United Auto Workers one would get a statement considering the American labour movement, in support of the guaranteed annual income, but from George Meany, that is not a likely prospect so it need cause—

Hon. Mr. Grossman: He is probably a fascist, imperialist warmonger.

Mr. Lewis: He is not a warmonger. You would not accuse him of that, but it need cause the Minister no concern. Surely, the Minister has given some thought to the negative income tax, for instance. What are his views on the negative income tax as a methodology?

Hon. Mr. Yaremko: It is worthwhile studying.

Mr. Lewis: It is worthwhile studying. What is it that is worthwhile studying?

An hon. member: Negative income tax.

Mr. Lewis: Can you, in view of the uninformation on this side, explain how the negative income tax works in terms of the guaranteed annual income? What it is that the government is thinking of? What is it that is worth studying about it?

Hon. Mr. Grossman: All aspects of it.

Hon. Mr. Yaremko: Mr. Chairman, again I am appalled at the lack of information on the part of the member.

Mr. Lewis: Give it to me.

Hon. Mr. Yaremko: The member for Scarborough West knows so little about a subject matter on which he has been talking for at least three years, probably longer. I think it is four years ago I heard him make the first remarks in respect of this field. There are various approaches and I say this, that if the goal is to redistribute income to do away with poverty, it has yet to be proven in a scientific way that any adoption of the plans as proposed by the hon. member in this House would bring about the very purposes which he has mouthed.

Mr. MacDonald: You are condemning Stanfield.

Hon. Mr. Yaremko: I am not sold, holusbolus 100 per cent on the facts that you subscribe to the position, that this is the end-all and be-all of social problems in this field.

Mr. Lewis: Well, Mr. Chairman, it is the Provincial Treasurer and the Minister of Revenue who have been advocating a guaranteed annual income as the sort of final end of the government white paper. They have made it very clear that that is the direction in which your government is heading.

Hon. Mr. Yaremko: Not the way you put it.

Mr. Lewis: It is perfectly legitimate for this Minister—the most inappropriate Minister in the Cabinet to do so—to cast aspersions on the guaranteed annual income as a goal. That is fine for the Minister.

Hon. Mr. Yaremko: I did not cast aspersions.

Mr. Lewis: Obviously you did. You are not sure whether or not—

Hon. Mr. Yaremko: When a group representing 14 million union members has some doubts cast upon it, when the hon. member for Scarborough Centre wished that she had not embraced it as readily as she did, her position alone would have made me stop and look. Mr. Chairman, on a point of order again, I say that if we are going to get into the aspects of the guaranteed annual income, it belongs properly under vote 2002 which relates to maintenance programmes.

Mr. Lewis: That is just going to get us into a hassle on vote 2002. We might just as well finish it up here. It is not likely to be that much longer.

Interjection by an hon. member.

Mr. Lewis: I hesitate to come to their defence, but the AFL-CIO may have dismissed the negative income tax because it was a Milton Friedman Tory idea at the outset. And they may have dismissed the guaranteed minimum income, not the guaranteed annual income, but the guaranteed minimum income, because it did not commend itself to them either. But there are other avenues like the demogrant and others—the Minister will be familiar with them—which that particular body may well yet adopt as a formula. It is not an objection to it in principle, at least, I do not believe so.

It certainly is rather slower than one would wish, but I must say, Mr. Chairman, that

no one suggested our plans were anything but but fallible. Any plans that were put forward on this side for the guaranteed annual income were put forward in a tentative fashion.

One would like to know the various alternatives which you are studying. You say you will not make your decision until you have a scientific study. You have indicated for the first time tonight, since this issue was raised, that there is part of the Treasury Board which may be resisting a guaranteed annual income, namely, yourself.

Your colleagues, on all other occasions in this House, have been pretty firm about it being the eventual goal of the financial policy in the white paper, but you have expressed apprehension about it. Perhaps, because Opposition speakers advanced it.

Mr. Chairman: Perhaps the hon. member would keep to the vote.

Mr. Lewis: I would like to know in the research and planning area, Mr. Chairman—it is a perfectly legitimate question — which kinds of avenues to the guaranteed annual income is the Minister's personnel studying?

Hon. Mr. Yaremko: I would assume that they would study all kinds—

Mr. Deans: You would assume, do you not know?

Mr. Lewis: Do you not know what they are studying? Have they submitted any tentative first report to you at all?

Hon. Mr. Yaremko: No. I asked that a complete study be made of the whole field.

Mr. Lewis: When will that study be ready, can you tell the House?

Mr. Deans: When did it start?

Mr. Lewis: Will it be 1980? You do not know. It may be 1980. Has it begun?

Hon. Mr. Yaremko: Yes, it has. I have explained to the House, to the committee, Mr. Chairman, that late last year the personnel of the research and planning branch were brought on staff. They have been given assignments. They have got a platter full. They will do their very best in all the fields that have been assigned to them, and their studies will be made known to the government.

Mr. Lewis: I acknowledge that it is pretty late and it is not the most effervescent hour to discuss the guaranteed annual income, but just let me say in passing, Mr. Chairman, it is fantastic that the Minister assigns a research department to study the guaranteed annual income and all methods of achieving it and has not obviously sat down with them to discuss some of the different alternatives and some of the different emphases. You are the Minister of Social and Family Services. You are, more than any other Minister of the Crown, affected by the emergence of a guaranteed annual income in this province.

In terms of research and planning it is the highest priority you have to attend to, and you are not willing to stand up in the Legislature and share with us the various avenues and approaches that you have instructed your research officers to take a look at. I suspect that the reason you are unwilling to do that is because you have said to them, "Here fellows, go out and prepare a study on the guaranteed annual income and I, as Minister, will parrot the responses when you have given them to me."

As always, the Legislature is the least important of the triad. The civil service dictates the policy, or corporate interest dictates the policy, but as so often has been adverted to in this House, the Minister and the government receive the policy and then trot it out on the floor of the Legislature, and that is what you are saying to us now.

You cannot indicate to us whether the negative income tax is something they are studying, whether the minimum income is something they are studying, whether the demogrant is something they are studying, what in your mind at the moment is the better list of priorities, what you think you might hope to come to. None of it.

You are just willing to say to us, "I have launched a study and I, as Minister, have not even talked to them about the nature of the study and what they hope to achieve." I just cannot comprehend the way you are allowing this department to run amuck. It is also running afoul of a great many shoals, and there is no particular reason that a department should be so man-handled. Why cannot a department give more information about itself and have more relevance in what it is doing?

Mr. Chairman: On vote 2001; the hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I have been thinking back to the discussion that I held with the Minister yesterday in regard to the demonstration projects, and the more I think about the discussion that we held and the

debate between the member for Scarborough West and the Minister on that very same item, the more convinced I am that the Minister does not have any real reason, any real justification, for asking this House for $100,000.

Before I deal with that, I would like to turn for a moment to a matter which has not yet been discussed today, and use as an example in raising once again the matter of the review board. This item was brought to my attention.

Mr. Lawlor: And what is a review board?

Mr. Deans: A review board? I will explain it to you in a moment.

Mr. Lawlor: It seems to have enormous possibilities.

Mr. Deans: You see what has happened here. Well, it is a matter that has not yet been discussed.

Mr. Lawlor: We have not really gone into the subject yet.

Mr. Deans: No. What I want to suggest is this. I have an incident here of a resident of this province who has been forced by this government to exist on his wife's old age pension. What happened in this particular instance was that he had been in receipt of a welfare allowance.

Hon. Mr. Yaremko: Mr. Chairman, on a point of order. I think the matter on which the member has embarked should be discussed under vote 2002.

Mr. Deans: No. I might point out, Mr. Chairman, speaking to the point of order, that what I intend to do is to indicate to the House that had this review board been properly publicized he would have been able to appeal to it and thereby would not be suffering the indignity and hardships he is presently suffering. Taking that into consideration, and disregarding the Minister's point of order, I would like to point out what has happened in this particular instance. Here is an elderly couple—

Mr. Chairman: Is the hon. member referring to the review board again?

Mr. Deans: Yes, oh, yes.

Some hon. members: That has passed.

Mr. Deans: I think it is necessary. I think that my colleague from Sudbury raises a very interesting point that perhaps if the appeal were made in the presence of the Prime Minister, then maybe he would put some pressure on the Minister of Social and Family Services to go along with all reasonable requests.

What has happened here is that this elderly couple were in receipt of some welfare assistance and they were cut off. When we attempted in this caucus to enquire why they were cut off, there was no obvious reason other than it just was not available. The answer that he got and that we got was that they were just going to have to be able to live on the wife's Canada pension plus the supplement which is in the amount of $112 per month. What I want to say first is that that is, even by Tory standards, surely, much below what would be considered adequate for two persons to exist in this province. I think that even the Conservative members would have to agree.

Mr. Martel: Do not count on it.

Mr. Deans: And their government is prepared to force these kinds of conditions on the people, elderly people, of this province. Well, that is fine. That may well be a discussion that we will carry on with in the next vote.

What I do want to point out is this, that had the Minister taken the reasonable step, at the time the review board was instituted, of informing all welfare recipients of the right to appeal, then. Of course, this gentleman would have had that right, would have been able to appeal and, quite possibly, he would have received a favourable hearing and might not have been subjected to this condition. It is just another example of what is happening right across this province.

I suggest to the Minister, as I look back on 8 p.m. yesterday when I first rose to discuss this, that even if he would at this late hour agree that he would notify all recipients of welfare—perhaps by letter as was suggested or perhaps by any other means, I do not care—of the right to appeal, we can eliminate this sort of thing from occurring.

We can do away with it entirely. Now surely the Minister, tired though he must be, can see this, can see the validity of this position. Surely he can understand the need and surely it is not too much to ask. If the Minister intends to say, as he said before, that everything will be taken into consideration, that is totally inadequate. Because, taking everything into consideration does not guarantee us that anything will happen.

I would like to go again to the demonstration projects, item number 8. It seems to me

as I sat listening to the debate carry on last evening and this morning, that the Minister just does not have any knowledge of the areas in which the $100,000 which he is requesting is to be expended. I have made the point before. The Minister has tried but he is just totally inadequate as a Minister. The time is obviously near when we must take steps to replace him, but I want to say—

Mr. Chairman: Surely the hon. member has mentioned all these things before and the hon. Minister replied—

Mr. Deans: That is right. I am going to say something new. I move that item 8 be reduced to the sum of $1.

Mr. Chairman: Will the hon. member please provide me with a written motion?

Mr. Deans: I have done so. It is on its way.

Mr. Chairmon: I do not have it yet.

Mr. Deans moves that item 8 of vote 2001 be reduced to the sum of $1. Those in favour of the motion will please say "aye". Those opposed will please say "nay". In my opinion the "nays" have it. Call in the members. All those in favour of Mr. Dean's motion will please rise. All those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 24, the "nays" are 40.

Mr. Chairman: I declare the motion lost, item 8 is carried.

Vote 2001, the hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I have not had an opportunity to deal with the question of the review board.

Interjections by hon. members.

Mr. J. Renwick: I understand from my colleagues, not having been here during the early part of yesterday evening, that a good portion of the matters related to the review board have already been dealt with. I do not intend to go into it at any length, but I think perhaps it would be appropriate at this hour of this morning to draw to the attention of the ministry, and particularly to the attention of the Prime Minister, what this has been all about since some time before the Easter recess.

I may say that I will perhaps ask the Attorney General, a little later on, to read into the record the poem which he was kind enough to inscribe, shall I say in my honour or memory—

Mr. Chairman: Does it have to do with vote 2001?

Mr. J. Renwick: Yes it does, Mr. Chairman. The issue which has provoked this very long debate in the assembly on this first vote is simply whether or not the government is prepared to give a commitment of reasonable assurance that the applicants and recipients of entitlements under The General Welfare Assistance Act and under The Family Benefits Act will receive from the government and The Department of Social and Family Services, or through The Department of Social and Family Services through the welfare administrators in the municipalities throughout the province, a notice in whatever form is acceptable to the government, advising those persons that in each of their individual cases they have, should they wish to exercise it, the right to appeal the decision of the director, or the decision of the welfare administrator, to the review board which was established by legislation passed last year by amendment to The Famly Benefits Act and to The General Welfare Assistance Act.

My colleague, the member for Lakeshore, made the point—I cannot use his exact words—but that an unknown right, a right of which a person has no knowledge, is not a right. While it is perhaps not entirely within the context of his remarks, there is one sentence by Mr. Justice McRuer which I think is very appropriate to the position which the government has taken on the issue, which I say has provoked this rather lengthy debate. Mr. Justice McRuer says:

> History is replete with pious declarations of rights that have had little recognizable application to a large segment of the society to which they are supposed to apply.

That is what the government has done, to pass a bill which provides for a board of review and they will not give the very people who are entitled to have the benefit of that board of review the simplest form of notice advising them that they have those rights, the right to appeal to a board of review.

My colleague for Scarborough West spoke about the guaranteed annual income. In the rhetoric of the day, you gradually lose all meaning about what the guaranteed annual income is about, because all political parties have attempted to pre-empt it for their own field. I want the Minister to understand that I am not talking in this particular instance about the kind of people who are of concern to him in the sense that they may not perhaps work, and he thinks that perhaps they

should work. Under The General Welfare Assistance Act you have something verging upon an obligation to work enforced through that statute.

I am talking about people who have not got the capacity or the ability in economic terms, through disabilities which are no fault of theirs no matter how you cut it, to earn a living to participate in the economic life of society. A guaranteed annual income, if it has any meaning, means that persons are to be in receipt of a money income sufficient to enable them to live in dignity. Strangely enough the article by Mr. Justice McRuer happens to be headed "The Right to Live in Dignity".

Mr. Chairman: It has been pointed out by the hon. Minister that this could more properly be discussed under maintenance under the next vote — guaranteed annual income.

Mr. J. Renwick: Mr. Chairman, the Minister may point that out. I want to complete the reference to the board of review, that is all I am speaking about. What this government is doing under The Family Benefits Act, is providing people with a pittance by which they cannot live; they certainly cannot live in the city of Toronto, certainly in my riding of Riverdale.

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, that matter comes quite properly under vote 2002.

Mr. J. Renwick: Mr. Chairman, the Minister can say it comes under vote 2002; I am talking about the board of review.

Hon. Mr. Yaremko: You are not talking about the board of review.

Mr. Sopha: He certainly is.

Mr. Stokes: You mean, in your opinion, he is not talking about the board of review.

Mr. J. Renwick: I am simply saying to the Minister that his department is simply administering a statute which is providing money to people who cannot participate in our society, and the people are not able to live properly on the number of dollars which they receive.

Interjections by hon. member.

Mr. J. Renwick: The member over here obviously is not interested in the problem; perhaps he should leave the House and come back at some other time.

What I am saying, Mr. Chairman, is that those persons are entitled to have even this rudimentary form of appeal to find out whether or not the way in which this government administers The Family Benefits Act is being carried out properly.

An hon. member: You have asked that 100 times.

Mr. MacDonald: We have not had one answer yet.

Mr. J. Renwick: I want the government to understand that the object of the exercise is to extract from the government a reasonable assurance, in simple language, that within the reasonable future the government will give notice in whatever way they see fit, advising each recipient and each applicant under The General Welfare Assistance Act and under The Family Benefits Act that they are entitled to take their case to the Board of review. That is all we have asked. That is all we want. I would like to suggest that perhaps now is the time for the Minister to give us that reasonable assurance, then we can pass the vote, and go on to either the next vote or go home.

Hon. Mr. Yaremko: *Hansard* will be interesting reading to find out what assurances have been requested from that side and the great variety. I say to the hon. member that we want to make the Act work. We want to make the board of review work and I do give the assurances. I have been assuring all day that it is the intent and purpose of the department to make sure that everybody becomes aware of his right to the board of review because otherwise the board of review cannot work. I accept the fact that in order to have the board of review operate, the people who are entitled to make the appeal should be aware of that, and I give that assurance, as I have been giving it.

Interjections by hon. members.

Mr. Lewis: While there is such a large and defensive audience, Mr. Chairman, I would just like to share with the Minister the thought that had that been done, had he even condescended to say what he has said just now prior to Easter, then 10 to 12 hours of this debate need never have taken place—

Hon. Mr. Yaremko: I have been saying it for the past 12 hours—

Mr. Lewis: Just because I repeated one word that the hon. member used—

Hon. Mr. Yaremko: That is exactly the position I have taken—

Interjections by hon. members.

Mr. Lewis: As the Minister says, in his own inimitable phraseology, the record will show—*Hansard* will bear us out. Indeed it will, because we have listened very carefully to the wording. It seems a pity that one has to take so long to wrest such a marginal concession from the Minister. Now that it has been done on this vote, then the whole vote makes sense and one can move on perhaps to another.

Vote 2001 agreed to.

Hon. Mr. Robarts moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Tomorrow's sitting or today's sitting or whatever—when next we meet—I will move the motion to go into supply and I believe there will be an amendment moved by the leader of the Opposition. We will vote on that at ten to six. There will be no session tomorrow night but I cannot guarantee the rest of the Wednesdays.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

Mr. Speaker: I would like to suggest that when the House meets again as a House that the members, until there is a resolution passed, be properly dressed in accordance with customs and traditions of the House. Committee may be different. I would suggest that so that no further action be necessary.

The House adjourned at 2.35 o'clock a.m.

No. 85

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Wednesday, April 16, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Wednesday, April 16, 1969

Medical Services Insurance Act, 1965, bill to amend, Mr. Dymond, first reading 3167

Debate on an amendment to the motion that the House resolve itself into committee of supply, Mr. Nixon, Mr. Pitman, Mr. MacNaughton, Mr. Good, Mr. Young, Mr. McKeough, Mr. T. Reid, Mr. Martel, Mr. White, Mr. Spence, Mr. Stokes, Mr. Farquhar, Mr. Bullbrook, Mr. MacDonald, Mr. Davis 3171

Motion to adjourn, Mr. Robarts, agreed to 3205

LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 16, 1969

The House met at 2 o'clock, p.m.

Prayers.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, at the outset may I raise a point of order about these petitions?

Mr. Speaker: I would think that, in view of the limited time which we have for important matters today, the hon. member might wish to deal with that tomorrow.

Mr. Sopha: This is a very important matter and I promise you that I will be brief. I would like to ask you, sir, upon what basis these petitions to the Divine Being proceed? Surely this is a collective exercise, out of respect, by all of us? I would like to ascertain from you upon what basis we began to participate in this shuttling back and forth from day to day, from the Tudor age to the present? I though this matter had been settled and these old prayers had been put aside once and for all.

I would like to find out what the basis of them is. Are they statutory? Are they the result of a collective empathy of all of us? In other words, do you have the right, as the Speaker of the House, to determine from day to day whether we will make this transference back to the year 1539 when Henry VIII had these prayers written?

Mr. Speaker: The hon. member is becoming very verbose; he promised he would not. I would be glad to take his point under advisement and discuss it with him at a later date, either in the House or privately.

Mr. Sopha: I wish you could settle it once and for all. I am asking you to do that.

Mr. Speaker: The hon. member has asked me and I have advised him as to how I intend to deal with it.

Our visitors today in the east gallery are from St. Jerome Separate School in Downsview; and in the west gallery from Burlington Central High School in Burlington.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE MEDICAL SERVICES INSURANCE ACT, 1965

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act to amend The Medical Services Insurance Act, 1965.

Mr. V. M. Singer (Downsview): Mr. Speaker, on a point of order; at the time the bill was withdrawn, I raised the question with you—I did not quote any authority—as to whether or not, once a bill has been withdrawn in a session, it can rightfully be reintroduced in the same session. As I recall, you undertook to ascertain whether there was such a ruling and what the practice was and to advise us.

Mr. Speaker: Yes, I have done that and I will be glad, since I did not bring the ruling with me today, to give it to the House tomorrow. But there is no such precedent or rule which prevents the introduction of this bill at this time in the manner in which it is produced. I will be glad to bring it tomorrow.

Today, there were other events occurring before the House and there is a rather large debate to follow, so if the hon. member will allow me to accept it, I assure him that there is a ruling which I can and will give.

Mr. D. C. MacDonald (York South): Mr. Speaker, we are not opposed to first reading of this bill, but precedence indicates that amendments are possible. Therefore, I move, seconded by Mr. Lewis, that all the words after the first "that" to the end of the question be deleted and the following words substituted:

> This House, recognizing the embarrassment to which the government are admittedly exposed in the framing and conduct of the unilateral increase in the fee schedule as set out by the Ontario Medical Association and owing to the absence of any

effort on the part of the government to roll back medical fees in a manner consistent with public policy, declines to give leave for the introduction of the bill to amend The Medical Care Insurance Act.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, if you will permit me, while you are receiving some advice—it appears that while the amendment is an interesting one, it might have been worded in a more efficacious way; if, in fact, the bill could have been sent to committee so that the doctors might have had an opportunity to attempt to justify their request, it would have been much more useful. It appears to me that the wording of the amendment negates the introduction of the bill and that the recourse on this side is to vote against first reading. Of course, if you say that it is in order, we will support the NDP in this, but my own feeling is that the introduction of this bill puts it on the floor of the House. I would prefer it if the bill would be sent to the standing committee dealing with medical matters so that the Ontario Medical Association would be required to appear before a body of this Legislature in an attempt to justify the changes in this schedule.

Mr. S. Lewis (Scarborough West): On the point of order, Mr. Speaker, if I may beg your indulgence for a moment, sir.

As the seconder of the motion, we had given some thought to this and you will note that in "Parliamentary Procedure in Ontario", in Lewis, rule 54 says:

> When any bill shall be presented by a member in puruance of an order of the House the question that this bill be now read a first time shall be decided without amendment or debate.

We wish to clarify that we are not objecting to the first time reading of the bill. What we are objecting to is precisely what the Minister need say before he introduces it—that leave be given to introduce a bill. It is entirely in order at this point in the debate to introduce the motion which has been introduced by my leader.

You will note on page 53 of Lewis, that privilege is given to oppose at this juncture in time, first, this particular aspect of leave being given to introduce a bill. I would submit to you that there are no rules or constraints, particularly in this Legislature, about leave being given to introduce. So we turn to May's "Parliamentary Practice". In the 17th edition, at page 510, under the title "Motions for leave to bring in a bill", the following is said:

> In moving for leave to introduce a bill a member may explain the object of the bill and give reasons for its introduction, but normally this is not the proper time for any lengthened debate upon its merits. If the motion be opposed, or if there is a likelihood of its being negated and no further occasion arising for discussion, or if there are grounds of urgency, this opportunity may be taken for a full exposition of the character and objects of the bill—

And so on:

> —obviously indicating that motion for leave to bring a bill as distinct from first reading of the bill is a qualitative parliamentary distinction which has been recognized by British parliamentary practice.

On page 511, the rules then go on to say rather interestingly that:

> Amendments have been made or proposed to a question for leave to bring in a bill, either hostile to the motion or to effect the alteration thereof.

I appreciate the words of the leader of the Opposition. I will research, sir, all the various precedents in this regard in order to find a way of drafting the amendment, which would fall fair-square on May's *Parliamentary Procedure* relating to motion for leave to bring in a bill. The Speaker will be interested to know that the precedent which relates most directly, is a precedent of this century, of the year 1909, in the *Journals of the House of Commons* at page 115, which reads as follows:

> A motion was made and the question being proposed that leave be given to bring in a bill to terminate the establishment of the Church of England in Wales and Monmouthshire and to make provision in respect of the temporalities thereof, and for other purposes in connection with the matter aforesaid.
>
> An amendment was proposed to be made to the question by leaving out from the word "that" to the end of the question, and adding the words, "this House recognizing the embarrassment to which the government are admittedly exposed in the framing and conduct of the measure, and owing to the absence of official information on the questions which have been submitted to the Royal commission on the church in Wales, declines to give leave for the introduction of a bill to disestablish and disendow the church in Wales". The

question being put that the words proposed to be left out stand part of the question, the House then divided.

I could adduce precedents, Mr. Speaker, from the years 1860, 1841, 1851, 1881, and so on, which indicated—

Mr. Nixon: All from the House of Commons.

Mr. Lewis: —all from the House of Commons, yes, which indicate that the negativing of the intention to introduce, leave being given to introduce or the amending thereof, is entirely appropriate within the context of British parliamentary procedure. We have chosen a wording which directly parallels the most significant recent precedent. The matter has also been raised as recently as the 1950s in the British House of Commons, debate has taken place and the Speaker has permitted such introduction.

Having made that point of order, Mr. Speaker, and the distinction, which I think is important in this case—since the rules of this House, as they stand, do not directly deal with the distinction between leave to introduce and first reading—I suggest to you, sir, that the other precedent should prevail and this motion is therefore in order.

Mr. Singer: May I address a remark to this point of order? I have listened to the hon. member for Scarborough West with some special attention. It is interesting that he has to go back to the year 1909 to find a precedent. He glibly slid over 1950 without establishing any precedent, without quoting any words at all. But I suggest that we only go back to the practice in the House of Commons in England when we have not got something in in our own rule book.

I draw your attention, as did the hon. member for Scarborough West, to what rule 54 said, and it says:

> When any bill shall be presented by a member in pursuance of an order of the House, the question that this bill be now read a first time shall be decided without amendment or debate.

I would say, sir, that notwithstanding what the House of Commons in Westminster might have done in 1909, this House, for better or worse, at some time passed rule 54, which is binding on us, and therefore we do not have to search back into precedent. In addition to that, sir, I refer you to a comment of Lewis at the bottom of page 52, which is prior to the portion quoted by the member for Scarborough West, and while this is not a ruling, this is a commentary by Lewis, and we have accepted that prior to going back into what happens in Westminster. He says, under rule 54:

> A motion for first reading of a bill must be decided by the House without amendment or debate, but by common consent a practice has developed in the case of government measures of allowing the Minister introducing a bill to give a short explanation of its purpose; in fact the Opposition generally expects such explanation from members of the government. With this exception, all debate on the principle of the bill is deferred until the motion is made for its second ruling.

So that, in addition to what we have in this book, we are bound secondly—I would say in order of precedence—by our own customs, and if we cannot find anything in our rules, and the commentaries on them, by our own customs, then, as a third choice, we go back to Westminster. I suggest to you, sir, that the member for Scarborough West has made the poorest choice to find a precedent.

And finally, sir, notwithstanding what someone may have said in 1909 in Westminster—as I understand the common English meaning of the words that the people from the third party have moved in amendment, if in effect this amendment is accepted—the introduction of the bill is completely negatived. So they are trying, by means of subterfuge, to prevent the government from its right, established in the rules, established by precedent and established by custom, to introduce a bill.

I say that the government has the absolute right to introduce the bill and the bill has to take its normal course. If the bill fails later, or is amended later, that is what will happen. For those reasons, I submit that the amendment is completely out of order, and should be so dealt with by this House.

Mr. H. Peacock (Windsor West): Mr. Speaker, the last remarks from the member for Downsview finally indicated his appreciation of the distinction that we are attempting to make to you, and that is that we are not discussing first reading of the bill, or raising any points of order whatever about first reading of the bill.

We are framing an amendment to a motion moved by the hon. Minister of Health asking for leave to introduce a bill. And that is an entirely and distinct separate motion from the one which you yourself would have stated later in the procedures on first reading—that

the bill now be read a first time. The substantive portion of the motion moved by the hon. Minister of Health, to which the amendment by the hon. member for York South applies, is the first portion of it, that leave be given to introduce a bill.

As the member for Scarborough West has pointed out there are precedents, in the journals of the House of Commons, and also in the parliamentary procedure of Ontario, edited by the Clerk of this House, in which he states that whereas it is traditional that no debate or vote take place on the first reading of a bill, there is no objection to the effort to negative the attempt by a member of the House or Minister of the House to introduce a bill, for the purpose of having it read the first time.

Relying on the editorial opinion of the Parliamentary Procedure in Ontario and the precedents in Erskine May, and those in the Commons Journals and Debates of the House of Commons in London, which are made in May, we think that the amendment moved by the hon. member for York South is quite in order and the remarks of both the member for Downsview and the hon. leader of the Opposition are those remarks which would properly be made after you have put the question that has been moved by the hon. member for York South.

Mr. Lewis: One footnote point of order, Mr. Speaker. There have been very recent precedents, the most recent being in February, 1954, in the House of Commons, where a similar procedure was accepted by the Speaker. The debate at that point was whether or not a debate could follow. We did not use that, sir, because the wording, to use the word of the leader of the Opposition, was rather more efficacious in the earlier amendment than it was in this one.

Mr. Speaker: I must confess that the hon. member for York South and the members for Scarborough West and Windsor West have done a very considerable amount of research and I am grateful to them for the information which they have brought to Mr. Speaker and to the House with respect to the procedures in the United Kingdom.

I myself, of course, shall adopt the position so well put by the leader of the Opposition. In this House the rule is an Ontario rule that two motions by custom and precedent have been handled together; there is no distinction between them. The proper way to deal with the particular motion by the Hon. Mr. Dymond is to vote against the motion for first reading.

An amendment which is merely a negative of that particular motion is in my opinion, out of order and I would so rule that the amendment is out of order and that the motion as it has been presented to me, and as I will then present it to the House, stands for the action of the members in accordance with the rules of this House, and the precedents that have been established over the years for dealing with this as a joint motion, leave to introduce and first reading.

The motion is by Mr. Dymond, seconded by Mr. Stewart, that leave be given to introduce a bill intituled, An Act to amend The Medical Services Insurance Act, 1965, and that the same be now read for the first time.

The House divided on the motion which was agreed on the following vote:

Ayes	Nays
Allan	Braithwaite
Apps	Breithaupt
Auld	Brown
Bales	Bukator
Belanger	Bullbrook
Bernier	Burr
Brunelle	Davison
Carruthers	Deacon
Davis	Deans
Demers	De Monte
Dymond	Edighoffer
Evans	Farquhar
Gilbertson	Ferrier
Gomme	Gaunt
Grossman	Gisborn
Guindon	Good
Haskett	Haggerty
Henderson	Innes
Hodgson (Victoria-Haliburton)	Jackson
	Knight
	Lawlor
Hodgson (York North)	Lewis
	MacDonald
Jessiman	MacKenzie
Johnston (Parry Sound)	Martel
	Newman (Windsor-Walkerville)
Johnston (St. Catharines)	Nixon
Johnston (Carleton)	Paterson
	Peacock
Kennedy	Pilkey
Kerr	Pitman
Lawrence (Carleton East)	Reid (Scarborough East)
Lawrence (St. George)	Renwick (Riverdale)
MacNaughton	Renwick (Mrs.) (Scarborough Centre)
Morin	

Ayes	Nays
Morningstar	Ruston
Morrow	Shulman
McKeough	Singer
McNeil	Smith (Nipissing)
Newman (Ontario South)	Sopha
Potter	Spence
Reilly	Stokes
Reuter	Worton
Robarts	Young—43.
Root	
Rowe	
Rowntree	
Simonett	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Villeneuve	
Welch	
Wells	
White	
Whitney	
Winkler	
Wishart	
Yakabuski	
Yaremko—56.	

Clerk of the House: Mr. Speaker, the "ayes" are 56; the "nays" 43.

Mr. Speaker: I declare the motion carried.

Motion agreed to; first reading of the bill.

Mr. Speaker: Orders of the day. I would advise the hon. leader of the government that the question period has been put over by mutual consent.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I move that you now leave the chair and that the House do resolve itself into committee of supply.

RE COMMITTEE OF SUPPLY

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I move an amendment, seconded by Mr. Singer, that this House deplores the inadequacies of government policy in relation to the implementation of regional, municipal and educational government in Ontario, its lack of local consultation, its failure to control costs, and its removal of local autonomy and, therefore, that the government does not enjoy the confidence of this House.

Mr. Speaker: Mr. Nixon moves an amendment, seconded by Mr. Singer, that this House deplores the inadequacies of government policy in relation to the implementation of regional, municipal and educational government in Ontario, its lack of local consultation, its failure to control costs, and its removal of local autonomy and, therefore, that the government does not enjoy the confidence of this House.

Mr. Nixon: Mr. Speaker, the government and this Legislature faces one of the most serious financial crises in the history of Ontario. As a direct result of the poorly planned imposition of county boards and the inadequate grant system, communities across this province face a true financial nightmare worse than any that the Treasurer tried to conjure up in his speeches earlier this year.

I would like to bring to your attention, sir, in the limited time that is available to me, some examples of the crisis in finance that faces our local communities, particularly the municipalities, and I have selected from a large range of letters of information that have come into my office, and into the research office of the leader of the Opposition, which will indicate this to be so.

The first selection is from the town of Stayner, in the constituency of Dufferin-Simcoe, I believe. It is an example of a municipality—

An hon. member: He has got enough troubles.

Mr. Nixon: —which has been re-assessed at market value. Although former mill rates are not comparable, as a result the actual levy in dollars certainly is comparable, and this year it is up 103 per cent.

The second example comes from the constituency of Haldimand-Norfolk represented by the hon. gentleman, the former Treasurer (Mr. Allan). The township of Walpole—I am sure he knows the area—has refused to pay its share of the increased costs until both the board and the province justify the increase. I quote:

> Walpole's share is $336,000, up $94,000 from last year. This adds $43 in taxes to a house assessed at $3,000. Walpole Council has passed a resolution demanding a $40,000 reduction in its share of secondary school expenses, and a $30,000 cutback in elementary expenses.

In addition, they oppose the four stage form of payment formula to the board which they say will force them into the money market.

I have a further example, Mr. Speaker, from the constituency of Algoma. As a matter of fact, it is from the township of St. Joseph. My informant has written me from that area, and he has indicated that the mill rate is expected to jump from 38 to 87 mills.

Interjections by hon. members.

Mr. Nixon: He ended his letter to me as leader of the Opposition, saying, "Can you beat that?" and the answer is of course, yes, quite readily. For example, in the township of Mono a letter from the Clerk Treasurer stated, and I quote:

> If we were required to turn over such amounts to the board on December 15, the last legal day, 101 mills farm and residential, 106 mills commercial, compared with 47 mills last year, we would not even have finances left to operate the normally necessary municipal functions.

Now, Mr. Speaker, one of the most serious examples has come from the constituency represented by the hon. member for Simcoe Centre (Mr. Evans). And the municipality served by the Simcoe county board is up in arms, as he well knows. There will be an unprecedented open meeting of the board tonight at 7.30, we are informed, at which all townships intend to be present to protest. I hope that the hon. member, who is in the House at this time, will take the opportunity later in this debate to express the views of his constituents which have been expressed in such strong ways to me and to others concerned.

Mr. E. W. Sopha (Sudbury): Maybe he should go to the meeting.

Mr. V. M. Singer (Downsview): He should go and vote in favour of the motion.

Mr. Nixon: Barrie's own increase of 12.31 mills means over $500,000 of extra revenue collected from that city alone. Barrie says it will not pay by instalments, but only on the last legal day. The Simcoe board says that this will mean that it will have to pay interest on borrowed money to tide it over until Barrie's cheque arrives.

Spectacular increases in the surrounding rural areas include Bradford up 21 mills; Innisfil up 26 mills; and I suppose West Gwillimbury the most severe at 46.9—no, there is one that is even worse than that, Tosorontio with an increase of 51.6 mills over the same position a year ago.

Mr. Speaker, I feel that it is incumbent upon the members of this Legislature in the opportunity offered this afternoon by the amendment that I have put before the House, sir, to express to the extent that time permits the situation that is relevant in their own community. I hope you will excuse me, sir, if I take one moment to tell you that in my own township of South Dumfries we face an increase in school costs, for elementary education alone, of 62.7 per cent. A last word from the town of Napanee is as follows:

> Regret we do not have the data yet, but the constant erosion of municipal responsibilities is of growing concern to locally elected representatives. It is just a matter of time before it will be necessary to phone Toronto to get our garbage collected.

I would say, Mr. Speaker, that these views reflect not only dissatisfaction, but an approach to revolution across this province—a feeling that this government has lost the ability to order the affairs of Ontario; that they are not prepared to bring in any reasonable alternative to these increases, which are completely unacceptable.

The Minister of Education (Mr. Davis) has not been in the House, certainly yesterday, and in the days immediately before Easter, because I presume he was meeting with delegations who visited him from all parts of the province. I would say, Mr. Speaker, it is essential that we make it clear that those people who blame other boards, and other individuals, and other policies, are simply wrong. It is no good blaming the county school boards which are new in their responsibilities. It is impossible to blame local councils which are struggling already with an archaic grant system administered by the Minister of Municipal Affairs (Mr. McKeough). It is no good saying teachers' salaries are too high although, goodness knows, direction from the Minister of Education in the hiring of those administrators in the last few months has been sadly lacking.

There is no doubt that the total and real responsibility lies with the provincial government and with the discredited trio made up of the Premier (Mr. Robarts), the Minister of Education and the Provincial Treasurer (Mr. MacNaughton), who have racked their brains to find a solution, and have sadly come up with nothing.

The Minister of Municipal Affairs is leading this province into a similar difficulty. Across the province there are many, I would warn him, who are looking at his efforts to impose regional government with the argument that it is going to result in a saving,

particularly a saving of scale. When they compare that prediction with the same predictions made by the Minister of Education—now that we know the result—it is obvious that these two Ministers are leading the province into a financial catastrophe.

Mr. Speaker, it was three weeks after the general election of 1967 when the man who must bear the responsibility for this in a speech at Galt, without informing the Minister of Education—at least that is the way it appeared in the Minister's response—announced that Ontario was going to have imposed upon it a county board of education with the problems associated with financing that we are now realizing.

I would draw to your attention, sir, that he did not have the responsibility, or let us say even the good grace and good sense, to bring this before the electorate in the general election just a few days previously. We, as Liberals, discussed this and we brought forward the reasonable alternative which unfortunately was not accepted at that time. But I predict to you, sir, it will be accepted at the next occasion when we go to the people.

After the Premier's ill-advised statement in Galt, the hot potato was thrown to the Minister of Education, who gathered the eggheads, who sit around him when he is in conference, into the ivory tower of the Ministry of Education. Without meaningful consultation with anyone else, he brought forward Bill 44, which was debated at length in this House and in committee.

I would recall to your mind, Mr. Speaker, that we in the official Opposition opposed this bill for the reason we felt that it was ill-considered; that it was arrived at without adequate and meaningful consultation, and that it was not accompanied by a reform of the grant system which would obviate the problems we face now.

I would say our position has been abundantly borne out. The correctness of our situation has been verified by the situation that we now find in the province of Ontario. The Treasurer is another one of this trio. Just a few weeks ago, he stood in his place and smiled into the eyes of the television camera and boasted that he had cut $400 million from the Budget of this province. It has been very difficult for us to find where those cuts actually came from.

Mr. Singer: Somebody said it was none of our business.

Mr. Nixon: As a matter of fact, the Minister of Mines (Mr. A. F. Lawrence), who is not here today, said it was none of our business.

When we examine where those cuts actually were made, we find that the government, a year ago, was boasting that it was paying close to 50 per cent of the overall cost of education. We, on this side, were correcting them and saying that it was closer to 48. But the same statistics this year indicate that the general share of the cost of education that is met by the province of Ontario and from the provincial tax base has not gone up as recommended by every reasonable study that has been made. In fact, it has gone down to approaching 40 per cent at a time when this problem is reaching emergency proportions.

I am fearful that the financial problems of the school boards are only the tip of the iceberg and an indication of what will come to pass if the government's policy, as expressed by the Minister of Municipal Affairs, follows in the footsteps of the actions taken by the Minister of Education.

The lack of consultation, the lack of modern usage of local talent and information is at the root of the problems that we face at the present time. In education, the government has produced a massive spending machine of monstrous proportions unmatched in Canada. We, in this House, are faced with a budget of $3 billion and while almost half of that is directed toward educational purposes, an additional $600 million is raised at the local level. Therefore, when I call it a spending machine that is precisely what it is. But in constructing the spending machine, the Minister of Education and his advisors and his supporters in the Cabinet, have left out the flexibility that must be a part of the local autonomy which those on the government side support—at least give lip service to—and have done so often in the past.

They have produced a system which pays the highest salaries at the administrative level in North America; they have built some of the finest and most expensive buildings that could possibly be conceived by the architects and builders. They have grown accustomed to having no argument with Treasury Board when it comes to funding those requirements which have given us a very flossy education system indeed, but which has the earmarks of some second-rate deficiencies when it comes under close examination.

This has been transferred to the county boards; the Minister has washed his hands of responsibility and, in fact, he has arranged for many of his closest advisors to be hired

by these county boards with an increase in their salaries averaging $10,000. Now he sits back and says that is what they mean by local autonomy. I call it gross irresponsibility, and the Minister and the Treasurer and the Premier have, in fact, sloughed off this fiscal nightmare which now rests on the shoulders and backs of those at the local level who are facing the tax increases of the rate that I have put before you, Mr. Speaker.

I would say that the prediction made by the Minister of Education, I believe two years ago, that Ontario is in danger of facing bankruptcy if some control over our educational expenditure is not brought about, is about to come true. Mr. Speaker, we have created an education system that we are proud of, but which is growing in its cost factor at a rate which we cannot support under the grant system that the generous Treasurer made available in his vaunted Budget three weeks ago, when he was so proud of his balance and his cut of $400 million.

I would say if we go bankrupt we will certainly go bankrupt in style. A good many municipal councillors face the reality of this nightmare that has been foisted upon them in a way that the Treasurer never realized was even possible.

Mr. Singer: He does not understand.

Mr. Nixon: I would say that we, on this side, have the alternative which can solve this problem. There is no doubt in my mind that reasonable economies and guidelines directed from The Department of Education are required; that the Minister's process of washing his hands of fiscal and directive responsibility is not working. We find that the county boards are doing their best but they are reproducing the bureaucracy that used to be, let us say, concentrated around the Minister. It is not resulting in an improvement in education levels. It is resulting in the problem of finance which I am bringing before you.

We are concerned with economy. The Treasurer threatens—and his face sometimes gets red too—a budgetary review board, still he does nothing. The Minister is sometimes, in a rather backhanded way, moderately critical of county boards for not showing more restraint in moving into the areas of administration, and particularly the salaries paid. As a matter of fact, a good example is in the city of London where the salaries paid the administrators of the education system are, I believe, sometimes like five times greater than the salaries paid to the top administrators at the city as a whole.

This is the way the system has got out of gear. It has got out of correlation and as a matter of fact, it is a nightmare of proportions that even the Treasurer could not envisage.

The solution, surely, that this government must adopt is to embark upon a phased transference of the costs of education up to 80 per cent; this is the goal that we, as Liberals, have accepted and which should be embarked on now.

I see the Treasurer tucking in his shirt. He is about to wipe his brow and he is going to say, "If you increase that to 80 per cent tomorrow, look what would have to be done to the income tax, and the gas tax, and look what would have to be done to your indemnities", or whatever he would light on this particular day. Of course, that is an indication of his further irresponsibility.

A Royal commission, the select committee, the experts in municipal affairs—they all recommend the transference of a greater proportion of these costs. As a matter of fact, the Treasurer himself has accepted the goal of 60 per cent but instead of moving towards it, he is sliding in the other direction—a true Tory regression and one that is not acceptable in this province.

Mr. Speaker, local assessment must not and cannot be forced to bear these impossible escalations in cost. The government must amend its inadequate grant formula immediately to accomplish this. This is Liberal policy and it has been our position consistently. If the government cannot accept this solution and has nothing of its own to offer, then this House must be dissolved and an election called.

Mr. Sopha: The Treasurer is white-lipped and trembling.

Mr. Singer: Try the election in Middlesex South, for size, if you do not believe it.

Mr. Speaker: Order.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, we in this party shall support this rather awkwardly phrased amendment. We recognize its intent and we shall be able to find it in our hearts to support this inadequate resolution.

Mr. Speaker: Order.

Mr. Pitman: At the same time, Mr. Speaker, at this particular point, we reject completely the silly irresponsible position taken by this party to the right. They have tried to con this Legislature into believing that we have some kind of a flossy education

system, that we have an education system which is worthy of a province like Ontario. This is not Alabama. This is not the Appalachians. This party has tried to indicate that it is looking after the taxpayers of Ontario. What nonsense!

This province can bear more taxation in certain areas as the leader of our party has indicated in his budget speech. There are areas where taxes can be collected. There is an area of needed increases in social services to people. We, in this corner, are concerned about people, not about some ridiculous concern over so-called overtaxing which this party has become so obssessed with that they have forgotten the people of Ontario completely.

Interjections by hon. members.

Mr. Pitman: The member for York South (Mr. MacDonald) has called upon this Treasurer to initiate immediately the taxes needed in the areas of resources industry, in the areas of capital gains and in three or four other areas. It is set out in the records of this House, and we on this side have taken a responsible position. We have suggested that this province is capable of supporting an education system of first class quality.

It is capable of supporting all the services to people which are found in the Ministry of Social and Family Services, and the Ministry of Correctional Institutions—under all these jurisdictions. There is no need for these cuts. Our main contention with the Treasurer is that these cuts were unnecessary in human services—and that is the position which I wish to set out immediately.

Now let me turn to the whole question of education in this province. First, we are concerned about the chaos which we find throughout this province and, particularly, in the rural areas. To put it in crude terms, this year all hell has broken loose. I know the Minister's strategy will be to say, "Now this is a period of transition and over a period of time this will all straighten out; all the adjustments will be made and everybody will be happy".

But I suggest to this Legislature, through you, Mr. Speaker, that the measure of confidence in the government in 1969 is not its ability to simply keep the machine going. The measure is its ability to watch over carefully needed change in this area, the degree of competence in dealing with change has been sadly lacking. This government has failed; this Minister has failed; this department has failed and colossal has been the measure of that failure.

I do not intend to belabour the obvious—that the county school board system was brought in surreptitiously, a few weeks after an election, after the whole province had been hoodwinked, after the whole democratic process was flagrantly denied the people of Ontario. No choice was given.

At the time of second reading, I said that the means of bringing this measure in would distort the end; that this could have been phased-in in a reasonable and sensible fashion; that we could have dealt with elementary and then secondary levels; and that financial elements could have been worked in piece by piece. I suggest that now no one can be in doubt that that is the way this measure should have been brought in.

Can anyone who is on the education committee forget the dishevelment and disarray in which this bill came through the education committee, with some 30 or 40 amendments which even The Department of Education experts did not seem quite capable of understanding? Indeed, there seemed to be more questions in the minds of the department than there were answers for the members of that committee, and now look at this mess. Can anyone forget the outrage across this entire province?

I say again, that the means have destroyed the end. One of the five major purposes of this legislation establishing county school boards was that it would ensure a more democratic process; an elected school board would replace those which are, at present, simply appointed. What happened in the elections to these school boards?

In some parts of Ontario less than 11 per cent of the people voted. They have lost control. They have lost their sense of involvement, and education is something away out there which they can scarcely touch, so far as effective experience is concerned. Now the leader of the Opposition has given you a number of examples in various townships across the province.

I want to talk about people and ask this Legislature how these people are going to pay their taxes. Here is an individual, income under $3,000, with dependents of wife and two school age children. The reason he is able to survive in Ontario is that he lives in a rural area in a very old home with an assessed value of $550. His 1968 taxes—

Interjection by an hon. member.

Mr. Pitman: I would say that any person trying to live on $3,000 in this so-called province of opportunity—the place where all

can stand—indeed is the measure of the compassion of this government.

An hon. member: There is no compassion, there is only idiocy.

Mr. Pitman: He owned his own home; the assessed value was $550; his 1968 taxes were $33.55, less the property tax reduction; and his prospective 1969 taxes are ten times as much, fifty-fifty, of which he can pay less than half. Or take an old age pensioner with a dependent wife who earned about $300 in 1968. He owns an old home; assessed value $1,400. His 1968 taxes, $85—less $28.06 reduction grant—$57 total. Prospective 1969 taxes, $126 less grant.

Another one. A widow with a pension has four dependent children. Taxes last year, $16.17. Prospective 1969 taxes $65, of which she can pay less than half. What are these people going to do? How much property is going to be in the hands of this government under a continuation of this scheme? Now I could have brought into this Legislature, for the few minutes I have, Mr. Speaker, a literally foot-high pile of newspaper clippings describing the chaos which exists in parts of this province, but I will read only one or two of them from the Hamilton *Spectator*, Saturday, April 12, gives a description of the problem of Mr. Berkley Harper:

> Last year, education accounted for $449 of Mr. Harper's $731 tax bill. This year education alone will take $824.
>
> In Wentworth County, for example, elementary education costs in 1968 increased by 14.3 per cent, matched by a grant's hike of 18.7 per cent. This year, the cost jumped a further 11.85 per cent, but grants increased only 3.97 per cent.

We are faced with virtual civil disobedience across this province. Men and women who supported this government—indeed, men and women on whose backs those of you who sit on the far side can feel they were elected—now find themselves cautioning the residents of their community not to pay their taxes. Mayors say they are going to resign if they have to collect the tax burdens which have been assessed as a result of the actions of this government.

Mr. R. M. Johnston: Irresponsibility.

Mr. E. W. Martel (Sudbury East): Yours, not theirs.

Mr. Pitman: Listen to what one trustee said. At least one trustee involved with budgeting claims the Ontario government has been very, very lax. The whole Department of Education needs a good shaking up. There has been no leadership or direction in the department at all—in a situation which is the most confusing issue ever brought to the education field. This trustee said that the school organization committee had attempted to point out the difficulties to the government but had not been successful. "But I sat and I thought, and I damned near cried because I could see it happening," said one official.

Rama township has refused to collect increased school taxes; there the tax increase for a single home will be $500; $93 in every $1,000 of assessment for school taxes. The townships of Simcoe, Brant, Halton, Dufferin, and Orillia have all said that they are unwilling to collect the education taxes. That is the measure of chaos throughout this province. County councils have issued resolutions telling their own townships not to collect these taxes.

> Whereas some rural taxpayers will find it impossible to pay their taxes which have increased up to 107 per cent over last year, so be it resolved that this council recommends to each member municipality that effective for 1969 a levy be made for educational purposes consisting of an amount equal to the amount levied and paid in 1968, plus ten per cent.

These recommendations were passed in several counties. In other words, they are telling the municipalities simply not to collect any more taxes.

In Markham township, there was an average increase of $105 per home. We suggest, as I said on the second reading of this bill, that this reorganization could have been done in a rational, sensible, effective manner, but this government said it was acting decisively and suggested that the Opposition was hesitant and unwilling to make changes. Surely, even the Minister will agree this legislation was badly planned, poorly written and utterly incapable of carrying out its purposes.

In 1969, with all the financial expertise available, with all the floors of computers we find at the Ontario Institute of Studies in Education, with all the collective experience in the creation of larger units in other jurisdictions, surely the Minister in this department should have been able to see what was happening? Surely, he should not have perpetrated this colossal fiasco on the province of Ontario.

It is lamentable but pathetic, and completely unexplainable in any part of this

province. There was no involvement of people. They had a right to take some part in the creation of this change, but this government decided it was the only way.

The Prime Minister stood up in Galt and announced in one fell swoop one night that he was going to change the educational system, a change greater than any that had taken place since Egerton Ryerson. It happened in a few months and we are facing the result of that kind of a change. They decided that amputation was better than the healing hand.

In 1969, how can anyone believe that you could create a massive educational change without also involving oneself in financial change accompanying that administrative change? In the 20th century, how could a government be so stupid—so completely irrelevant to everything that is going on in government circles throughout this world—that it could actually believe that it could make an administrative change without bringing in the financial means of correctng the flaws that would be created by that change?

Absolutely incredible! It boggles the imagination. We, in this party, have adopted a responsible, reasoned position that the government must increase its share to education up to 80 per cent. We have indicated where the government—

Mr. G. Ben (Humber): We put it forward, but you rejected it.

Mr. Pitman: We have indicated exactly where the taxes can be found, and we reject the ridiculous, irrelevant statements made by our friends to the right who suggest that we should cut back on education or any other services. I want to suggest to you that when this bill came in, I made this point.

I just want to repeat one comment that was made during second reading.

> When the people of this province see those bills and see how outrageous it is that the cost of education should be placed on property in 1968, they will rise in wrath against the government which has been so backward in continuing this kind of financing for education services in the province.

I made that statement at the time of second reading of this bill, and nothing could be more true at this point in time.

But what has been the result of all this? First, the people have lost faith in the government of this province. They have the right to expect some degree of competence. You have examples of civil disobedience, refusals to collect taxes. You have people refusing and unable to pay their taxes. You have mayors and reeves and councillors threatening resignation. Is it yet apparent the horrendous implications in this province of opportunity, in perpetrating this kind of fiasco? You have a revolt at the stupidity and insensitivity of a government. The rural people of this province, who provide so much of the political support for those on the other side of this aisle, are completely and utterly stunned more than outraged. Would they see it as equal opportunity for education? Right now, of course all they see is that their children ride the bus for an hour longer each day. They cannot see any changes but they will come. We are telling them that we certainly hope they will come—they will come a lot faster, of course, after 1971—but the point is what they see right now is immediate financial hell.

It is easy to say that with equalized assessment this problem was exacerbated; that there was deficit spending, deficit financing, going on among the boards before. It is easy to say that the rural areas have not paid their way, but that is the point—the foundation plan was a subsidization of the rural society of Ontario. The whole point is that the rural society cannot pay for equalization of educational opportunities. It has been subsidized. You only have to look at the statistics of the Dominion Bureau of Statistics to see what the incomes of rural people are across this province. You simply cannot place the cost of education on a rural person who has an income of $3,000.

He may very well have a good deal of land assessment but with an annual income of $3,000 you cannot expect that rural individual to pay for the kind of taxes which an urban person who may have an income of $6,000 or $7,000 a year can pay. It is not sensible; it is not rational. One would have thought that with the amount of contact this government has with the rural society of Ontario that simple fact would have got across.

What is the second result? I am afraid, most of all, that this has had an effect on educational change in this province. We seemed to be on the threshold of a very real measure of progress and change in education, one which would have given a more relevant educational experience for every young person. What has happened? What do we see taking place right now? The cutting of educational services. We see boards slashing away at programmes for children; we see special services being cut as well as the teachers and the principals. The administrators of these county boards are so obsessed with the problem of money that the whole

question of education seems to be taking a very real second place. The most obvious example is the terror which you have in the hearts of many teachers that the teacher-pupil ratio is going to be driven up to a point where there will really be no contact between teacher and pupil in the educational system of this province. This is the worst possible thing that could happen in terms of the kind of educational recommendations which you have in the Hall-Dennis report and which you have from many other sources in this province.

The third result—the one which I hope to bring to the attention of the Treasurer and the Minister of Municipal Affairs—is the loss of confidence in this government's capability for dealing with the future. At the time when this bill was passed, and since then, I mentioned to the Minister of Municipal Affairs the difficulty he is going to have with regional government because of what has taken place in this province over the creation of the county school boards. Heaven only knows, there is enough confusion in this area now. People do not know whether they are talking about regional development under the Treasurer or regional government under The Department of Municipal Affairs. They do not know who does what or why.

The Treasurer talks about having all kinds of information and going ahead with regional development. I hope he has read these volumes that were produced by all the regional councils. If he can find any pattern for the development of this province in that group of volumes, I defy him to do so because there is the greatest collection of half-baked ideas which one could possibly churn out—inadequate studies on the basis of inadequate grants given by this government. Here is the Minister of Municipal Affairs racing around, plugging up the dykes, trying to stop chaos breaking out in one place or another. We want time in the estimates of both Municipal Affairs and the Treasurer to deal with this. The ultimate responsibility lies with the gentleman who has just entered this House, the Prime Minister of this province.

What is the answer? What must the Minister of Education do? He may well do what the Minister of Municipal Affairs did—go back to the Treasury Board, go back to the Treasurer of this province; I would suggest, indeed, that he put his resignation on the line unless more money is found in this province for education. If we have to have another Budget in July, we are ready to stay here and wait for that Budget. If the Treasurer of Ontario has to raise the necessary money, he knows where that money is, he has been told by the leader of his party where that money is. He can do so in a rational and responsible way and we can have some modicum of assurance and confidence on the part of the people of this province that their affairs are in sane hands.

Mr. Speaker, we have fought the battles of this government over here, we have tramped around the counties, tried to explain how chaos could reign, not just with the county school boards but with regional planning and regional development. We have tried to set up meetings, we have tried to be as helpful as possible. I wonder if this government realizes that we at Queen's Park have become synonymous with some kind of Toronto-based madhouse inhabited with fools, knaves and idiots.

I want to conclude my remarks by paraphrasing a statement by the late Colin Cameron in the federal House, at a moment not unlike this when a government lay in complete chaos: For heaven's sake, pull yourselves together. We cannot afford any more of these follies, any more of these ineptitudes, because all the rest of us Ontarians have to cringe along with you at the ridiculous spectacle you are presenting to the rest of the province and the country. Be done or be gone.

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, before I put together a few notes to enable me to participate in this big debate, I referred to the resolution and subsequently to a comment of the hon. leader of the Opposition, to which I shall make reference. I found that again there was a very substantial degree of inconsistency among the recommendations that come to us from the leader of Her Majesty's Opposition.

An hon. member: Loyal.

Hon. Mr. MacNaughton: Loyal. Loyal Opposition. Oh yes, I will say they are loyal.

With regard to the resolution itself, Mr. Speaker, it confused me in two ways—the reference to its failure to control costs and its removal of local autonomy, and I shall pursue that as I go along. I was further confused, I might say, with respect to the observations of the hon. leader of the Opposition, when I read the comments he made in his Budget address following the presentation of the Budget on March 4. He said this:

> I for one am prepared to say that I am glad that in the Budget the Treasurer took the bull by the horns and at least tried to set our financial house in order so that our programmes were not growing so much

faster than tax income. I congratulate him for this because it is quite an achievement.

Mr. Speaker, let us pursue that in the terms of the inconsistencies that I shall come to. Let us examine for a moment the effect of budgetary restraint. Any major restraint programme by Ontario will reverberate throughout other levels of governments, agencies and commissions which receive substantial support from this province. The government has consistently emphasized this result in its repeated warnings and statements concerning a financial nightmare facing Ontario.

Paper B in the 1969 Budget outlined in detail the crippling limitations on our expenditure flexibility, stressing that 80 per cent of our total expenditure represents statutory obligations and commitments to municipalities, school boards and institutions, as well as transfers to individuals. Mark that figure well, I say to the hon. leader of the Opposition and to the hon. member for Peterborough —80 per cent of all our expenditures.

As I stated in the 1969 Budget, and am reminding the members of the Opposition today because they appear to have forgotten it, significant expenditure reduction therefore must inevitably involve restrictions in this broader area and some sacrifice of our vital social objectives. Our submissions to Ottawa at federal-provincial conferences over a period of years have repeated and repeated and repeated *ad nauseam*, Mr. Speaker, the dire consequences of the failure to recognize the inadequate base of the priority expenditure—

Interjections by hon. members.

Hon. Mr. MacNaughton: Mr. Speaker, I listened very patiently to these hon. gentlemen; I ask them to listen to me.

The government has been criticized by the leader of the Opposition, among others, for being too harsh in its representations on the one hand, too timid on the other. We have attempted all approaches—reasoning, pleading, and forceful demanding—but all have been in vain. The speeches undertaken by the Prime Minister and by myself over the fall and winter period, the Throne Speech, the Ontario approach, the contributions to the Throne Speech debate, as I mentioned, by the Prime Minister and myself, all have warned of the consequences that were bound to result if Ontario was forced to slash back its expenditure programme. There is nothing new about this; it has been said time and time again. How can there be any surprise, any question, any indignation unless the leader of the Opposition sees a magnificent political ploy to use at this particular point in time?

Hon. J. P. Robarts (Prime Minister): Hear, hear!

Hon. Mr. MacNaughton: Such an attitude, Mr. Speaker, I say—

Mr. Nixon: The Treasurer is making a mess of government and if that is a political ploy—

Hon. Mr. MacNaughton: The hon. leader of the Opposition has pointed his finger at me long enough—

Mr. Speaker: Order! The hon. members to my left will remember that when the leader of the Opposition was speaking, there was a hearing accorded to him, and I would ask that they give the same right to the hon. speaker for the government.

Hon. Mr. MacNaughton: Mr. Speaker, how can there be any surprise, any question, any indignation, that suddenly these predictions are coming true? I suggest to you these attitudes can stem only from complete naivete or deliberate failure to recognize the situation.

Let me comment for a moment about the effect of these restraints. Overall control of costs in such vast complex and interwoven machinery as is represented by the complete range of the provincial-municipal operation is a tremendously difficult task. Let no one think otherwise.

Mr. Martel: It is too difficult for the Treasurer.

Hon. Mr. MacNaughton: If it is too difficult for us, I suggest it is impossible for the hon. member—

Interjections by hon. members.

Hon. Mr. MacNaughton: —as we may well point out as we go along.

Let me pursue this: Consistently, over many years the provincial government has increased its financial assistance to the municipal, education and local authorities in recognition of the pressures on their narrow base. Each year's increase in local aid has seemingly evaporated or been swallowed up by the unceasing and apparently irrepressible advance in local taxes. While I in no way want to imply to you, Mr. Speaker, or to hon. members, that our restraints were used deliberately for this purpose, I do suggest to you that our budgetary cutbacks have forced this complex problem into the open.

The real pressures at the local level have been brought to the surface; the problems have been exposed and are now identifiable. The exposure will help us to deal and we will deal effectively with them. Establishing effective and comprehensive control over the total provincial-municipal scene is a delicate responsibility, I am sure all hon. members know that, particularly in recognition of the desire to preserve and strengthen autonomy at the local level, and that is where the hon. leader of Opposition appeared to me to be confused.

The alternative of complete central control is as repugnant to the government as it is to the members of the Opposition; it is destructive of our democratic approach to government, in the opinion of the government. At the same time—

Mr. Singer: As in assessment.

Hon. Mr. MacNaughton: Yes, as in assessment.

Mr. Singer: Why is the government doing it then?

Hon. Mr. MacNaughton: At the same time, the provincial government must accept the responsibility for the total fiscal programme across this province and it does accept that responsibility. The answer lies partly in effective tax reform as represented by the comprehensive programme I outlined in the Legislature. It also entails, I believe, Mr. Speaker, more effective consultation and coordination not only with our municipal partners, but—and I will come back again and again to this—with our federal partners.

Mr. S. Lewis (Scarborough West): He is really on the ropes.

Hon. Mr. MacNaughton: I would not suggest, Mr. Speaker, the hon. member should get too sanguine about that, not too sanguine.

Mr. Martel: Could you bring tax reform after 25 years?

Hon. Mr. MacNaughton: Let me just pursue this a little bit further if I may. The parties on the opposite side, and particularly the leader of the Opposition, I say to you, sir, must come to recognize that it is impossible to develop a budgetary programme that incorporates both restraint and expansion in its total concept at one and the same time. I say to him, Mr. Speaker, that he cannot have it both ways; he cannot advocate that the Ontario government provide 80 per cent support to local education costs and at the same time demand a reduction in government spending. They do not add up; this is talking out of both sides of the mouth.

Mr. Pitman: The Treasurer is dead right.

Hon. Mr. MacNaughton: You cannot advocate that the Ontario government provide 80 per cent support to local education costs and at the same time criticize tax increases.

Mr. Pitman: We understand that.

Interjections by hon. members.

Hon. Mr. MacNaughton: Mr. Speaker, you cannot laud a programme of restraint and at the same time decry the failure to spend more funds. You cannot present the image of a responsible Opposition and talk out of both sides of your mouth at the same time. You cannot do that.

Interjections by hon. members.

Hon. Mr. MacNaughton: I simply ask the hon. members to envision if they can what would happen to education costs if the province provided 80 per cent of the funds to local authorities as advocated by our Liberal friends. It is not hard to conceive what increases would result if the local authority was required to raise only $1 for every $5 it might spend, or $100,000 for every $500,000 it might spend. I will not elaborate on that; I just leave that to the sensible imagination of the hon. leader of the Opposition.

Mr. Nixon: How many 80 per cent programmes does the government have now?

Interjections by hon. members.

Hon. Mr. MacNaughton: I have only enough time left to make a few short observations with respect to the extent that education is regarded as a priority in this province, and I am quite confident that the hon. Minister of Education will elaborate on that to a considerable extent. But just over the past five years—to deal with the past five years alone, Mr. Speaker—with respect to the top priority in our spending and investment policies—which is education, of course—in those five years our total net general expenditure on education has risen from $515 million to $1,276 million or by almost 150 per cent.

Mr. Deans: What is the government going to do to meet this crisis?

Hon. Mr. MacNaughton: In this same period, the total Budget has expanded from $1.5 billion to $3 billion, or about double.

Mr. Pitman: Oh, that is ridiculous.

Hon. Mr. MacNaughton: On the loans and advances side, provincial commitments have been even more heavily slanted in favour of education. Since 1965-1966, or four years, our investments in education have risen from $89 million to $345 million, or almost quadrupled, while total loans and advances have grown by only 2.5 times. Within the education field as a whole, greatest emphasis as far as provision of funds is concerned has been accorded to vocational school construction. But while carrying, shall we say, almost the entire financial burden in this rapid and essential expansion of education at the tertiary level, the province has also managed to steadily increase its financial increases to school boards, the entire cost of community colleges—

Mr. Ben: Trying to keep up with the inflation.

Hon. Mr. MacNaughton: —almost the entire cost of university education in this province and at the same time increase the secondary level.

Mr. Speaker, that is not an attempt to justify the problems that exist today, but I want to go back to the one central theme of my remarks: They are now identifiable, they are where they can be defined, in a manner in which they have never been before. So that if the budgetary restraints have given effect to—

Mr. D. C. MacDonald (York South): Is the Minister only now finding out what the problems are?

Hon. Mr. MacNaughton: —to something that is identifiable and can more properly be dealt with, then I say the restraint exercise has been in a measure very well warranted.

Mr. Lewis: The Minister is a Marxist in his strategy.

Mr. E. R. Good (Waterloo North): Mr. Speaker, the failures of this government have been many. Let me start by quoting from the booklet of the Ontario Economic Council, "Government Reform in Ontario," and I quote:

> Changes in the economic and social systems do not in themselves create problems. The problem arises when the political system fails to correspond to the change.

Assuming this statement to be our basic premise, it appears evident that the problems of increased population in Ontario, increasing urbanization reflected in urban sprawl, the decrease in prime agricultural land, the increase in environmental pollution, and the increasing tax burden on our municipalities, are direct reflections not of change itself but of the failure of this government to be able to adopt and handle this change. The lack of confidence which has now been raised is not against the change, for actually change is the only true constant of reality. Instead, the objection is against the failure of the government to cope with what is a natural and inevitable process.

For 25 years this government must have been aware that many changes were going on in our province, but instead of being able to keep in tune to the demands, they concerned themselves only with building a larger and larger provincial bureaucracy. Suddenly, the pressures all around them were too great, and someone at Queen's Park decided that something had to be done. They undoubtedly found themselves in the position of the eunuch in the harem, knowing something should be done but not knowing how to do it. As a result we now have evolved from this two concepts of county school boards and regional governments of which I would like to speak briefly.

Mr. Speaker, in my opinion, it is unfortunate that the introduction of regional government in Ontario is meeting with very strong opposition in many parts across the province. If this continues it will spell doom to any government structural change, which is badly needed. This opposition and potential failure will be because of the same reasons that now plague our established county school boards—the lack of proper planning and the lack of consultation. The meaningful success of the province of Ontario depends on the work and effort of the local municipality.

This provincial government can have all the sophisticated theory it wants in its top echelon, but this does not guarantee essential, successful, meaningful government on the part of the people. No war is won in the general's headquarters; no business is a success in the general manager's office. Real success and good government both require the co-operation, involvement and the confidence of all people at all levels of government.

Lack of planning for change and lack of consultation when change is anticipated have been two traits of this Tory government.

Let us look at lack of planning. Mr. Speaker, planning is an integral part of municipal government and, consequently must be a part of any change proposed in its operation—it is not a luxury frill that is attached to government, at any level. Now while local municipalities have been engaged in setting up sophisticated planning bodies to deal with urgent matters in their immediate areas, the provincial government has had little or no success with its broad regional economic development programme.

The provincial government's half-hearted approach and lack of leadership in this regard has made the regional development councils little more than duplication of services already available at the local level.

Let me briefly repeat the experience in Waterloo county where we have numerous planning boards, regional planning boards, a regional government study under way, and a Waterloo South-Wellington area land use study. With all this planning activity in progress, it was with great shock that the Waterloo county area learned of the purchase of 3,000 acres of land by the Ontario Housing Corporation for the purpose of building a new town.

Let me quote from "Community Planning and Local Government" by Professor Ralph Kroeger, chairman of the department of geography and planning, University of Waterloo:

> The shocking thing about the announcement was that the location of the proposed new town of about 100,000 people did not fit into any of the evolving plans of any of the planning agencies. In fact, none of the planning agencies or planning staff have been consulted, nor were their government departments, deeply involved in planned studies in the area, ever consulted.

Mr. Speaker, the results of this unilateral action by Ontario Housing Corporation may result in the redoing of much of the Waterloo South-Wellington study and that has already cost $750,000. Professor Kroeger continues:

> Unco-operative planning activity is a needless waste of both financial and leadership resources. What is required is a related, province wide system of planning agencies each planning within the framework of policies established at the next higher level.
>
> A provincial development plan is also needed to provide the overall policy framework within which the government departments, regional and local municipalities can do their planning.

Mr. Speaker, I cannot improve on what Professor Kroeger has said, and he has been saying it to this government for years. The changing times of our province demand proper planning by all departments.

Mr. Speaker, the greatest weakness in the way in which the government is trying to implement regional government is that the reviews have all been carried out, without either an overall system of local government or an overall system of planning and development in mind. Coupled with this lack of planning, has been the lack of consultation and what awesome examples this government has provided.

The people of Ontario have not forgotten the actions of this government when, with a sudden announcement by the Premier, county school boards were brought into being. Thousands of dedicated and experienced trustees and officials were moved with little or no warning. How much better the whole school situation might be at the present time if some consultation had taken place. Human nature rebels against the unknown, and good people deserve to be treated better than this government did in that instance.

Consultation and better planning would have shown the Minister of Education that serious problems would be bound to arise in financing. A last-minute amendment to Bill 44 did not eliminate the inequities within the counties as is now so evident. We read daily of school costs increases, amounts like 100 per cent in Wilmot township, 70 per cent in New Hamburg, eight additional mills in Galt for education, eight in Kitchener, nine and a half mills in Waterloo and Tavistock and so on across the province. Tavistock, I think, deserves special elaboration here.

Here is a situation which must be mentioned. Well do I remember the meeting of over 500 concerned people in the arena in Tavistock one year ago at this time. Then, the Minister of Education, in his honeyed tones, assured those present that Bill 44 would not create hardships on any particular segment of the county. But what has been the result of this Bill 44? Tavistock is perhaps one of the worst examples. Oxford county can expect a 20-mill increase in the urban areas and a staggering 50 to 60 mills in the rural areas, which includes the municipality of Tavistock.

And here, Mr. Speaker, in a small community of 1,200 to 1,300, there are over 500 people on fixed old age security incomes.

How are they going to be expected to meet this tremendous tax increase? I just cannot understand how the Minister of Education can be so unconcerned about the plight of the people of Ontario who must face these staggering costs increases.

Almost three weeks ago, the board of education in my own county of Waterloo wrote the Minister asking for a meeting to discuss this urgent problem. As far as I now know, he has not replied. To me, this indicates the Minister just does not know how to cope with this serious matter, which was of his own making.

Mr. Speaker, the Minister fools no one when he says that only several school boards in the province anticipate a shortage of money due to increased educational costs. If, as the Minister says, this financial crisis was anticipated—and these words have been attributed to him—I would say that the government had no business implementing the county boards when it did. My opinion is that the jump to county boards was done without proper consultation and without proper research and, certainly, without any real concern for those people who are now faced with tremendous tax increases.

Mr. Speaker, one could go on and mention many more areas in which the government has failed to plan properly, failed to consult with people. As the Minister of—

Mr. Speaker: The hon. member will draw his remarks shortly to a conclusion as the time allotted to him has now expired.

Mr. Good: Two sentences, Mr. Speaker. As the Ontario Municipal Association has said, the trend has been to limit the scope and decisions of local authorities, to acquire approval of municipal decisions and to take from municipal councils the power to decide issues which are primarily of local concern. The biggest culprit, says the Ontario Municipal Association, is The Department of Municipal Affairs, and the Ontario Municipal Board. Mr. Speaker, this government has been very negligent.

Its mistakes have now caught up with it. We, in the Opposition, know that the Robarts' government is in deep trouble and the people in Ontario know that they have been misled. They know that they can no longer afford a Tory government, and so I ask every clear-thinking member in this Legislature, and this includes the back-benchers of the Tory government who are carrying the ashcan for these men down in front, to rise up and vote in favour of this motion.

Mr. F. Young (Yorkview): Mr. Speaker, I rise to support this motion, particularly that part of it which says that this House deplores the inadequacy of government policy in relation to the implementation of regional municipal government in Ontario.

We have just heard the member for Waterloo North designate an area which has been documented time after time in this House—about the failure of planning in the introduction of industrial government, larger government in the county of Waterloo.

Yesterday, it was forcibly brought to the attention of this House that there is another area, Hastings-Quinte, where the same kind of failure and bumbling is going on, an area which is a designated area, where governments are supposed to assist in development. In that area the unemployment insurance office is being moved. Already the shovels are in to build the new building for 300 employees. There, we have grants already going into the industry of the hon. Minister who handles these grants.

Tomorrow a further announcement is being made about a large industry coming into that area with a whopping big grant from this government. In other words what is being attempted by the Minister on the one hand is a building-up of the economic life in the economic base of the Hastings-Quinte area.

At the same time, we had brought to our attention yesterday, a situation where Cambridge Leaseholds Limited, of Windsor wants to bring a very large shopping complex into the municipality of Belleville. Holiday Inn and Shell are going to combine on this operation which will bring employment and new industry there.

The people of the city wanted this complex. They felt that their convenience should be considered in looking at it, and all that it meant for the improvement of the industrial life of Belleville. They agreed with the Minister in the designated area in what he is trying to do. At the same time, however, something else was going on. At this time, we have a study going on by the town of Belleville. Proctor, Redfern, Bousefell, and Bacon are now engaged in that study, looking at the total economic problems of the area. They are looking at a redevelopment plan for downtown Belleville. They are updating the transportation plans.

Not long ago, the bylaw designating rezoning for the installation of this new industrial shopping complex was brought to the Ontario Municipal Board. At that time the Ontario Municipal Board said, "Because the study is

now going forward, this matter is premature." And they brought forward their decision on March 14, 1969.

That may have been a reasonable kind of decision under the circumstances, and I am not going to quarrel too much with it, provided other things had not been happening at the same time. Provided, first of all, the other Minister had not been pushing development in the same general area, and subsidizing that development—the same thing that happened in Waterloo county.

The citizens immediately begin to protest the Ontario Municipal Board hearing. They want that convenience, they want what that new complex will mean.

And so yesterday a large delegation of the citizens' committee came to speak to the three parties, and they were heard by the New Democrats, by the Liberals, and by the Attorney General (Mr. Wishart). They asked that the Lieutenant-Governor-in-Council order a new hearing bringing in new information.

This thing was so urgent they brought with them a petition signed by 11,000 citizens—more citizens than the local representative got in votes in the last election. Now this is to be looked at. This kind of citizen participation, this kind of democratic action, cannot be dismissed forthwith.

On the invitation of some of them I went down to look at the land. This morning I had a talk with the planning people, with the Mayor of Belleville, and with other officials in that area to see for myself what is involved. I found that something had happened there.

First of all, it is true, as the OMB said, these studies are going on, and it might be wise to wait a bit before a definite decision is made; the OMB did not say, "Wait." They dismissed the thing as premature. But the fact emerges that it is going to take a great deal of time. By the time this plan is brought forward, and by the time it goes through the process in Belleville, the public hearing, a vote for the amount of money needed to implement it, years will pass. Is Belleville to stop development of one kind while the Minister is pushing development of another kind?

Another thing emerged, and I have in my hand another exhibit, coming from Thurlow township where the Ontario Municipal Board on March 14, ten days after the decision in Belleville, granted to Thurlow township a rezoning to M1 land, just north of the highway, and almost immediately north of the land they had turned down for Belleville.

Again, this made some sense because it does give some protection. It was simply a bylaw giving stability to this situation without the actual zoning. It gave stability to the people who already built homes there, so junky development could not occur. It designated certain M1 land, but this was the catch—the M1 land can also have upon it shops. I have here the designation of M1 land in Thurlow township here, and it designates that a shopping centre can be built there. This is the fear. The people of Belleville will say: "Well, you can have the shopping centre north." This looks as if Rollins has more power than Potter as far as persuasion is concerned at some level.

Services are farther away in the north, than they are to the south—much farther away. I looked into the whole trunk system of waters and sewers, and the area to the north cannot be serviced quickly. But it might be serviced on wells and on septic tanks if the OWRC would allow it. I hope they would not. But the fact remains that I do not believe the Ontario Municipal Board saw clearly that this M1 designation in Turlow township was different from the ordinary M1 designation in most municipalities in the province.

On that basis alone, it seems to me, through you to the Prime Minister, Mr. Speaker, that a re-hearing is justified. Look at the total picture in this area, the total picture, because the Ontario Municipal Board unfortunately has had to act on the basis of individual municipalities and on the action they took in Thurlow and in Belleville. A re-hearing is overdue, and the OMB should be designated for that re-hearing looking at the total picture. Perhaps one of the greatest reasons for the confusion that is going on, is that this government has not been willing to face up to the whole concept of regional government in this province.

We are dong this piecemeal, little by little, and it seems to me that this rezoning that was asked for makes sense in the town of Belleville, provided it is looked at as a regional concept. I do not think it will do any great harm to the downtown area. If that could be redeveloped with some imagination and the other will supplement it, it will be a convenience to the people who live in the northern section of that city.

If we think of it in terms of a regional centre, a growth point, Trenton-Belleville combined, growing toward each other, it is an imaginative plan for the whole region under new municipal regional government. We believe that this can happen. But more than that, there must be couple with this

concept of regional government a tax base which is realistic. And this is where this government is again making its mistake as it is making a mistake in the school area.

It is making its mistake in the regional government development because it is not coupling the new region. The new regional municipal governments need a change in the tax base which will make them work, and make them real.

So, Mr. Speaker, I say to this government, go back, listen to the people of Belleville and Quinte, understand what they are getting at, see the problem, and the bungling of the Ontario Municipal Board in this instance, and perhaps the bungling because of a lack of any cohesive plan for the total area.

Then see what the hon. Minister of Trade and Development (Mr. Randall) is doing to frustrate, or to develop as the case may be, depending on how you look at it, the work which is being done at another level in The Department of Municipal Affairs. So let us have some cohesion, let us have some unity, and let us move forward—

Mr. Speaker: Time expired a minute ago. Perhaps you could conclude—

Mr. Young: This government then stands condemned again in the Quinte-Hastings area, just as they are condemned in the Waterloo area, and as they are condemned in the whole school board project across this province. So we say to them, back up and do the thing right or get out.

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, I suppose that if I sat on the other side of the House one could understand that ingenuity must often take precedence over consistency. I am impressed in particular by the ingenuity of the three motions which we have had from the Liberal Party on the same general subject in the last three months, all presented, I may say, by the leader of the Opposition. They give a rather classic picture of riding off in all directions at once.

On November 26 last, the motion of the leader of the Opposition complained that the government, and I quote, "has failed to bring about meaningful reform in an ancient and inefficient system of municipal government".

Hon. A. Grossman (Minister of Correctional Services): Did he say that?

Hon. Mr. McKeough: He said that. Then on March 10, the motion complained that the government had brought about such a reform. The motion expressed regret that the government, and again I quote, "has seriously disrupted the efficient operation of local government and has especially failed to give an adequate voice to citizens of local municipalities and their representatives before deciding upon far-reaching changes in municipal government administration".

Hon. Mr. Grossman: Did he say that too?

Hon. Mr. McKeough: Then today, Mr. Speaker, my colleague, the Treasurer, has detailed some of the inconsistencies in the third motion.

What I am saying, Mr. Speaker, is that it is a little futile to try and guess what is in the minds of the Opposition, at this moment in time, as compared to an hour ago, or when this motion was drawn up, or when the previous motions were drawn up.

So Mr. Speaker, I propose to state just where we stand on implementing the reform of local government. On this side of the House, we have a consistent position, it has been spelled out and it is being adhered to.

There are two clear alternatives for the provincial government in relation to local govenment in Ontario. The first alternative would be to do nothing, to stand by and permit local government to disintegrate under the pressures of rapid growth, out of date boundaries, mushrooming demands for services and inadequate resources. There is no chance that our present system of local government could survive in its present form.

The first alternative could have variations. It would be possible, of course, to follow the pattern of the Liberal government in New Brunswick and move most of the important functions back to provincial control, to do away with local government. I do not say that that was inappropriate for New Brunswick; it may have been the right move—but it is one of the alternatives.

The second alternative is the one that this government has chosen. It is the course of taking action—action to make the changes that are essential in order to re-vitalize local government. This government refuses, Mr. Speaker, to bury its head in the sand and think the changes can happen without strong and responsible action on our part. We, therefore, have begun an overhaul of the municipal system and structure. Two words sum up our plans and our policies for implementing the reform of local government, one word is "effective", and the other is "responsible".

We operate on the principle that a plan should only be tried if it is likely to work. We are not interested in nice sounding ideas that will not work. The reform of assessment, for example, is the foundation for many of the other changes which are needed for the survival and the strength of local government. We studied in detail the various ways that reform in assessment could be carried out. We found that one method would work and others would be less attractive, and we chose the method that will work. The real interests of local government and the taxpayers of Ontario are served by getting this job done and by getting it done in the most effective way.

The second operative word for our policy is "responsible" and let me put it another way. We accept the responsibilities that the people of Ontario have given us and we are not about to evade them. We invite the fullest consultation which is consistent with effectiveness, but a decision has to be made, a whole series of decisions, in fact, in each area. The responsibility is the government's responsibility, taking into account all the pertinent local views and circumstances, as well as the good of the people of Ontario as a whole.

Another element of responsibility concerns the decision to have a Minister directly and specifically accountable for the regional government programme. We discarded the idea of a secretariat. The government prefers to have elected persons front and centre where they are accessible, where they can be seen, can be questioned, criticized and so on. This is met by the present Minister, with countless meetings, interviews and trips. That pace will continue and this is part of our concept of responsibility, not burying it in a secretariat.

Regional government where and when necessary has four general aims. They are pertinent to the motion before us and we put them in the House on a number of occasions. We are eager to get the maximum interest and consultation in each area where regional government is under study. A four-stage process is involved and we detailed those.

Let me repeat them: the discussion and consultation stage; separation of specific proposals; the development of the final proposal; and finally the presentation for legislation in the House.

Those four stages were followed in the establishment of the Ottawa-Carleton regional government. The same is true of the Lakehead where the inter-municipal committee has been an important participant. The proposal for regional government in Peel-Halton is in the second stage at the present time, and the Niagara regional proposal is in the third stage.

The role of elected representatives is of particular importance in local consultations. Members of the local council, as are members of the Legislature, are the democratic spokesmen for people in their areas and their opinions and representations are sought and valued. We welcome the views of labour organizations, of business, or community groups of various kinds, of regional development councils, of ratepayers' associations, and of individuals. In other words, local consultation is a basic part of the implementation of regional government policies, and it will continue to be so.

It is part of our planning to allow time for consultation and to avoid setting deadlines before the factors affecting those deadlines become known. I have not, contrary to press reports, set a deadline for Peel-Halton. I have suggested a timetable at which certain stages would have to be finished in order to meet a target date that has been suggested by local representatives. No deadlines have been established.

One of the points that is subject to decision at the local level, and on which discussions are underway in many areas, is the role of special purpose bodies in the local government of the future. A multiplicity of special purpose bodies tends to fragment local power between elective and non-elective groups. It is our recommendation that councils handle as many of the responsibilities as possible. For example, I point to the planning and health functions in the Ottawa-Carleton legislation.

Mr. Speaker, in summary, we have embarked on a form of municipal government that will do more to strengthen the local level of government than any other single programme since 1849. Implementation of our policy is moving ahead in a way that is calculated to be both effective and responsible. We invite and we welcome all comments, including the comments in this House, and the comments and submissions which we are receiving from the people in the organizations in local areas throughout the province. We would hope, Mr. Speaker, that the assistance which we seek from all quarters is more constructive than the nit-picking, wishy-washy motion that the leader of the Opposition has put before the House today.

Mr. T. Reid (Scarborough East): Mr. Speaker, I rise to support this motion, that

this House deplores the inadequacy of government in relation to the implementation of regional, municipal and educational government in Ontario; its lack of local consultation; its failure to control costs; and its removal of local autonomy; and, therefore, that the government does not enjoy the confidence of this House.

I rise to speak, Mr. Speaker, on my leader's motion of non-confidence in the Conservative government of this province as the official Opposition critic for education. I shall, therefore, zero in on the utter chaos that the Conservatives have created in education across the province, especially their calculated shifting of the burden of taxation increases on the property owners.

I would like to remind the House, Mr. Speaker, that over a year ago, in the Legislature's standing committee on education, my leader and I and members of the New Democratic Party told the Minister of Education that his heavy-handed scheme to force a county school board system on local communities across all of Ontario, excluding Metro Toronto, would be unjust to many people on fixed low incomes, unless the reorganization was wisely and carefully thought out and implemented in close consultation with local communities.

The Minister did not listen. As a result, today, there are thousands of rural and small town homeowners on fixed incomes under $2,500 across this province who are about to be hit unless action is taken by this government, by a doubling of their local education tax.

I would like to recall to the Minister of Education's memory, Mr. Speaker, the representations that we had from a professor at Queen's University concerning the impact of the county board on Frontenac county. It was on the basis of this representation that the Minister did make some adjustment in the bill that was before the committee.

I say, Mr. Speaker, simply—that it was over a year ago, I believe, that that professor from Queen's told the Minister exactly what would happen across this province. I am terribly sorry the Minister's advisors and he himself could not take the advice of this expert very seriously.

Let us make clear, Mr. Speaker, what the gut issue is. It is this—the gross political manoeuvering of the Premier, the Treasurer and the Minister of Education with the finances of Ontario has backfired in their faces. The people of Ontario have finally seen through them.

Let us start with the utterly misleading and irresponsible statement of the Treasurer as he stood in this House in his dark suit and TV tie and presented the balanced Ontario Budget for 1969.

Hon. W. G. Davis (Minister of Education): What about that tie? Is it to wave in front of the TV cameras?

Mr. T. Reid: This is to wave in front of you three jokers.

These empty, empty words he uttered will haunt him until he is no longer the Treasurer of this province. He said:

> Altogether our rationing measures eliminated approximately $400 million from expenditure estimates to come down to our final expenditure total of $2,996 million. We believe that the final expenditure package that has emerged represents a wise and responsible allocation of our limited public funds.

Mr. Speaker, I hope you got that—"eliminated approximately $400 million from the provincial government's expenditure estimates." I am willing to bet that $150 million or even more was shifted directly into the worn-out pockets of the property and homeowners of this province.

Instead of meeting its financial commitments to the new county school boards, this provincial government shifts its financial nightmare unilaterally to the new county school boards, and is forcing those boards to rape the homeowners in order to stay financially solvent.

Quite simply, Mr. Speaker, this government is reneging on a promise to the homeowners of Ontario. That promise was to relieve them of the crushing burden of local taxation on their properties by upping the provincial financial contribution to local education from a level, on the average, of about $48 for every $100 spent to more than that. Instead, this government is cutting back—and my estimate is by approximately 15 per cent—to $42 for every $100 to be spent on education at the local level.

I maintain that this government had, and still has, a moral commitment to pay, at the very minimum the same share of the cost of education at the local level that it did last year. Because this government did not have the foresight to bring in proper cost control guidelines and techniques for the county boards, it must take the rap—not the fed-up homeowner in this province.

The Treasurer has the gall to parade in front of the people of Ontario, puffing and huffing, that what he, the Premier and the Minister of Education did was wise and responsible. Tell that to the people of the township of Rama who will have their property taxes for education doubled, from $88,000 to $188,000. Tell that to Conservative James Myers and he will reply that "Robarts and Davis have gone off their rockers completely".

I would like to remind this government Mr. Speaker, of the views of its own Smith Report of several years ago:

> The shortcomings of the property tax become more material the greater the reliance placed upon it. By reducing the rate of real property taxes through increased provincial grants, the more vehement objections to the present system of local government taxation would be eliminated.

The basic shortcoming of the property tax, Mr. Speaker, is that the lower your family income, the greater the percentage of your income you pay in property tax that is regressive.

In conclusion: It is one thing to bring in a re-organization of the school boards. It is quite another thing to do so by discriminatory and regressive taxation increases on lower and average income families in this province. Families on low and average incomes have hardly any discretionary income to start with. When they have to pay out another $200 in local taxes, they become desperate.

Finally, Mr. Speaker, at a time when the provincial government's education grants should be moving rapidly to a point where they meet 80 per cent of education costs to relieve the overtaxed homeowner, the Conservative government here in Queen's Park decides to push its financial nightmare on to the local school boards and the overtaxed backs of homeowners. This blatant political manoeuvring, arrogance and incompetence, is what will bring the Conservatives down at the next provincial election.

Mr. Martel: Mr. Speaker, I want to follow up on some of the things mentioned by my colleague from Peterborough with respect to the arrogant manner in which this bill was not only introduced but pushed through the committee, where, I believe, the number of resolutions was 46, to be precise. This shows you the speed and the haste and the planning which went into this bill—precisely none. We went after the question of taxation, Mr. Speaker, at great length, and we were advised in that committee that every type of formula possible was worked on to ensure that there would be no undue shift of the tax burden in the province of Ontario. We were shown scads of material and reference was made to taxation, and it was guaranteed that there was just not going to be this great shift that we see today. Well, one year later has proved the Minister and his whole department pretty sadly lacking in judgment.

It is interesting in talking to a school official the other night—one rather high up, too, in the department—that he is of the opinion that the whole purpose of Bill 44 was really to shift the burden of tax from the provincial government to the municipalities. That is a sad comment. Then today we hear the Treasurer get up and say they did not know what was going to happen but they now have a clear picture. Yet, as my colleague from Peterborough says, they have a whole floor of computers, and they must have been aware that if they took off the 100 per cent grant to non resident students at the high school level, this was going to affect those people in areas where they were receiving the 100 per cent grant. They must have known that they were going to bring in a maximum clause of a ten per cent increase in the amount that the government would be willing to go beyond its present level, and that this would affect people, because if you went 15 per cent this would have meant an additional five per cent more to the municipalities.

So these are two areas where the Treasurer really cannot say we did not know the ramifications, because they have computers to find out. The statistics and the figures were all there, and I am sorry, I just cannot buy that phony hanky-panky you just handed us this afternoon that you "now" know. You should have known before, because what is the sense of having all these computers and all of the data available if you are not going to use it?

Hon. Mr. Grossman: You cannot fire a computer.

Mr. Martel: You cannot, no. You could fire the Treasurer.

Mr. Pitman: You can programme it though.

Hon. Mr. MacNaughton: You cannot do it too easily, though, not for a while.

Mr. Martel: It is coming, it is coming. Equalized assessment has been dropped in the municipalities; who is going to pick this

up? In one municipality I know of the equalized assessment has dropped from 83 to 62 per cent. And there is a third area where the residents of Ontario have been hit, and mostly it is in these small outlying communities, the rural areas that my colleague from Peterborough made reference to earlier.

For example, in Fort Frances, the mill rate has gone up 32 mills, and on a house of $200, with a payment last year of $300, will be $528 this year. If you are a fat cat, as so many people in that front bench over there are, this is fine. But if you are an ordinary resident of this province you are in trouble.

And what has really happened to all this baloney that the Prime Minister was talking about on equality of education? I can take you into schools in Ontario, Mr. Speaker, where they have been without supplies since the beginning of February, and are not in a position to buy any. And I wonder if that is equal educational opportunity in the province of Ontario in 1969?

I can take you to other schools and boards who cannot hire specialists at the present time because they do not know what is going to come out of this financial fiasco, so the cities are gobbling up the specialists, left, right and centre. I wonder what is happening to the equal educational opportunity when the outlying areas cannot hire the specialists?

Until this nightmare is cleaned up—and we have not heard anything of a clearance yet from the Treasurer or the Minister of Municipal Affairs—I wonder what will get properly qualified specialists into those areas? Maybe the Minister can enlighten us today, and he cannot say it is not happening. For example, in the city of Sudbury they have had to ask the classroom teachers to take over the teaching of conversational French. We are not going to get the specialists, Mr. Speaker. They are going to be in Toronto, and in Windsor until this nightmare is cleaned up, and it wants to be cleaned up in a hurry, because in another month there is not going to be a teacher left to hire.

So I suggest, in winding up—I want to leave some time for my colleague from Thunder Bay (Mr. Stokes)—that we are not getting, at the present time, equal opportunity of education in Ontario. In fact, we are going backwards at the present time. I hope the Minister can straighten us out.

Hon. J. H. White (Minister of Revenue): Mr. Speaker, I would apply the word "blether" to this resolution, or perhaps the phrase "Pecksniffian cant", except that I notice on page 474 of May that those terms are unparliamentary. I will be dealing more precisely in my concluding remarks with the inconsistencies and, perhaps, immoralities involved in the phraseology in this particular motion, but in the meantime I would like to lay the background, and I very much appreciate the hon. member for Sudbury East giving me five minutes of his time, so that I can present this to you clearly.

Interjections by hon. members.

Hon. Mr. White: Starting with this little summary of the select committee report on taxation, I draw your attention, sir, to chapter 23, reconciling structure with finance, regional government, page 143, paragraph 2, which reads as follows:

> Three basic considerations led the Smith committee to recommend the restructuring of local government. The first asserted that efficiency and the raising of proper tax revenues required assessment and collection on a regional basis. The second reason described in the section dealing with provincial grants for municipal and school purposes, was that equity in local finance cannot be achieved with the existing multiplicity of municipal institutions, and would be better achieved through regional government.
>
> The third reason was that municipal capacity to develop non-property sources of tax revenue was severely circumscribed by a limited territorial jurisdiction.

I think I am correct in saying, Mr. Speaker, that all members of the committee, which is, to say, all members of the three parties, subscribed to that and certain other observations that I now want to raise.

Part of paragraph 4 reads as follows:

> The concept of regional government has become accepted in this province and this acceptance has obviated the need for protracted studies. The accent has shifted from acceptance of study of the question to a positive desire for action in the near future.

And the Liberals, Mr. Speaker, made no demurrer to that point of view. Now, on the next page, page 144, paragraph 6 reads in part, as follows:

> In view of these circumstances, we endorse the Smith committee's reasoning and the premises established.

A. Local government is an indispensable part of our total system of democratic government.

B. There is an urgent need to reform the existing structure of local government.

And again, part of paragraph 8:

We have accepted the criteria for regional government as established by the Smith committee.

There were five criteria, of which I would like to quote two. On page 45, paragraph 8, section C:

Every region should possess an adequate tax base, such that it will have the capacity to achieve substantial service equalization to its own tax resources, thereby simplifying the provincial task of reducing local fiscal disparities.

And section D:

Every region should be so constituted that it has the capacity to perform those functions that confer regionalized benefits with the greatest possible efficiency. Efficiency being understood in terms of economies of scale.

And I draw the leader of the Opposition's attention to that:

Specialization of the application of modern technology.

Mr. Speaker, just one further and very brief quote from page 149, paragraph 17, and this deals more particularly with the regionalization of school board revenues and expenditures, and administration. All of the members of this committee, including the representatives from the NDP, and including the representatives from the Liberals, signed this without demurrer.

We record only that we expect no significant change in the province's new structure of the elementary and secondary school systems.

I point out to you that all members are in substantial agreement that revenues should be regionalized on the one hand and that the level of service should be brought up to a certain minimum standard in each region on the other hand.

Mr. MacDonald: That sounds like a foundation programme.

Hon. Mr. White: We are doing that, and certain transitional difficulties are inevitable. As I understand it, some of the increase in tax rates in certain parts of the province come about as a result of the equalization on the revenue side. Let me give you an example.

When the Ford Motor Company located its big new plant in Southwold township near Talbotville, the mill rate was cut by 50 per cent for the rather small number of ratepayers in that particular township. At the same time, the employees of the Ford Motor Company and the children of the employees had to be served in a variety of ways, including education, by the city of St. Thomas, by other parts of Elgin county, by the city of London and by parts of Middlesex county.

So we had this one township enjoying a windfall gain of assessment and tax revenues, so to speak, while very substantial additional expenditures were imposed on neighbouring municipalities. The mill rate for education, I was told a week ago Saturday, in Southwold township last year was six mills—that may be for the primary grades only. It was six mills.

That rate when Elgin county is regionalized as it is now, is going to be ever so much higher, no doubt. But it is not fair, I suggest to you, even if this mill rate should turn out to be 24 mills, it is not fair. I suggest to you to say, "here is a 400 per cent increase", because that does not tell the story at all.

Mr. Good: Just one isolated case.

Hon. Mr. White: In point of fact under the bad old system which we all want to change—am I correct in saying that—under the bad old system which we all want to change, this kind of special benefit resulting from the disparate distribution of assessment for tax purposes gave some number of people a very special tax status which was not deserved and which was not fair.

Now, those special tax status situations are being, if not eliminated, at least minimized, and in the process the mill rate will go up in some parts of the province. In some of these instances—I do not want to be all inclusive here—but certainly in some of these instances the increase is entirely appropriate.

Point number two, sir. Some of the increases, it would seem, spring from unavoidable cost increases which are the by-product of inflation. Every level of government has a degree of responsibility in this matter as indeed have private enterprises and perhaps even private citizens, but the paramount responsibility, all public finance economists agree, is at the federal level. We have a degree of responsibility at the provincial level and we are attempting to satisfy that responsibility in balancing our budget, in reducing

our own increase in expenditures to 7.5 per cent, a fraction—

Mr. G. Bukator (Niagara Falls): Now that we have a whipping boy what happens to the—

Hon. Mr. White: Oh, just a minute now, fair is fair. I have not said we have no responsibility, but it is self evident, the federal government has all the monetary power—all of it—100 per cent—and they have at least half of the fiscal power—so they certainly have the primary responsibility. I suppose if one had to apportion it one would have to say that the federal government had three-quarters and the provinces and the municipalities share the other quarter. At any rate let us not quarrel about that apportionment. We have attempted to meet our share of the responsibility in balancing our Budget and in keeping our expenditures down and I think fair minded observers have concluded and have stated that the Treasurer has been eminently successful in these endeavours.

The third element in the increase appears to result from extraordinary transitional expenses. Some of these might have been avoided by the new county boards and perhaps certain others were inevitable. At any rate these aberrations, I think, are short lived; I hope they will be. If nothing else the increase in the standard of living and the increase in income levels will give an opportunity to bring certain of these very high salaries under control while other inefficiencies can perhaps be weeded out.

Then, as I understand it, in anticipation of regionalization some number of school boards who did have surpluses, spent them last year bringing their mill rate down somewhat last year, which really distorted the picture, so far as this year is concerned.

Those are the four elements as I have been able to identify them in this matter.

Mr. Speaker: Perhaps the hon. Minister would draw his remarks to a close.

Hon. Mr. White: I thought I had until 4.45.

Mr. Speaker: The hon. Minister has until 4.41 and it is now 4.41.

Hon. Mr. White: In that event, sir, and with very great regret let me draw my remarks to a close by pointing out the inconsistency, and in fact the hypocrisy, of this particular motion which says that the government is to be condemned for (a) its failure to control costs, and (b) its removal of local autonomy.

You cannot have it both ways. If you want the Minister of Education to control these costs directly and to centralize this responsibility it is going to be at the cost of local autonomy. We have chosen the more difficult and wiser alternative which is to induce efficiencies and to induce cost savings and I would hope that every member of this House would vote down the pecksniffian cant which we find in this motion.

Mr. J. P. Spence (Kent): Mr. Speaker, I rise in support of this no confidence motion, that "this House deplores the inadequacy of this government's policy in relation to the implementation of regional, municipal and educational government in Ontario and its lack of local consultation, its failure to control costs, and its removal of local autonomy, and therefore this government does not enjoy the confidence of this House."

Mr. Speaker, this province, as we all know, faced one of the greatest financial crises I can remember since I have been a member of this Legislature. It is in every paper that I pick up—money crisis in county school boards. This government has brought county school boards into force in this province without proper study, without knowing or informing the people of the cost and this has brought more unrest and dissatisfaction. Mr. Speaker, in walking down the street it is not uncommon to have people come up to me and say it is time for a revolution.

These people are concerned. This government has failed to inform them, has not given any consideration to the taxpayer whatsoever. Mr. Speaker, when the county school boards came into force on January 1, they started to hire the administration officials to operate the schools in the county, and the salaries that were paid to these administrators were out of all bounds with the average income across the province of Ontario. I got the Ontario income of 1966, Mr. Speaker, to find that there were 707,477 people within the $2,000 income bracket. I found 405,132 in the $2,000 to $3,000 income bracket, and I found 417,402 in the $4,000 to $5,000, and Mr. Speaker, this has concerned and has rocked the people across this province that this government failed to inform them of the cost of county school boards in the province of Ontario.

Mr. Speaker, I had heard my colleagues bring to the attention of the House the high rate of increase in education costs in the urban areas. I want to take a little different

tack here this afternoon; I want to bring to the attention of the House how it is affecting these rates in the farming areas in different parts of the province. It is a slightly different tack from the previous speakers who have risen to make known their views on this amendment. I can say what I want to say quite briefly, Mr. Speaker. The farmer expects the same kind of return on his investment as any other class of the community. This means that the capital he has frozen in his farm and in his dwelling should have approximately the same relationship to his earnings as that enjoyed by the businessman in other walks of life.

Into today's condition a ten-to-one ratio might not be amiss. However, it is the fortunate farmer who is today getting back even five per cent of his investment, and this is due to the inflated value of his holding. He has to pay through the nose for his property, and was it supposed to help when the Federal Farm Credit Corporation loans and the Junior Farmer Loan Boards of the province of Ontario forced up the tax of property to an unreal height? Because when they made it impossible for the farmer to borrow up to $40,000, profit takers and real estate speculators forced up farm values by this amount. Admittedly not all at once, but over approximately a five-year period.

Consequently, farms are not traded quite as regularly at double their real value, in terms of fair return on investment, of a ten-to-one basis. At a time when anyone in Bay Street can get ten per cent on his money, the farmer is strapped earning five per cent or less by the sweat of his brow.

Into this situation move the provincial assessors, talking uniform assessment at market value, as per the Smith report. All very well for non-farm properties, but for farms, to look at what 100 recent sales have produced is to build a whole assessment framework on a fallacy. You cannot go into a locality and do that without knowing that the recent sales are the direct results of a manipulation that went on before, and the borrowing that the farmers were forced into because the speculative market in farm property took up the slack. Do you think that by taking easing action on the old assessment you are going to ease the transition to the county school boards?

My colleagues have painted the present picture in its true colours, and I endorse all that they have said. I am adding this final note of warning—that when all the inflated salaries, and the chief-to-Indian ratio, the cost of fancy buildings and computers and that, have been licked, I still want to say to this government they are not out of the woods yet because this assessment manual, this new bible we hear so much about, is based on fallacy. It is built around the idea that if you take a large enough number of current sales, somehow you will hit the fair market value, and the truth of what properties are worth. If Ontario was composed of wandering bands of nomads, it would have been true, but those who have a stake in this enterprise and in the soil do not shift around like that. They stay put; their values arise out of what they can produce from the soil of Ontario. Their returns ought to be related to a nearly fixed ratio to their holding, for tax purposes.

The Smith committee was hitting on this when it said that the local assessor who abandoned all his experience just to follow a set of laid-down rules abandoned his calling. I do not know what uniform assessment means, Mr. Speaker, but if it is tied to sales at inflated value which bear no relationship to actual worth as earning capacity of farm holding, I endorse all my colleagues have said.

I make this further point, that reform is not a one-shot effort but involves a good look at what an investment in farm yields in real terms. An assessment manual had better take that into account or there will be large crowds in front of this building in the future. Before regional government can be placed upon the people of this province, the people will demand to know what it is going to cost; that is something that has been lacking in the county school board system. If the people had known, they would not have been in such an uproar, and maybe the county school boards would not be here today. I am for county school boards and I hope they will work, but I am telling you this, Mr. Speaker, we must not forget the taxpayers or else a lot of us will not be here after the next provincial election.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I, too, rise to support this Liberal vote of non-confidence. I am restricted as I have already made a deal with the member for Algoma-Manitoulin (Mr. Farquhar) to share the remaining time, so that of necessity I will have to be brief.

We are, for the very same reason, opposed to the kind of fiscal policy, the kind of reorganization, that has come about without proper thinking by The Department of Education, by The Department of Treasury in

their neglect. In their approach to regional government, and regional development and to the re-organization of school boards, the people of the north, due to their inequitable tax base, are even more disenchanted and more alarmed and more frustrated by the actions of this government or by the inaction of this government, however you want to put it.

We have a programme that was introduced to this House a short time ago directed to the Northwestern Ontario Development Council, a plan for development of northwestern Ontario. It seems to be an excellent plan. The government has not indicated in any way, shape or form that they plan to implement it, or that they will even take it under advisement. As a matter of fact the Provincial Treasurer, when asked some three weeks ago, said that he had not had an opportunity to read it and did not even know its contents. If you are going to make regional development in this province a meaningful exercise, as so many other speakers have said here this afternoon, you must get with it to provide a viable tax base. Regional government, if it is not a useful tool in regional development, is not even worth spending any time on, then it is not even worth talking about. And if regional government is not a more useful tool than the re-organization of district school boards, and if we are to be left with the same kind of chaos with regard to providing resources for the services that are so necessary all across the province and particularly the northern half of the province, it is just a useless exercise.

With regard to the increase in taxes, I am sure most of you are aware that in northern municipalities they will be hit even harder than indicated in many of the smaller communities in the south, when you consider Oliver and Paipoonge which have an increase of something like 500 per cent in their school taxes; when you consider the fact that the whole cost of education in the Lakehead area alone has gone up to $2.5 million, while the actual grants from The Department of Education have gone down. In closing, Mr. Speaker, I would like to quote a brief article from the Marathon *Mercury*, which states:

> The provincial government, at the recently concluded federal-provincial conference, made a lot of noise about the province not having their fair share to say about and participation in federal matters, particularly in the area of spending. Mr. Robarts and Mr. MacNaughton are fine ones to cry.
>
> Our communities in northwestern Ontario give their fair share of vocal contribution in provincial matters concerning municipalities. In the south where the votes are, yes. Up here, no. As a result, this area has not voted Conservative in a provincial election in years. Marathon has, over the past years, been forced into cost-sharing programmes which they could easily have done without. As Lloyd Irwin stated last year the imposition of divisional education in this area is just another scheme by a financially-embarrassed government in the form of another cost-sharing programme, and he wasn't far from wrong.

That is just another manifestation of the frustration that is being experienced by the people in the northern half of the province. I heartily endorse this resolution.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, I am grateful to the member for Thunder Bay for his co-operation and consideration. I am also grateful to him in his capacity as Whip, and the government Whip for their responsible approach to the organizing of this debate; and a little bit complicated it was, indeed.

I appreciate having even a few minutes to offer a few additional reasons why, in my opinion, this government does not enjoy the confidence of this House. While there will be a minimum of time for detailing the background of various inadequacies of the various departments, let me suggest that this morning a full-page item in the *Globe and Mail* centred around the plight of the town of Blind River. The failure of this government, while speeches and efforts of mine here have had little effect, is certainly the main topic of conversation in that unfortunate town. Let me suggest that the mayor of that town at this point bitterly resents the fact that proposals and projects, in most cases extremely practical, that he has begged for have been continually turned down since it became apparent a year ago that nothing but government action could sustain that town.

Further, in that same area, and in direct criticism of The Department of Municipal Affairs, the Minister who has been so extremely obsessed with regional government arrangements, replied to me in answer to a question that he agreed that much had to be done in the way of planning in the unorganized areas in Algoma, even suggesting on July 16, 1968, that the sum of $20,000 was available to set up an organized planning structure.

Mr. Speaker, while, during the year since that time, much has been said and done to promote certain areas of the province regionally, to the best of my knowledge nothing has been done to take care of, or to organize, areas such as this that have no government at all. The whole area of grant structures, both from the standpoint of education and maintenance of senior citizen accommodation on the north shore and on Manitoulin and in many parts of northern Ontario, has caused great concern, and I think the best way to illustrate this concern would be to read a report by the mayor of Massey to the citizens of that town. He says:

> The new Espanola super-board of education has presented the town of Massey with a projected mill rate for public school purposes for 1969.

This is an open letter to the citizens.

> As you can readily notice, compared with 1968 figures for public school purposes, the mill rate is out of all proportion and the town council intends to fight the acceptance with all the powers available to it.
>
> The separate school rate has not as yet been presented and according to indications from the board it will no doubt be just as bad.
>
> This increase would amount to an approximate 250 per cent school tax increase.

Mr. Singer: The Minister of Revenue would say it serves them right.

Mr. Farquhar: Still quoting:

> On an average home, if the town were able to keep its general mill rate at the same level as last year, taxes would increase, to an average taxpayer, by $90 to $100. Commercial property taxes would almost double. The mill rate for high school purposes, which is an addition this year, will be chargeable to both public and separate school supporters.
>
> At present it would appear that an interim tax bill will be sent out to cover municipal expenses and when the school issue is settled an additional bill will be sent to you.
>
> I, as mayor, do not feel that this rate can even be considered to be accepted. If we are forced to accept it, I intend to resign as mayor rather than present a tax bill such as those rates would involve to the citizens of Massey.

The figures just stated are supported by statistical data comparing 1968 with 1969 levies. Comparable percentage of increases have been developed in the Manitoulin Island, but in that area there is an additional factor. Over a period of the last year, representations have been made to the Minister of Social and Family Services (Mr. Yaremko) by elected officials on Manitoulin desperately seeking a change in the grant structure for purposes of the maintenance of the senior citizen's home on Manitoulin.

On these occasions, figures have been presented which showed that while the average percentage of levy across Ontario for the support of senior citizens' homes runs to one or two per cent at the most of the total tax available. On Manitoulin, the percentage of the tax bill runs to about 15 per cent of the total taxes available for maintenance.

On several occasions, the Minister has seemed to recognize this outlandish comparison and has made statements to the effect that something must be done, but so far has not seen fit to take any action in this regard.

Now on top of this, there is a 200 to 250 per cent increase in school costs. It is beyond understanding, Mr. Speaker, this utter lack of recognition for an area whose assessment base is shrinking, with population deteriorating every year. Not only does the population deteriorate, but the youthful portion of that population is the portion that is leaving those areas for greener fields.

It is no wonder, Mr. Speaker, that another reeve in that area said to me that the significance of this non-confidence motion is not that it is being debated here today, but that at least, in northern Ontario, he is surprised that there is any confidence left in this government whatsoever.

And, of course, I must add that I am in full support of the motion and I think every member, searching his conscience and remembering some of these facts, must surely support it.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, as one sits here during the course of the debate, being ready to wind up on behalf of his party, one hopes that he has prepared some thoughts. But as one sits here, there are many new thoughts generated, and as I sat in this House last night there were many new thoughts generated to me. Because, when you read this motion, that this House deplores the inadequacy of the government, really what you could say, what you could finish it with is "that this House deplores the inadequacies of this government's Ministers."

Because we saw yesterday about as inept a performance by a Cabinet Minister as is possible to see in any Parliament in this Commonwealth. I am sure of it. And today we saw three Ministers get up and read their speeches here. Now, let me apologize first to the Minister of Revenue. I want to apologize to him because I had interrupted and accused these Ministers of having their speeches written for them. He obviously wrote that. It was so bad nobody could write that speech but him.

This is really what we are talking about, this is the essence of what is going on in this House. It is the inadequacies of the Ministers, and it is really a telling point in the favour of this government that it began with the Provincial Treasurer, because money is the problem. Make no bones about it, money is the problem. And money is the problem that is going to send him back to that little store in Exeter. You have to give this Treasurer credit for one thing, he did say something that I thought was tremendously germane. He said the problems are identifiable in a manner never seen before. And is he right! Are the problems ever identifiable, the problems of the Tory Party? You know there is a death wish in those people, Mr. Speaker. Do you know why they have been in power for 25 years? It is because of their rural backbenchers. Make no bones about that. That is why they are there, really. I see it in my area.

My hon. colleague, the member for Lambton (Mr. Henderson), was the warden for Lambton county and before that he was the reeve of the township of Enniskillen, I believe, and happily so. A good warden and a good reeve, and now he is a good backbencher. But if it was not for people such as my colleague, the member for Lambton, you would not be Treasurer of this province for ten minutes. You really have a death wish, because when you can permit the perpetration of frauds like Bill 44, that has to be about as ill-conceived an action as we had last year.

I thought the tax shelter programme was, but really, when you see the impact of it now, on the people of Ontario, this outstrips the tax shelter programme. It makes the Minister of Municipal Affairs look like a choir boy with a soprano voice. There is no doubt about it.

I talk to you about a death wish because you are really affecting the rural people. I am not going to read you some of these figures that I have here because they have been read to you before. You are aware of them from your area. You know exactly what is happening in this province. There is a resurgence against you by the rural people in this province and you know what you are going to do—

Interjection by an hon. member.

Mr. Bullbrook: Mr. Speaker, they think they fool us. They think that they come before us with legislation of this nature well planned. But the fact of the matter is, as Smith suggested, that we should enlarge somewhere, at least, on the secondary school level, our boards of education; and concurrent with that, elevation of the grant structure to at least 60 per cent. But did we do that?

No, there is a little seed in Smith. Was there any possibility of any pretesting of this plan? Certainly there was. Was there any pretesting of this plan? Certainly there was not. And why was there none? Because of the absolute inefficiency of this government.

A situation exists right now in Ontario, and I invite the hon. Minister of Education, in his prepared reply, to speak to this point. I want him to speak to section 85(1) of this statute, chapter 122, the 1968 statutes because it reads, and I want to read it to you, if I might:

> Every divisional board in each year shall prepare and adopt estimates of all sums required during the year for public school purposes and for secondary school purposes respectively and such estimates—

I will leave out the intermediate sections.

> —and shall submit to the council of each municipality in the school division on or before the 1st day of March in each year a statement, indicating the amount of the estimates for public school purposes and for secondary school purposes to be raised by each municipality and a requisition of the amount of the estimates for public school purposes, etc.

That is the way it reads. I have attempted investigation and I have a sheet of replies. I have not found one area school board where this section has been complied with.

The Minister nods that I am incorrect. Perhaps there is; I hope he brings it to our attention. But the point I make is this—I talk about ill-conceived. You have never even looked at the results of this legislation beforehand. How could they possibly submit their estimates to the municipality when you have not given them the grant structure by March 1?

My city of Sarnia that I represent in this Legislature, yesterday got its capital budget —and it will be another two weeks before they get their current budget. Do you know what it is going to cost my municipality in interest because they cannot collect their taxes? $90,000. That is what it is going to cost them.

Mr. Ben: Waste, waste, that is the Tory slogan.

Mr. Bullbrook: And the Minister of Education sits there. What has happened in this province is that the left hand does not know what the right hand is doing. There is no doubt about it.

Mr. Speaker, I just want to point something out to you. The city of Sarnia, and I hesitate to be unduly parochial but I want to say this, has been relatively progressive as far as its educational function is concerned. We began last year the fifth high school that is required in our area, and so we look forward to five years of low capital requirements; $2,557,000 had been budgeted for the fiscal years 1967-1972. Let me tell you what the Lambton county board of education capital requirements are for the years 1969 to 1972—$19,825,600. The city of Sarnia's share is up from $1,326,000, from $2,500,000 to $8,300,-000. Do you know what the board of education said to them—"we do not know why." That is what they said to them. They honestly and forthrightly said to the municipal council, "we do not know why." You feel sorry about the city; I want to feel sorry for the people who reside in my hon. colleague from Lambton's riding. I want to feel sorry for them.

Mr. L. C. Henderson (Lambton): Are you worried about them?

Mr. Bullbrook: Yes, I am worried about them and you should be worried about them. You should be worried about them. This is the problem; he does not worry about them and let the record show that he does not worry about them. Let the record show he does not worry about the village of Oil Springs and the township of Enniskillen. Let the record show that.

Interjections by hon. members.

Mr. Bullbrook: If I might say this to you, Mr. Speaker, our anticipated capital requirements in the city of Sarnia for the next five years amounted to $16 million. With the elevation of this Budget, this requirement from the county board of education has gone to $25 million. We have been told by the Ontario Municipal Board and the Treasurer that the maximum lending capability that we have is $21 million. Mr. Treasurer, through you, Mr. Speaker, this is really the essence of it. The federal government is to blame really. We have been telling them for years we need more money; we need more money really. But does this give you licence to go out and spend what you do not have? Does this give you licence to put communities and property owners into bankruptcy? It certainly does not.

If the Treasurer was really a man of his word as far as the people of Ontario are concerned, let me say what he would tell the Minister ef Education—"Until we can adequately and properly persuade the federal government to assist us, there will be no county boards of education until you can prove to me what it is going to cost the taxpayers." Do not come before this House with these circuitous platitudes again, I interjected before. I have heard that speech three times.

If he was preparing a speech today all he had to do was say, "Get me something out of those three prior speeches I made," because I have heard it three times, blaming the federal government for everything. Let him blame the federal government.

I digress for a moment but I want to tell you something. I sat in this House this afternoon and I watched him, the Minister without Portfolio (Mr. Wells), being handed a newspaper by his executive assistant. Then I watched his executive assistant sit over there for hours, literally hours and I want to tell you what it costs the government of this province to bear the burden of that man. You know that if you capitalize the cost of the Minister without Portfolio, who does nothing and his assistant who writes his ad-libs for him, it is $1,837,493 over 25 years. If they are in power for another 25 years, that is what it is going to cost the people of this province to have him. Now the Treasurer should think about that.

If you really are concerned with the welfare of the taxpayers of this province that is where to express your concern. Now let me say in closing, if I might—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Bullbrook: I am going to close. It is obvious to me, as an inexperienced member of this House, that somewhere, something is festering over there on your back benches. They are worried, but I want to say this in

closing, if I might, Mr. Speaker, that the trouble with these debates—and I have said it before—is that they are a foregone conclusion. We recognize the situation. We are not stupid. This motion will be lost, but I say this to you without any fear of contradiction by the people of the province of Ontario, that if we had every elector of the province of Ontario here today to vote on this motion, this government would go down to the most resounding defeat ever envisaged.

Mr. MacDonald: Mr. Speaker, in the declining years—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. MacDonald: I wonder, Mr. Speaker, if it is possible for you to end the debate there?

In the declining years of the Roman empire one of the greatest penalties that could be imposed upon the bureaucrats and the hierarchy that ruled the empire was that they should be chosen to go out and head one of the municipalities or the provinces, because such a storm of protest had broken out among the people with regard to taxes that they fled rather than be sent out to head one of the municipalities. The interesting thing is in the declining years of the Robarts empire precisely the same kind of thing is happening in the province of Ontario.

Mr. Speaker, we have had something of a spectacle here this afternoon. We have listened to three Cabinet Ministers get up and, led by the Provincial Treasurer, say in effect that admittedly there is a problem; he did not use the word chaos, but that is the most appropriate word to describe it—there is chaos. But he then rationalized it; it serves the purpose, it delineates the programme. If you can get any more proof of the insensitivity of this government that you have to get a revolt and a protest which is verging on civil disobedience, particularly among the Tory supporters out in the rural areas, before the Provincial Treasurer says that the problems are delineating and—now we are making progress.

What has been proven this afternoon is the obligation of this government, and the obligation of this government is to resign—get out, because you are failing. You are failing to meet the needs of the people and you have come up with no solutions to a problem which is evident to everybody who glances across the length and breadth of the province of Ontario at this moment.

Hon. Mr. MacNaughton: Where did you get that?

Mr. MacDonald: You had your say. We in the New Democratic Party are going to support this Liberal amendment, this supply motion. We are going to support it because it is a mechanism to assist you to resign so that the people can get a decent government by forcing you to go back to the people of the province of Ontario.

Mr. Speaker, let me deal with the three areas that have been encompassed in this resolution—county boards of education, regional government and regional development. In dealing with the question of county school boards, I am not going to indulge in the cheap politics of saying that now we have developed a flossy educational system. Certainly there are some things in our educational system that represent extravagances that we have to eliminate, but to dismiss the whole of the educational system as being flossy is to ignore the reality of the problem and to present no real solution to it.

I am also, Mr. Speaker, not going to suggest that this province is bankrupt. This province is not bankrupt; this province is one of the richest provinces in this country. The proposition is that we have to administer the wealth and the available resources of this province to meet the needs of the people. Those who say it is bankrupt are themselves bankrupt of ideas and that includes the government.

Let us get down to the fundamental problem, to the fundamental mechanism that has created the problem, Mr. Speaker. Tax reform must accommodate any effort to create a new administrative framework. Anybody who knows anything about it has said this for years. They did not have to be experts. People who were practising as elected representatives across the province knew that if you were going to come up with a new administrative framework, whether it be county boards or whether it be regional government, that it must be accompanied by tax reform. This government is paying the price for procrastination in tax reform. We have not got the prospect of it for another couple of years.

As the hon. member who has just taken his seat has said, basically the problem is money; we need more money directed to the spots where you have this pressure at the present time. The money is available if it is raised equitably out of the great and the growing wealth of the province of Ontario. Do not go around moaning and groaning and saying that there is no money. There is money

if you will raise it equitably. Not from the person who cannot bear some of the burden, but from the person who can bear it because he has the capacity to pay.

I repudiate what is essentially the Liberal position; namely, that there should be no cut, but there should be no tax increases. Indeed, the Provincial Treasurer was correct when he chastised the leader of the Opposition and said that during the Budget Debate he had congratulated the Provincial Treasurer for having come up with a responsible approach. It was not a responsible approach, Mr. Speaker; it was an irresponsible approach. It was cutting back on long-standing and long-neglected needs of the people of the province of Ontario and making excuses in keeping with the outdated mythology of the Tories and the Liberals, who are more Tory than the Tories in this particular field; that is why they supported you.

What we have said and what I repeat, even though these are repetitions because it is basic to the resolution that we are considering that you need not have cut back in the services of the people. You could have taken a look at expenditures such as, for example, the $500,000 that are being handed out by the hon. Minister of Trade and Development to companies that do not need $500,000 to start new industry. He is willing to dip into the provincial treasury to meet the needs of industrial friends, but he will not dip into the provincial treasury to meet the desperate needs of human beings.

You are willing to continue, while you are cutting out grants to meet the needs of people, to hand out $2 million to these playboys on the race tracks in horse breeding. Last night, we examined for a moment what was being done with the $125,000 that is given to the Vanier institute over a four-year period—$500,000 and we were not criticizing it. The irony of it was we were quoting an editorial that the Minister sent over to us, an editorial from the *Globe and Mail* which pointed out that we are not getting value for our money. But the Provincial Treasurer, the Treasury Board, even worse the Minister himself, did not know what was going on in the Vanier institute. What are you doing about money handed out to an elite group, presumably doing a job, when you are cutting back for people?

Now the Minister of Trade and Development was off on another one of his escapades —$13 million. Is it $13 million? It could be $30 or $40 or $50 million—for a showpiece down on the waterfront. Some day, when this government has met the desperate needs of people, $13 or $14 million down on the waterfront will be a legitimate expenditure, but where are your priorities now? In other words, Mr. Speaker, you need not have cost cuts.

Again I am not going into the detail of it, because I did it in my budget speech. I pointed it out to you on corporation taxes; I pointed it out to you on capital gains tax, which you now, at least, pay lip service to; I pointed it out on income tax, at least above the $6,000 level which you have decried as having escaped the burden put on by the federal government at Ottawa; I pointed it out to you on water resources taxes. There is money available if this government had the integrity —and I use this word—to raise the money where it is, in order to meet the needs of the people all across the province of Ontario. If you had done it then you would not have had the crisis at the county level.

Let me turn briefly to regional government. This government has no overall pattern for regional government. I read a comment of the Minister of Municipal Affairs at a seminar at Quetico. He said what we have got to do is plug the gap here and plug the gap there, but let us avoid coming up with gaps in our map when we are finished. When are we going to get an over-all plan for regional government? We have had proposals from the Smith committee; we have had proposals from other areas. When are we going to get it so that there will be some guidance to the people who now say regional government is going to hit them? How, what, when, where?

Once again, it is a case of a not-now-and-sometime-later to start doing a little bit of planning. At a time when you are moving towards the stage of establishing administrative units that are viable so that you can return some of the autonomy to the municipalities, this government is manifesting more and more of its basic, patrician bureaucratic kind of approach to the local municipalities. The Provincial Treasurer starts to threaten that now that they have grown up and can do an administrative job, he is going to have a budget here which is going to be looking over their shoulders in terms of day-to-day expenditures, in the same way as the OMB looks over shoulders in the instance of capital expenditure.

What kind of local autonomy is that? What encouragement is there for groups of people to build a viable administrative unit when it it going to have to submit to the kind of

"big daddy" paternalism that we have had from Queen's Park and grows worse each day?

When the government moved in in such rush into county council boards — county school boards—a year or so ago, we said to them, "Is this the pattern for regional government?" "No," the Prime Minister said, "the counties are not necessarily the pattern for regional government in the province of Ontario."

What is going to be the pattern? After you have got your pattern of regional government, then what are you going to do to try to eliminate some of the chaos and the new set of overlappings and confusion, because of the confusion between the county boards and a regional government boundary? Surely some kind of a systematic planned approach, working it out with the people, giving them an overall blueprint and then discussing it in local areas for the necessary revisons, that would be the kind of approach that would have made it possible to avoid the creation of the chaos that at some time in the future we are going to have to take another look at.

The Minister of Revenue gets up and talks about eliminating the economic disparities within the regional areas. Good. If we get a regional government, then we will get some balance in the use of industrial assessment. It is a very good idea and you will have equity. Then he starts talking in terms of a certain level of services, but you are not going to be able to achieve an equity or an equal kind of level of services across the province of Ontario, along with that equalized assessment and equalized sharing of the burden, unless you have a foundation programme which will pump money in out of the Provincial Treasury to be able to equalize the inequities between the various regional governments.

This government has no suggestion for a foundation programme. In the so-called White committee, my colleagues from the New Democratic Party who were on that committee pressed for the acceptance, at least of the principle, of a foundation programme in municipal finances. We got some acceptance of the principle, but it has got lost in the whole reassessment of the picture and its presentation here in the House.

Mr. Speaker, I wanted to say something about regional economic development, but there will be plenty of time when we get back to the Treasurer's estimates, so I guess I can leave it and proceed to my concluding remarks.

The most deplorable thing about this debate is, I repeat, that we have listened to three Cabinet Ministers and they have rationalized the chaos that has been created. They have tried to make excuses for the protest, but they have come up with no solutions. The situation is not going to work itself out; the problem is not going to go away. What we have had up until now is a bankruptcy of ideas with which to cope with this kind of a problem. I have a suggestion, Mr. Speaker. This government, particularly the Minister of Education, has got to go back to the Provincial Treasurer, take a solid look at his budget once again, appropriate moneys and make them available for pumping into the county school boards to ease the kind of crisis which has now descended upon them. There is no getting away from it.

Now there are a number of solutions that would be bandages on the illness, almost poultices. I was interested in reading some of the newspaper comments across the province of Ontario. The Hamilton *Spectator*, quoting of local educators, said they could not really re-work the grant structure by throwing out the adjusted mill rate, for elementary schools, and have costs distributed on the provincial equalized assessment figure for both elementary and secondary purposes. Another suggestion is that other choices would be to spread the tax load over two years and permit use of the 1968 surpluses now instead of next year.

I would add a third one, for those who are really caught in an impossible position, namely the senior citizens, the people who are on fixed income, to whom we have granted some exemptions from education costs on the basis of their not being able to pay them and putting a lien on their property. Here is a means by which you could take a position to meet these crushing increases in costs—not with a lien, I insist. The government should pick up the cost. All of these suggestions are going to cost money, and you have got to go back to the Provincial Treasurer to get that money. Perhaps the best palliative of all, but it is just a palliative, is the proposition that you should extend additional grants to ease this crushing burden. There should be a level of say 10 or 15 per cent increase in this year's taxes that should be fixed. This has emerged from a number of municipalities, and having fixed it, then anything beyond that level created this year, should be picked up by this government.

Mr. Speaker, I say as I sit down, all of these are only palliatives; all of these will

just ease the burden so that the people who are numbed by what has hit them, over two or three years will think that that numbed condition is a normal condition. Unfortunately it is under this Tory government, and that is what they have got to face up to.

The real solution to it is that we should raise the money from where that money is. We should move immediately to the provision that 80 per cent of the cost of education can be raised.

We are not taking a new responsible position of saying that there should be no cuts but no tax increases. We say you should raise that money from where the money can be raised because the people have the capacity to pay, and in doing so you not only raise more revenue, but you will introduce equity into our tax budget. But I have no confidence that this government is going to do that kind of thing. They have postponed tax for another two years, they are talking of another increase to education grants of 60 per cent starting in 1970/71 and to be completed in 1973/74.

Here is a procrastination once again. Therefore, Mr. Speaker, we will support this amendment and defeat this government, because if they are not defeated they should have enough common sense to face the realities and resign and let the people elect those who will do a job on their behalf.

Hon. Mr. Davis: Mr. Speaker, in endeavouring to add something constructive to the debate here this afternoon, I shall make one or two preliminary observations en route, relative to some of the remarks made by those members opposite. Some of their contributions, Mr. Speaker, I think one could fairly state were helpful, some of them were not, which I think is relatively typical of the observations coming from the members opposite, and this, too, is to be anticipated.

I must say that in listening to the member for Sarnia, one cannot help but observe that he is perhaps taking on the capacity of the member for Downsview in the way he gazes up in to the press gallery to see whether or not they recognize that he is making this eloquent speech without the benefits of a prepared address. Having been a colleague of that gentleman some years ago in the academic environment, I really have great respect for his talents, and I only regret that he perhaps denigrated from what is otherwise, I think, a reasoned dissertation to suggest in a very picayune manner as he did to the Minister without Portfolio. This to me, Mr. Speaker, was entirely irrelevant and unnecessary in this particular event.

Interjections by hon. members.

Hon. Mr. Davis: I think, Mr. Speaker, that the member for Sarnia probably agrees with me. I will get around to section 85(1) because I know the legalistic approach the member wishes to take to all problems, and, with great respect, they do not always present solutions.

Mr. Speaker, I think it is fair to state that I listened very patiently this afternoon to most of the observations made by the members opposite, and while I know it is not easy for them to extend the same courtesy, perhaps I can make some constructive contribution if I have fewer interuptions.

I think, Mr. Speaker, the main purpose of the resolution, apart from being somewhat intellectually fragmented, nonetheless reflects itself in the concern that we all feel—and let us be very frank about it—with respect to the very real change that is taking place in educational administration in this province.

Mr. Speaker, some two years ago when the concept of the county board was first considered—it really was not two years ago, it goes back some 30 or 40 years. I can show you the documents relating to educational history in this province. The member for Peterborough has seen them, and others. The concept of county school boards really emerged well prior to the present Minister of Education.

I observed to one of my colleagues on that occasion, "If we are going to do this, if our desire is really to improve the educational programme for the young people in this province, then we shall do it". I also observed that I fully anticipated that they would be two very difficult years for the Minister, his department, and for his colleagues in the government.

I said that, Mr. Speaker, a year ago, in the debate on Bill 44. I did not make any predictions as to the ease with which this would be accomplished. I indicated, I think very clearly, Mr. Speaker, that it would require all the creative efforts of all those involved to make the county board system work, and work effectively.

I indicated, Mr. Speaker, on that occasion, that these gentlemen who support this government, our back benchers, were under the same pressure, had the same concerns that were being expressed by the members opposite, but that they had the intestinal fortitude

to move along with it because they knew that what was happening was right.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I refuse to accept the description of some members opposite, even from the member for Peterborough, as to the question of chaos within the county board structure. Certainly there are problems, and I am not attempting to minimize them, and I will not attempt to minimize them in the few minutes here this afternoon.

But I would say to the hon. member for Peterborough, who has taken in my view, and perhaps some of my colleagues will be a little bit critical of my saying this, that I think he has, in many respects in the field of education, taken a relatively enlightened and constructive point of view. I think he has, and I say that with some genuine feeling of respect. He has worked very closely with the county boards, as I am sure the other members opposite have done. I am sure they have sat down, that they have discussed these problems. They are fully aware of them, although when I listened to some of the remarks this afternoon I question this. I say to the hon. member for Peterborough: "Is his county board in fact in chaos?" I say, with respect, it is not. They have prepared and presented, and he himself has said this to me, a very well prepared plan, a very well prepared budget. This is one of the county boards in this province, and I think the member for Peterborough must say that this has, in fact, happened.

I think, Mr. Speaker, that one can exaggerate these situations. One can look upon press reports that may or may not be factually correct, and from that indicate that the problem is somewhat more significant than in fact it is.

I listened to the member for Waterloo. I forget whether it is Waterloo North, South, East, or West, but it is not relevant at this particular moment. I listened to the member for Waterloo, who spent most of his address in the planning purposes and with a rather, perhaps, questionable suggestion that I was not interested in the problems of the county boards. I should tell him, so that he will not be offended or upset, that I have planned to meet with the Waterloo county board at 10 o'clock on, I believe, April 23 or 25, and that I will be delighted to do so, just as I have with several other boards in the past number of days. Ask some of your colleagues the extent the officials, myself, and others here in the government, have gone to make themselves available for the trustees who are going through this rather traumatic experience at the present time.

The leader of the Opposition in his, once again, very colourful way, really was more aggressive and enthusiastic, but perhaps did not contain any more relevant material than on other occasions.

Hon. W. A. Stewart (Minister of Agriculture and Food): Noise can make up for any real content—

Hon. Mr. Davis: But a very nice guy, a very nice guy.

Mr. Sopha: What are you, a drama critic in the *Telegram*?

Hon. Mr. Davis: No, because if I were—

Hon. Mr. Stewart: The hon. member would not rate very high if he were.

Hon. Mr. Davis: My colleague, the Minister of Agriculture, says the member for Sudbury would not rate very high. For the first time I disagree with my colleague, the Minister of Agriculture; I think the member for Sudbury would rate very highly.

I was very interested in the mass generalization mentioned by the leader of the Opposition. His references to guidelines, his references to salaries being paid administrative personnel, that they were $10,000 over and above what they had been receiving.

Mr. Sopha: Fourteen to 24.

Hon. Mr. Davis: Mr. Speaker, this is just not factually the case. He made the reference. Well now you want the facts. I am trying to give them to you but you do not want to respond. Mr. Speaker, the leader of the Opposition further suggested that these were the highest in the continent. Of course, this is utterly and completely ridiculous as well. If he wants to visit some of the other jurisdictions, do some research, tabulation of other administrative salaries, I would suggest he do so. And I think he would come back with a somewhat slightly different impression.

I can only gather from the suggestions made by the leader of the Opposition, that he is trying to say to me, to the members of this House, that we want these boards to have their autonomy, we want them to become viable educational administrative units. But at the same time, we want you, Mr. Minister, to say what John Jones is going to get, not just from the top because you cannot establish guidelines from the top. Surely the member for Scarborough East must recognize it

without establishing guidelines. When you say guidelines, you must mean specific salaries throughout the piece. And if the leader of the Opposition is trying to say to me, which I think he must be, that we should establish salaries for the complete teaching profession, and the academic profession, which of course must go through into the university community college field, then why does he not say so?

Mr. Nixon: Because it was not my intention.

Interjections by hon. members.

Hon. Mr. Davis: We will have you here for another six or seven minutes. Mr. Speaker, if the hon. members opposite will be moderately patient I will get around to some other observations. The leader of the Opposition was making a great point about the question of administration. I can only say that from the information we have received, and it is not totally complete, in most county areas the cost of administration is either comparable to, or in some cases less, than the total cost of administration encompassing the same area a year ago. I suggest to the member for Sarnia if he wishes to look at the problems in the Lambton county board, that he check very carefully, because I understand he received a specific release from the board, indicating that their total administrative costs this year would be $40,000 less than in 1968.

Interjections by hon. members.

Mr. Bullbrook: Why do you not tell the whole truth? The Minister spoke carelessly.

Mr. Speaker: Order. Perhaps the hon. members will give the Minister an opportunity to complete his remarks.

Hon. Mr. Davis: Mr. Speaker, may I say this, on behalf of the member for Sarnia. I can tell from the smile that came forward that he had forgotten about it. He intended to mention it, but we all make these mistakes.

Now, let us, Mr. Speaker, deal with some of the observations—

Mr. Bullbrook: Do you know the difference between capital and current?

Hon. Mr. Davis: Mr. Speaker, I not only know the difference between capital and current, for the last two weeks I have been assimilating so much statistical and factual information that—

Mr. T. Reid: Do you know what obsolescence means?

Hon. Mr. Davis: Yes, Mr. Speaker, I not only know what it means—

Mr. T. Reid: You should know.

Hon. Mr. Davis: I predict, Mr. Speaker, that the hon. member for Scarborough East may become one of the early examples of political obsolescence in this House.

Just a little aside, Mr. Speaker. I understand I have until ten to six, I have five minutes. Just a little bit of an aside, Mr. Speaker, because I just wanted to tell the leader of the Opposition that the member for Scarborough East, a very aggressive young man, a great athlete of his day, predicted—

Hon. Mr. Stewart: Obsolescence.

Hon. Mr. Davis: No, I could not help but be impressed the day we had those young people from the University of Toronto here. The member for Scarborough East, in order to keep physically fit, was marching over with them. I must say that when I was on the front steps of this building—it was related to cost, educational expenditure; I think it is relevant to this debate—after the member for York South leaned over and whispered certain instructions to the then president of the SAC at the University of Toronto, and I saw almost the total NDP caucus there, I said to myself, this is the first time that a Tory has been asked to address an NDP convention.

An hon. member: He is not here any more.

Hon. Mr. Davis: I apologize for that.

Mr. Speaker, let us deal with the question of costs. As I said at the outset, we recognized that this was going to be a very difficult period. It is most important and I say this, Mr. Speaker—there is nothing facetious or humorous about it. With the commencement of the county board system, it is absolutely essential that we start from a base that is rational and realistic.

It is important in the year 1969, with the escalation that is taking place with respect to educational investment. I use the word "investment", I say, to the leader of the Opposition because I believe it very sincerely. It is not just educational costs, it is educational investment. I am prejudiced and I think quite frankly it is the most important investment that we as legislators can make.

I also think it is very important, Mr. Speaker, that we recognize that with the

commencement of the new approach, the new administrative structure, that it starts from a realistic and rational base. Many of the press reports, and the member for Scarborough East referred to certain proposed—we say proposed because they have not been finalized—mill situations.

It should be made very clear that many of the boards are still in the process of not only understanding the grant regulations but applying them to their own specific situations. It is a very tough period for them; they have not completed their work. The boards have been working constantly in the past seven or eight weeks to come up with realistic approaches to a very difficult situation. I told the hon. members of this House as much on other occasions in these past few weeks since the grant regulations have been available to the boards, and I make no bones about it, they are tough.

They establish, as the leader of the Opposition seems to want us to do, a maximum of one-ten and a minimum of one-four. We know that there will be certain inequalities and problems that will have to be resolved, but unlike some of the suggestions opposite—I know we live in the day of instant coffee and that we live in the day of instant-this and instant-that—the assessment of the analysis of what is taking place must be an orderly and intelligent approach.

We have been in the process for the past two weeks of analyzing the material made available to us from the county boards themselves. We have had countless meetings attempting to help them and they in turn help us to clearly delineate what the problems are. We know some of them relate to total cost but I think in fairness, Mr. Speaker, our analysis at the moment indicates that it is the question of the distribution of costs within certain county areas that is more significant than perhaps the total sums.

I think the members should know that from the material we have received to date, the cost increase varies from one county to another from around an eight or nine per cent increase to perhaps a 15 or 16 per cent increase and one must recognize that the total increase in education in the past five years in this province has been at about the rate of ten per cent per annum, with or without county boards.

So the county boards themselves *per se* have not at this point led to any significant increases in total educational costs, but we recognize, as we anticipated at the outset, that there would be some problems with distribution, the interpretation of the allocation of resources, and we are in the process of making a very careful and a very thorough analysis.

I hope to be in a position to make some report and recommendations to the members of this Legislature in the fairly near future. But I say to the members opposite, they are members of little faith, they are men of little faith.

Interjections by hon. members.

Hon. Mr. Davis: I would urge upon him to suggest to his followers, and perhaps the member for York South could suggest to his members as well that the resolution that has been proposed here at the Legislature today is without foundation. It does not bear a relationship to the facts. I hope they will join us in supporting the government of this province which has been providing the very enlightened leadership that we need in this day of change that is taking place.

Mr. T. Reid: No wonder they want to dump their leader.

Hon. Mr. Davis: Mr. Speaker, I must say to the member for Sarnia, I do regret that my speech is not prepared because I know he would want to read it afterwards.

Mr. Bullbrook: What about section 85?

Hon. Mr. Davis: Mr. Speaker, if you will allow me an extra 35 seconds, I will say to the hon. member for Sarnia that we recognize, as we did at the time of the legislation, if he will recall—

Mr. Bullbrook: It is illegal.

Hon. Mr. Davis: Let me finish. If he will recall the discussions at the education committee, we stated that in the long term objective our desire was to have the budgets of the municipalities by March 1, if at all possible. I also stated, and I think the hon. member will remember this, we anticipated in the first year of the operation of the scheme, that it would be practically impossible for a number of them to do this. We recognized it at the same time.

Mr. Speaker, once again I urge upon the members opposite to join with us in the support of the very great leadership we are receiving from the government of this province.

Mr. Speaker: Hon. Mr. Robarts has moved that the Speaker do now leave the Chair and the House resolve itself into the committee of supply.

In the amendment, Mr. Nixon has moved, seconded by Mr. Singer:

> that this House deplores the inadequacy of government policy in relation to the implementation of regional, municipal and educational government in Ontario; its lack of local consultation, its failure to control costs and its removal of local autonomy and therefore, that this government does not enjoy the confidence of this House.

The vote is on the amendment moved by Mr. Nixon to the supply motion moved by Mr. Robarts.

The House divided on the motion by Mr. Nixon which was negated by the following vote:

Ayes	Nays
Ben	Allan
Braithwaite	Apps
Breithaupt	Auld
Brown	Belanger
Bukator	Bernier
Bullbrook	Brunelle
Burr	Carruthers
Davison	Carton
Deacon	Davis
Deans	Demers
De Monte	Downer
Edighoffer	Dymond
Farquhar	Evans
Ferrier	Gilbertson
Gaunt	Gomme
Gisborn	Grossman
Good	Guindon
Haggerty	Haskett
Innes	Henderson
Jackson	Hodgson
Knight	(Victoria-Haliburton)
Lawlor	Hodgson
Lewis	(York North)
MacDonald	Jessiman
MacKenzie	Johnston
Martel	(Parry Sound)
Newman	Johnston
(Windsor-Walkerville)	(St. Catharines)
Nixon	Johnston
Paterson	(Carleton)
Peacock	Kennedy
Pilkey	Kerr
Pitman	Lawrence
Reid	(Carleton East)
(Scarborough East)	Lawrence
Renwick	(St. George)
(Riverdale)	MacNaughton
Renwick (Mrs.)	Meen
(Scarborough Centre)	Morin
Ruston	Morningstar
Singer	Morrow
Smith	McKeough
(Nipissing)	McNeil
Sopha	Newman
Spence	(Ontario South)
Stokes	Potter
Trotter	Price
Worton	Randall
Young—44.	Reilly
	Reuter
	Robarts
	Rollins
	Root
	Rowe
	Rowntree
	Simonett
	Smith
	(Simcoe East)
	Smith
	(Hamilton Mountain)
	Snow
	Stewart
	Villeneuve
	Welch
	Wells
	White
	Whitney
	Winkler
	Wishart
	Yakabuski
	Yaremko—61.

Clerk of the House: Mr. Speaker, the "ayes" are 44, and the "nays" are 61.

Mr. Speaker: I declare the amendment lost.

The vote will now be on the main motion.

Is is the pleasure of the House that the same vote be recorded?

Mr. Nixon: Mr. Speaker, I think the custom is, when the main motion is put, that it is done under normal circumstances and there is no comment or division on it at all.

I would prefer, if you would permit me, sir, that it be recorded in that way.

Hon. Mr. Robarts moves that Mr. Speaker do now leave the chair and that the House resolve itself into the committee of supply.

Motion agreed to.

Hon. Mr. Robarts: Mr. Chairman, I move that the committee of supply rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will continue the estimates of The Department of Social and Family Services.

Mr. R. F. Nixon (Leader of the Opposition): Are you not going to have the constitutional debate?

Hon. Mr. Robarts: I was not aware that it had been arranged for tomorrow. If it has been arranged with the Whips, it is perfectly all right with me.

Mr. Nixon: Might I just mention, Mr. Speaker, that the Premier announced the date, I think, three weeks ago, that the constitutional debate would continue tomorrow.

Hon. Mr. Robarts: Mr. Speaker, perhaps it slipped my mind. But if that is what is arranged by the Whips, tomorrow we will proceed with what is referred to as the first order, the constitutional debate.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.06 o'clock, p.m.

No. 86



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, April 17, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, April 17, 1969

Surveyors Act, 1968-1969, bill intituled, Mr. Brunelle, first reading 3209
Division Courts Act, bill to amend, Mr. Wishart, first reading 3209
Legal Aid Act, 1966, bill to amend, Mr. Wishart first reading 3209
Regulations Act, bill to amend, Mr. Wishart, first reading 3209
Sheriffs Act, bill to amend, Mr. Wishart, first reading 3209
Surrogate Courts Act, bill to amend, Mr. Wishart, first reading 3210
Trustee Act, bill to amend, Mr. Wishart, first reading 3210
Single procedure for the judicial review of the exercise or the failure to exercise a statutory power, bill to provide for, Mr. Wishart, first reading 3210
Procedures governing the exercise of statutory power granted to tribunals by the Legislature wherein the rights, duties or privileges of persons are to be decided at or following a hearing, bill to provide, Mr. Wishart, first reading 3211
Law Enforcement Compensation Act, 1967, bill to amend, Mr. Wishart, first reading 3211
District Welfare Administration Boards Act, 1962-1963, bill to amend, Mr. Yaremko, first reading 3211
Homemakers and Nurses Services Act, bill to amend, Mr. Yaremko, first reading 3211
Day Nurseries Act, 1966, bill to amend, Mr. Yaremko, first reading 3212
Police Act, bill to amend, Mr. Shulman, first reading 3212
Securities commission study, statement by Mr. Rowntree 3213
Halting of trading in shares of Bramalea, questions to Mr. Wishart, Mr. J. Renwick 3213
Ontario Municipal Board rulings, questions to Mr. Wishart, Mr. Nixon 3213
General farm organization vote, questions to Mr. Stewart, Mr. Nixon 3214
Peterborough "Examiner" strike, questions to Mr. Bales, Mr. J. Renwick 3215
Canada Assistance Plan, question to Mr. MacNaughton, Mr. J. Renwick 3215
Algonquin Park development, questions to Mr. Brunelle, Mr. J. Renwick 3215
Insurance on Douglas Point power plant, questions to Mr. Simonett, Mr. Burr 3216
Compensation for crime victims, questions to Mr. Wishart, Mr. Ben and Mr. Davison 3216
Federal funds for park and recreation development, questions to Mr. Simonett, Mr. Paterson 3217
Drainage of surface water, questions to Mr. Gomme, Mr. Deans 3218
Hazardous toys, questions to Mr. Rowntree, Mr. Deans 3218
Fog condition on Highway 17, questions to Mr. Simonett, Mr. Martel 3219
Price of fertilizer, questions to Mr. Stewart, Mr. Spence 3220
Provincial and county roads, questions to Mr. Gomme, Mr. Innes and Mr. Ruston 3220
Feasibility study for OWRC, questions to Mr. Simonett, Mr. Shulman 3221
OWRC negotiations and agreement, question to Mr. Simonett, Mr. J. Renwick 3222
Workmen's compensation pensions, question to Mr. Bales, Mr. Ferrier 3222
Pension commission, questions to Mr. MacNaughton, Mr. Shulman 3222
Skiing development on Killarney mountain, questions to Mr. Brunelle, Mr. Shulman 3222
Elevator licences, questions to Mr. Bales, Mr. Shulman 3223
Broder and Dill townships, questions to Mr. Brunelle, Mr. Martel 3223
Juvenile detention homes, questions to Mr. Wishart, Mrs. M. Renwick 3224
Resumption of the debate on the constitution, Mr. Wishart, Mr. Pilkey, Mr. J. Renwick, Mr. Sopha 3224
Recess, 6 o'clock 3245

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 17, 1969

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Today in the galleries we have as our guests students from St. Benedict's Separate School, Rexdale, in the east gallery; and in both galleries students from Mill Street Centennial Senior Public School, Leamington.

Later this afternoon, in the west gallery, we will have members of the Russian community in Toronto who are hosting a group of Doukhobor friends from Saskatchewan.

Then for the evening session we will have students from Riverdale Collegiate Institute, Toronto, and the 14th Scout Troop, Scarborough West.

I am sure the members welcome those students who are here now.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE SURVEYORS ACT, 1968-1969

Hon. R. Brunelle (Minister of Lands and Forests) moves first reading of bill intituled, The Surveyors Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, this bill revises and updates The Surveyors Act which was last revised in 1931. Most of the changes in principle are designed to implement the recommendations of the report of the Royal commission enquiry into civil rights.

THE DIVISION COURTS ACT

Hon. A. A. Wishart (Minister of Justice) moves first reading of bill intituled, An Act to Amend The Division Courts Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this Act amends The Division Courts Act in two main particulars; it removes jury trials from division court cases and it removes the provision in the Act which permits the committing to jail of a person who is unable to pay a judgment. It removes the power to commit to jail a person who is unable to pay a judgment.

THE LEGAL AID ACT, 1966

Hon. Mr. Wishart moves first reading of bill intituled, An Act to Amend The Legal Aid Act, 1966.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, the purpose of these amendments is to improve the administration of the legal aid programme.

THE REGULATIONS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to Amend The Regulations Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: This bill, Mr. Speaker, implements certain recommendations made by the hon. Mr. McRuer and sets up a committee to review the regulations, a committee which will act through each legislative session and review the regulations.

Mr. R. F. Nixon (Leader of the Opposition): A committee of the Legislature?

Hon. Mr. Wishart: A committee of the Legislature!

Mr. V. M. Singer (Downsview): Are the regulations in force when the committee approves of them?

Hon. Mr. Wishart: They will be in force from the time they are passed. I do not think there will be any change in that, not as far as this legislation is concerned.

THE SHERIFFS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to Amend The Sheriffs Act.

Motion agreed to; first reading the bill.

Hon. Mr. Wishart: This is a very small amendment. We are permitting the sheriff to destroy records after a certain period of time.

THE SURROGATE COURTS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to Amend The Surrogate Courts Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this is a single amendment. Presently the Act requires the registrar to prepare papers for probate or administration and succession duty purposes where the estate does not exceed in value $400 and that figure has stood for some years.

The amendment would increase the amount of such estate to $1,000 and the registrar then would be required to prepare the papers in such estate.

THE TRUSTEE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Trustee Act.

Mr. Speaker: I regret that this bill cannot be accepted. Sufficient notice has not been given.

Hon. Mr. Wishart: One day's notice was given. I agree it was not two, but I do not think anyone would object to such.

Mr. Speaker: If the hon. Minister wishes to ask the unanimous consent of the House I will be glad to put it on that basis.

Does the House give its consent to the introduction of this bill?

Hon. members: Agreed.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: This bill has two amendments, one amendment deletes the requirement for Supreme Court approval for the investment of trust money in certain classes of securities. These securities are spelled out in very specific order, such as debentures of corporations, municipal bonds, government bonds where they are guaranteed, certain equity stocks where there has been a record of dividend payments over the years—these are permitted but now require the approval of the Supreme Court. This section would delete the requirement for approval of the Supreme Court.

The other amendment increases the amount of trust money that may be invested in first mortgages from two-thirds to three-quarters of value where all the proceedings have been taken for evaluation. That is not a trust company situation, but a trustee of estates. It may be a trust company or an individual.

THE STATUTORY POWERS JUDICIAL REVIEW ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to provide a single procedure for the judicial review of exercise or the failure to exercise a statutory power.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: It is a rather long title, Mr. Speaker. In short, I refer to it as The Statutory Powers Judicial Review Act.

I might say the bill is designed to implement again certain recommendations of the hon. Mr. McRuer, to provide a simplified, inexpensive, clear procedure for remedy where statutory powers have been exercised, rather than as now exists such remedies as mandamus, prohibition, certiorari, injunction, declaratory judgment, habeas corpus. This bill, if it became law, would provide a single, simple procedure by way of remedy.

And I might say, Mr. Speaker, it is my intention in introducing this bill to give it only at this session first reading, to allow it to remain before the House and to enable the persons or corporations, bar associations and others who might be interested in how it would operate, to examine it, to discuss it, to offer their suggestions and their criticisms. So it is intended only to be offered and given first reading so that it may be studied, and it is that that I do today.

Mr. G. Ben (Humber): Mr. Speaker, I suggest the Attorney General stop bringing in these reform amendments or his Cabinet will turn him out as being a Liberal.

Mr. Singer: Mr. Speaker, is there any procedure available to address a question to a Minister introducing a bill?

Mr. Speaker: I am afraid not. On second reading the hon. member will have opportunity for that.

Mr. Nixon: But not to question.

Mr. Speaker: Well the questions can be included in the member's remarks on debates and normally they are answered by the Minister in his reply.

Mr. Singer: It is not going to get a second reading until next year.

Mr. Speaker: Does the hon. Attorney General wish to speak?

Hon. Mr. Wishart: I was going to say, Mr. Speaker, the hon. member will have a year or thereabouts to frame his questions. I would hope in addition to questions, he may have some suggestions.

THE STATUTORY POWER PROCEDURE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to provide procedures governing the exercise of statutory powers granted to tribunals by the Legislature wherein the rights, duties or privileges of persons are to be decided at or following a hearing.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, the short title that I would offer for this bill is The Statutory Power Procedure Act, and while it sounds somewhat similar to the bill I just introduced a moment ago, the two are not related. I should like to just read very briefly from notes that I have prepared in connection with this bill.

The bill implements certain of the recommendations of the McRuer report. It is designed to bring about a maximum degree of uniformity in the practices and procedures applicable to hearings that tribunals, as defined in section 1, are required to hold under their respective Acts. The bill sets out certain rules of a general nature that apply to all tribunals in all cases. The bill then establishes a special rules committee along the lines of a rules committee that has functioned for many years under The Judicature Act. The bill authorizes the committee, subject to the approval of the Lieutenant-Governor-in-Council, to make additional rules of practice and procedure. These may be made applicable to any one or more tribunals or to any class thereof.

Just briefly, therefore, this is implementing the strong recommendations of the hon. Mr. McRuer that there be a statutory powers procedures Act which would govern all tribunals.

And again, Mr. Speaker, it is my intention only to give this bill first reading at this time and to allow it to remain without moving for second reading at this session, so that it may be studied, considered and critical comment and suggestion put forward.

Mr. Singer: This does not do that.

Hon. Mr. Wishart: These are all the procedures carried on by tribunals presently, under our various statutes.

Interjection by an hon. member.

Hon. Mr. Wishart: Tribunals.

THE LAW ENFORCEMENT COMPENSATION ACT, 1967

Hon. Mr. Wishart moves first reading of bill intituled, An Act to Amend The Law Enforcement Compensation Act, 1967.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill extends the circumstances for compensation payable from those set out in the present Act and carries out an undertaking which we gave that the present bill was the first step in moving forward in this field.

THE DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

Hon. J. Yaremko (Minister of Social and Family Services) moves first reading of bill intituled, An Act to Amend The District Welfare Administration Boards Act, 1962-1963.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, basically the bill pertains to permitting a city in a district to be a municipality for which the Act applies and relevant provisions related thereto; also, provisions relating to the financing of a municipality's share during a transitional period of the first four years that a city participates in the board.

THE HOMEMAKERS AND NURSES SERVICES ACT

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Homemakers and Nurses Services Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, where municipalities form part of a county unit for the purpose of administering assistance under the General Welfare Assistance Act, the bill provides that homemakers and nurses survices will be provided by the county unit and not by the individual municipalities.

The amendments will also permit Indian bands to provide, with the approval of the Minister, homemaker and nurses services under the Act and that such bands will be eligible for provincial subsidy in the same manner as municipalities.

THE DAY NURSERIES ACT, 1966

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Day Nurseries Act, 1966.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, certain sections remove the necessity of Indian bands being approved under The General Welfare Assistance Act in order to qualify for grants in respect of a day nursery established for them.

The sections added, provide for the establishment of a new review board to hear appeals from the decision of the director relating to the issuance of a license. Practice and procedure before the board of appeal are outlined. Other sections that formerly existed are repealed and the section relating to the provincial supervisor's ability to enter and inspect day nurseries is extended to premises where he has reason to believe a day nursery is being operated.

THE POLICE ACT

Mr. M. Shulman (High Park) moves first reading of bill intituled, An Act to amend The Police Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, the purpose of this bill is to prevent the use of Mace in this province.

Mr. Speaker: Before we embark on this afternoon's proceedings, I would like to give a ruling that I forgot yesterday and the hon. member for Downsview (Mr. Singer) raised the matter again yesterday.

On Thursday, April 3, the member for Downsview suggested that there might be precedent for the proposition that a bill, having been withdrawn, could not be re-introduced at the same session. A very careful examination of the authorities and precedents fails to disclose even a suggestion of such a proposition. On the contrary, the authorities are unanimous that a bill may be withdrawn at any stage with the consent of the House and reintroduced in similar or different form and that this holds true even if the principle of the bill has been dealt with at the second reading stage. This conclusion was reaffirmed by Mr. Speaker in Parliament on Thursday, March 31, 1921, after a review of the precedents.

The case before us, of course, is much simpler, in that the bill has not yet been given any consideration by the House.

Yesterday, the hon. member for Sudbury (Mr. Sopha), perhaps a voice crying in the wilderness but nevertheless one of the 117 members of this House, raised a question with respect to what he referred to as "petitions", which I prefer to refer to as "prayers". I thought that it might be well for me to explain to the members the situation with respect to the opening prayers, which are being used at Mr. Speaker's discretion at the present time, for the opening of our House.

The present prayers were adopted at the time of Confederation by the House and therefore, when they are changed, as I believe that there is a desire on the part of the members to do so, they will be changed I hope by the unanimous approval of the House.

Your House committee, which assists Mr. Speaker in matters such as this, has been very busy reviewing the suggested opening prayers. They have four that have been presented and have been gone over by the committee. Certain amendments have been made and three of those four I have used on a day-to-day basis, as well as each one of them for a week at a time.

In between, I have used the old prayers, because I wish to tell the members that there are a great many members who still like the old prayers and have told me so.

We have one further prayer, which has been submitted to me by the House committee; I would propose that I use it next week. Then, the following week, perhaps I might have the goodwill of the House to read in succession, on five successive days, the five prayers—the old prayers and the new ones. Perhaps then we might get the sense of the House, the opinion of the members, as to whether we should change our opening prayers, and if so, which of those available are suitable.

Now I may say that your House committee has gone over the prayers in use in various Parliaments of the Commonwealth, a collection of prayers which, by the way, was very kindly made available to me by the

hon. member for Carleton East. They have gone over the prayers that have been submitted to Mr. Speaker, at his request, by the leaders of the various religious faiths in our province; they also have some of their own.

Therefore, I think that when we do make the decision, we will have given all an opportunity to participate in providing the legislators of the province of Ontario, in this Assembly gathered, with suitable and proper opening prayers that will express the view we wish and offend the susceptibilities of none.

I trust this explanation will satisfy the hon. member who, as I say, for some time has been a voice crying—not quite in the wilderness.

Mr. E. W. Sopha (Sudbury): After having heard all that, let me say to you, with the greatest respect, it is not the way to do it.

Mr. Ben: You might give consideration to rephrasing a prayer asking that our prayers be answered.

Mr. Speaker: Unfortunately for the hon. member for Sudbury, at the present time Mr. Speaker is doing it and not the hon. member for Sudbury.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, before the Easter recess I made reference to a study by the securities commission with respect to conglomerates and associated matters. Further to an undertaking I gave at that time to supply some further details of the study, I wish to report that I have discussed with the chairman of the securities commission the desirability of that study, which would deal with present legislation and regulations which relate to consolidations, amalgamations, mergers, reorganizations and takeovers.

This will, of course, lead to a consideration of the problems raised by conglomerates and also deal with private placements and exempt purchasers.

Accordingly, I have expressed the wish that the commission proceed with a study of this nature, in the course of which a review might be made of the situation existing in comparable jurisdictions in Canada and the United States.

This would entail reviewing such matters which have come before the commission involving, as some have, the purchase of shares of a company for cash, and others where the consideration involved the exchange of securities.

I would expect that the study would review the possibility that transactions of this nature could lead to undesirable debt structure, and also that such transactions could provide an opportunity for market manipulations, whether or not an acquisition were successful.

It is my desire, Mr. Speaker, that the matter might be concluded not later than the end of this year.

Mr. Speaker, the day before yesterday a question was asked of me by the member for Riverdale (Mr. J. Renwick) with respect to the halting of trading in the shares of Bramalea.

I am informed that trading was halted to permit adequate dissemination of the announcement made shortly before the opening of trading concerning the acquisition by the OHC of 263 acres from Bramalea Consolidated Developments and the plans of the OHC for developing that land.

Trading was halted by the Toronto Stock Exchange and not at the direction of the Ontario Securities Commission.

Part 3 of the question has been answered in the first part.

Mr. Nixon: Mr. Speaker, I have a question for the Attorney General.

In addition to the delegation from Belleville received by the Attorney General yesterday protesting the Ontario Municipal Board ruling preventing construction of a $3-million shopping centre in that city, can the Attorney General inform the House if a formal appeal has been received, which will lead to a review of the decision by the executive council?

Hon. Mr. Wishart: Yes, Mr. Speaker, a formal appeal was filed with the Clerk of the Legislature just a few days ago.

Mr. Nixon: I was interested in the procedure that was followed by the delegation. Normally I would expect that the petition for appeal would be received by the Provincial Secretary (Mr. Welch). Is it customary for the Attorney General to act in that capacity?

Hon. Mr. Wishart: I rather expected I might get a supplementary question, Mr. Speaker. No, I was asked.

Mr. Nixon: What does the Minister mean by that?

Hon. Mr. Wishart: Well, I anticipated it; I simply say I anticipated it.

I was asked if I would receive this petition. I pointed out to those who were bringing it before they came that I had no authority to accept. They said, "We would like you to receive it and see that it gets to Cabinet".

I said in those circumstances I would take it simply in my hand and transfer it to the proper person to whom it should be delivered and I shall make no comment. I would think it would be the secretary of the Cabinet.

Mr. Nixon: I hope the Minister is expecting another supplementary—

Is there a detailed procedure set out in law for the review of old Ontario Municipal Board decisions by the Cabinet regarding time limits and proceedings which are well known to those who might be in the position of having to avail themselves of it?

Hon. Mr. Wishart: Mr. Speaker, I cannot answer in detail. I can answer this: there is a procedure for appeal to the Lieutenant-Governor-in-Council from a decision of the Ontario Municipal Board. There are no set rules of procedure, but I believe that what happens is that the parties are not heard. The material is reviewed like a court of appeal in a sense, although the Cabinet does not constitute itself a court in the sense that it hears parties or hears persons.

Mr. Nixon: Since appeals to the Executive Council are permitted by the statute, would the procedure be covered possibly by the bill the Minister introduced today, The Statutory Powers Procedures Act?

Hon. Mr. Wishart: It is possible that this may be covered by that bill.

Mr. Nixon: Mr. Speaker, I have a question for the Minister of Agriculture and Food, which—as he no doubt knows—results from a visit by the executive of the Ontario Farmers' Union who had some complaints that they put before us.

1. Where are funds being secured for the purpose of promoting the general farm organization vote?

2. Are any funds for this purpose being made available either as grants or loans by marketing boards of other public agencies?

3. If so, could the Minister advise this House of details of such grants or loans? Does the Minister condone public agencies assisting in the promotion of the general farm organization with public moneys?

4. When will the Minister announce arrangements and details of this vote?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in reply to the question: first of all, I do not know where the funds are coming from to finance the general farm organization vote committee. I read this morning in the *Globe and Mail* that they had collected several thousand dollars, most of which apparently had come from commodity boards.

I have heard of numerous personal donations to the fund from individuals, and so I really cannot answer the question other than that.

In regard to the second question, as I said, we have not been officially advised as to where their money is coming from. The OFU made reference to it, as you have indicated already. It is the prerogative and the responsibility of each commodity board to determine how its funds are used, and each commodity board in turn is responsible to its producer members for the proper use of the funds.

In reply to your fourth question, I would suggest, Mr. Speaker, that the matter of the details of the vote are contingent on the legislation which were requested to introduce at this session of the Legislature.

Mr. Nixon: I do not feel that the Minister has adequately answered all of the four-part question.

Would he not consider the marketing board funds as public funds? Or does he consider those private funds which can be allocated by the board?

Hon. Mr. Stewart: Under the terms of The Farm Products Marketing Act and the regulations of The Farm Products Marketing Act, the dispersal of the funds is the responsibility of the individual commodity board.

There is also a regulation in that group of regulations which provides that the individual commodity board must be responsible to its producer members for accounting for the dispersal of the funds that have been collected by that commodity board. It does not have to be referred to the Farm Products Marketing Board.

Mr. Nixon: Mr. Speaker, if the Minister will answer a further supplementary question? Would he undertake to discover to what extent the vote is being supported by funds from marketing boards and from agencies, which at least disperse funds that are semi-public in this regard?

Hon. Mr. Stewart: Mr. Speaker, with great respect, I do not think that is really any of our business. It is money that is being raised

by the farmers themselves through their various checkoffs on commodities and it is being turned over to their respective elected commodity boards.

If they decide to make an advance in credit, or a loan, or an outright grant, then I think that is their business. There have been many times in this House, within the memory of all of us, when the leader of the Opposition has roundly criticized me and members of this government for interfering in the affairs of commodity boards. Yet here he is today suggesting that we do just that. I do not think it is quite consistent.

Mr. Nixon: Perhaps the consistency that the Minister is objecting to is the lack of it that he sees in his own policy. I well remember the time when he moved right in on one of those boards and seized all their books. He had some interest in it on that occasion, and frankly I think he should examine this matter more fully.

Mr. Speaker: Order!

Hon. Mr. Stewart: Does the member consider it wrong for the commodity boards to make a grant towards this general farm—

Mr. Speaker: Order! This question period is not a period for debate. If the hon. leader of the Opposition wishes to ask a supplementary question and the Minister wishes to answer it, that is all right. Otherwise we must move on.

Mr. Singer: He might give him an audience if he asked him the right way.

Mr. Speaker: Does the deputy leader of the New Democratic Party wish to ask those questions placed by the member for York South (Mr. MacDonald)?

Mr. J. Renwick (Riverdale): Mr. Speaker, the questions were of the Prime Minister. As he is not in the House—

Mr. Speaker: There is one of the Minister of Labour also.

Mr. J. Renwick: Thank you very much, Mr. Speaker.

The question of the Minister of Labour is: has the newspaper guild indicated its desire to bargain with the Peterborough *Examiner* by submitting a sharply modified set of demands?

Has the Peterborough *Examiner* refused to bargain in spite of the willingness shown by the newspaper guild?

What action does the Minister intend to take?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question, I understand that letters have been exchanged by the parties with respect to that situation. The department is not aware of the details of their respective latest positions. It seems to me, and also to my officials, that it is wise for the parties to be allowed to pursue their present course of direct contact.

Mr. J. Renwick: If the Minister will permit a supplementary question, I ask the Minister whether, in fact, his department has been provided with copies of the correspondence to which he referred which was exchanged between the parties?

Hon. Mr. Bales: Not to my understanding. I have not been provided with that.

Mr. J. Renwick: Mr. Speaker, there is a question for the Provincial Treasurer, which I am placing in the name of the leader of this party.

Will the Provincial Treasurer provide the Legislature with a departmental breakdown of the $400-million cut in this year's estimates?

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, I will take the question as notice until such time as I can consider the preparation and presentation to the House of an appropriate statement on the matter.

Mr. J. Renwick: Mr. Speaker, a question in the name of the leader of this party, the member for York South, of the Minister of Social and Family Services: On what date did Ontario officially enter into the Canada Assistance Plan?

Hon. Mr. Yaremko: March 28, 1967.

Mr. J. Renwick: And a series of questions on behalf of the leader of this party of the Minister of Lands and Forests.

1. Why will it take until 1975 to complete plans for the development of Algonquin Park?

2. Who are the civil servants and experts appointed to the task force to research this programme?

3. When will the interim revised provincial plan be completed and who will be engaged in its preparation?

4. Will the interim revised plan be submitted to the standing committee on tourism and resources during this session?

5. Why did the dean of the faculty of forestry decline to participate in the development of the plan for the park?

Hon. Mr. Brunelle: Mr. Speaker, in reply to the questions:

1. It will require a further five years to assess the effects of the policy set out in the interim plan in relation to its various uses during that period.

It was mentioned at the end of the report when it was first submitted in November, that it would take up to 1975 for the final plan.

2. Those appointed to the task force are as follows: T. W. Hueston, chairman, regional forester and superintendent, Algonquin Provincial Park; J. D. Hughes, supervisor of management and planning unit, timber branch; J. R. Oatway, acting district forester, Pembroke district; E. J. E. Dreyer, research administrator, research branch; L. M. Affleck, supervisor, fire control unit, forest protection branch; E. F. Anderson, planning analyst, Department of Lands and Forests; H. G. Cumming, big game biologist, fish and wildlife branch; J. D. Tayler, supervisor of interpretative programmes, parks branch; T. E. Lee, recreation planner, parks branch; J. W. Keenan, supervisor, recreation land use planning, parks branch, and D. Brown, research branch, Department of Tourism and Information.

3. The completion of the interim plan is expected to be some time in November 1969. Those engaged in its preparation will be the persons mentioned in answer 2. Also, outside help and consultants will be used.

4. It is not expected that the interim revised plan will be available during the present session.

5. Dr. J. W. B. Sisam, dean of the faculty of forestry, University of Toronto, has not declined to participate. Dean Sisam is the chairman of my advisory committee, and it has looked over this plan; he and the other members of the committee have submitted very valuable recommendations to us.

Mr. J. Renwick: If the Minister would permit, two supplemental questions in view of the series of questions asked. The first one is: the report of the speech of the Minister would have indicated that persons outside the government service would have been appointed to the task force. I ask the Minister whether or not he has given consideration to the appointment of other persons to that committee.

The second question: I take the answer to part 4 about the question of the reference of the plan to the standing committee on tourism and resources to be a non-answer. I would like an assurance from the Minister—if this plan is completed by November—that the government between now and then will give some assurance that there will be some body of this Legislature concerned in the review and development of the plan before it is finally announced?

Hon. Mr. Brunelle: Mr. Speaker, in reply to the two questions:

1. As I have mentioned, we have appointed this task force and it has the authority to hire outside consultants as required.

2. As far as referring it to the committee on tourism and resources this committee would be pleased to meet with this standing committee at any time to outline to the committee just how we are proceeding.

Mr. Speaker: The hon. member for Sandwich Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Energy and Resources Management:

Who carries the third-party risk insurance on the Douglas Point power plant near Tiverton?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the answer is the Atomic Energy of Canada Limited.

Mr. Burr: A supplementary question: Was any private carrier invited to carry the insurance?

Hon. Mr. Simonett: Mr. Speaker, I doubt if any private carrier was invited. I doubt if there is a private carrier that would want to take that type of insurance—or I understand that that is the case. That is why it is carried by the Atomic Energy of Canada Limited.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: I was wondering if the Attorney General would accept a supplementary question to question 1195? Perhaps I should read the question.

Mr. Speaker: Perhaps if the hon. member would read the question. It is a bit outdated after the introduction of the bill today.

Mr. Ben: I had asked questions of the Attorney General today as follows:

On what date will the Attorney General introduce legislation to compensate victims of violent crimes? Will the compensation cover

personal as well as property damage? Will the legislation be retroactive?

Now I ask, will the Attorney General accept a supplementary question?

Hon. Mr. Wishart: I will, Mr. Speaker, but I anticipate the question is going to lead to a discussion of the bill which would be really a discussion on first reading. However, I will accept the question.

Mr. Ben: Thank you, Mr. Speaker. Actually, not having seen the bill until it was handed to me by the deputy leader, I could not at that time ask for an explanation of something that was unclear.

The question is this: Is it the intention of the Minister to compensate those people who are not injured or killed in any act or occurence resulting directly from an offence; those who were not injured or killed in lawfully arresting or attempting to arrest an offender; or who were not killed or injured preventing or attempting to prevent a commission of a crime but were killed or injured in an attempt to apprehend and hold a person for the police who they thought may have been guilty of a commission of an offence?

Hon. Mr. Wishart: Well, Mr. Speaker, as I anticipated, we are into a discussion of what the language of the bill means. But, I think I would answer this way: that as the bill is written, I believe the language would be wide enough to encompass that sort of situation.

Mr. Ben: That is what the Minister said last time.

Hon. Mr. Wishart: Bearing in mind that the decision as to whether a case is entitled to compensation rests with the board of compensation set up under the Act.

Mr. Ben: Will the Attorney General make it clear when the bill comes up for second reading?

Hon. Mr. Wishart: I am sure there will be full debate on the bill.

Mr. Speaker: Perhaps the hon. member for Hamilton Centre will place his question, which is similar.

Mr. N. Davison (Hamilton Centre): Mr. Speaker, I have a question of the same type. Would it be possible for Dr. Lindzon to receive compensation on a retroactive basis under the new bill?

Hon. Mr. Wishart: Mr. Speaker, as the bill is written, it is not retroactive, but I am never obdurate in considering suggestions for amendment. I think I can say that to the House.

Mr. Ben: Thank you, but the bill still does not protect the person.

Mr. D. A. Paterson (Essex South): I have a question of the Minister of Energy and Resources Management:

1. Can the Minister verify that the federal government has ordered Metropolitan Toronto Conservation Authority to repay moneys expended on original land acquisitions adjacent to flood control dams or proposed flood control dams?

2. If so, has this same federal policy been applied in other parts of Ontario?

3. Was the department notified in the fall of 1968 of the change in federal policy regarding the use of federal funds for park or recreation development adjacent to flood control dams?

4. Is it still a policy of the department to subsidize park and recreation development in these areas in the amount of 37.5 per cent of the capital cost?

Hon. Mr. Simonett: Mr. Speaker, to the best of my knowledge, the federal government has not ordered the MTRCA to repay moneys expended on original land acquisition adjacent to flood control dams or proposed flood control dams.

Agreements with the federal government were signed in 1961 and numerous land purchases have been made in the interval. On October 26, 1966, I received a letter from the Minister of Energy, Mines and Resources stating that the federal government is not prepared to contribute 37.5 per cent of the cost of land above the elevation of the top of the dam. These lands are for the most part single holdings which included the flood area and the remainder of the owners' property.

The unstated policy with regard to land acquisition ever since the Shand Dam was built in 1942, has been to acquire these additional lands in which the federal government has shared. Mr. Pepin's letter came as a complete surprise to both the Ontario government and the authorities concerned. In the interval there have been discussions at the civil service level with the MTRCA and The Department of Energy, Mines and Resources, with the object of trying to resolve these difficulties. To date they have not been resolved. In the meantime, claims for federal grants have remained unpaid since one year ago.

And to the second part of your question. Yes, the only other case in Ontario affected by this federal policy is that of the Upper Thames River Conservation Authority. In this case the federal government officials have indicated their intention to recommend to their Minister that he claim the repayment of grants previously made for the lands now developed for recreation. These include the Wildwood, Gordon Pittock, and Mitchell dams and reservoirs and the adjoining conservation land.

And the third part: no, the department was notified in the fall of 1966.

And the fourth part of your question: the answer is yes. It is still the policy of the department to subsidize park and recreation development in these areas in the amount of 37.5 per cent of the capital cost.

Mr. Paterson: Might I pose a supplementary question? Does the Minister have any figures at present that could relate the dollar value of these unpaid claims that the federal government has not seen fit to honour?

Hon. Mr. Simonett: I am sorry, I do not have the figures with me but I could get them for the hon. member.

Mr. Paterson: I would appreciate the dollar value of this.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question for the Minister of Highways, from Tuesday of this week. Does the Minister agree with the statement attributed to A. B. McIlmoyle, QC, of the legal branch of The Department of Highways, at the good roads convention, February 25? The statement was:

> He who collects waters in artificial channels loses the rights he enjoyed in respect to uncollected surface water—the act of collecting renders him liable to avoid the discharge of the collected water upon the lands of another . . . he must take the water to a sufficient outlet.

Hon. G. E. Gomme (Minister of Highways): Mr Speaker, I have no reason to disagree with the general principle of the law—with respect to the drainage of surface water—extracted from the paper Mr. McIlmoyle gave at the Good Roads Convention, and I am sure his legal colleagues in the House would have no quarrel with the general principle as stated in its context. I am sure the hon. member will agree with me that the important thing is to apply the proper principle or principles to the correct set of facts.

I am sure the hon. member will also agree that situations regarding drainage are frequently quite complex, and that it is most difficult to generalize. The paper presented at the good roads convention was of necessity a cursory look at the topic of drainage and was presented as an introduction to the topic and obviously could not be specific with respect to individual cases.

Mr. Deans: Mr. Speaker, I wonder if I might ask a supplementary question. In the light of his general agreement with this statement, would the Minister take yet another look at the difficulties confronting the residents of the Ancaster-Perth park area, with this statement in mind?

Hon. Mr. Gomme: We will, Mr. Speaker.

Mr. Deans: Mr. Speaker, I have a question for the Minister of Financial and Commercial Affairs. Is the Minister aware that Ontario stores are selling cardboard baby rattles which are easily taken apart and which, when taken apart, contain seven sharp prongs inside? Will the Minister put an immediate stop to the sale of these rattles? I hold one here, Mr. Speaker, and I will be happy to send it to the Minister so he can take a very close look at it.

Hon. Mr. Rowntree: Mr. Speaker, from the description given by the hon. member, it appears that the rattle in question could come under the heading of being a hazardous item.

As it happens, only last week at the ministerial conference on consumer affairs in Ottawa, the federal Department of Consumer Affairs acknowledged jurisdiction in this area and outlined provisions of The Hazardous Products Act, which is now before Parliament and is expected to become law very shortly.

If the hon. member for Wentworth will make available to me the information with respect to the item to which he has referred, and also with information with respect to those distributing and selling it, then I will see that it is forwarded to the appropriate authorities. I would add, however, that I feel there is a high degree of responsibility on the part of the parent when it comes to making available articles of the type described to children of tender years.

Mr. Deans: By way of a supplementary question, surely the Minister in charge of commercial affairs and consumer affairs recognizes a great deal of responsibility on the Crown to make sure that these things are

not available, and I have given him a proof of the need for such action.

Hon. Mr. Rowntree: It is a joint responsibility.

Mr. Deans: The parent has no way of stopping the sale if he is not aware of the hazardous nature—

Mr. Speaker: Order. The hon. member is now entering into debate. May I ask the hon. member if he wishes to place a question of the Attorney General which he withheld on April 15?

Mr. Deans: No, thank you very much, Mr. Speaker, I may at some future date, but you can withdraw it.

Mr. Speaker: It will be marked withdrawn then. The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, before I ask the question—I addressed a note to the Minister of Energy and Resources Management with respect to the three questions which I was going to ask on Tuesday and which were omitted. The Minisited consented to answer the three questions on the bottom portion of the page, along with the others that I am going to ask. I just thought I would advise you, Mr. Speaker.

Was it concluded by the committee comprised of representatives of OWRC, The Departments of Highways and Health, the International Nickel Company of Canada, the town of Copper Cliff and the Sudbury and district pollution control committee, that hot water discharged from operations at the International Nickel Company contributed to the dense fog condition that occurred along Highway 17 near Copper Cliff Creek?

Did INCO discharge hot water into Copper Cliff Creek at approximately 11 p.m. on April 2, 1969?

Did fog engulf the area along Highway 17 and the creek?

Can the Minister advise the House when INCO will be forced to commence action which will control the effluent being emitted from its plant?

Can the Minister indicate why INCO was permitted to discharge hot water into Copper Cliff Creek?

What assurance can we have from the Minister that this practice will be discontinued permanently?

Hon. Mr. Simonett: Mr. Speaker, I think I will answer the last three parts of the question as it was put today.

A programme designed to treat the industrial waste water discharged from the International Nickel Company's mines and surface plants has been developed and is being acted on by the company. The cooling water discharged to Copper Cliff Creek by the International Nickel Company has not been, and is not considered, a water quality impairment problem.

Since the temperature of the waste water discharged to Copper Cliff Creek could have an effect on the formation of fog conditions in the area, the company has agreed to divert these flows away from the creek by various methods. Work on these diversions is under way and the status of the project will be reviewed from time to time by staff of the commission.

I would think that would answer the first part of the question. As to the second and third parts, I would have to get some information from Sudbury before I could answer those questions.

Mr. Martel: Mr. Speaker, a question of the Minister of Highways:

1. Does the Minister intend to allocate funds this year to commence construction of Highway 535 between Noelville and St. Charles and Highway 64 between Noelville and Lavigne?

2. Is the Minister aware that parents from Warren and Hagar refuse to send their children to the high school in Noelville, even though the Noelville High School is the appropriate school for these students to attend, because the highways to Noelville are so bad?

3. Is the Minister aware that his government has been promising construction of these roads for over 15 years?

Hon. Mr. Gomme: Mr. Speaker, as this question refers to the condition of the highways, I have today asked my district to give me a report, so I will have to take the question as notice.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the Minister of Justice. Further to my question of March 28 and the Minister's reply—*Hansard*, page 2836—has the Minister had an opportunity to check the facts regarding Mr. Joseph Viner who was refused the option to make an affirmation instead of an oath when appearing in court?

The second part, if the Minister discovered that Mr. Viner was unjustly dealt with, will he instruct Judge Hirtle to re-open Mr. Viner's case so that he may have a court hearing in the proper manner?

Hon. Mr. Wishart: Mr. Speaker, I am still invetigating the facts and I will see if any injustice was done.

I think I did answer that there is no question about the right to affirm in giving evidence in court, but I have instituted an inquiry. I have got some of the information. I am not satisfied yet that I have got it all. I still have to look into it.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, a question of the Minister of Agriculture and Food. Could the Minister inform the House if the price of fertilizer has increased in the province of Ontario during the last ten days? If so, why has there been an increase?

Hon. Mr. Stewart: Well, Mr. Speaker, I believe that it is fair to say that on or about April 1 there was an increase in the price of fertilizers. I think it is normal that there is usually a seasonal increase in prices at that time because if there were not, everybody would leave the purchasing of fertilizer right to the last minute.

There are certain discounts that are available through the—particularly in January, February, March. April the price usually stabilizes at the seasonal increase. I think this is normal, and I am sure my hon. friend understands what we are talking about there.

But, I have been disturbed, quite frankly, this week to learn that there was a proposed further increase in prices. We got on the phone yesterday and checked around in various areas of the province to see whether actually this was a fact or not, and we have not any definite information on this as yet.

It certainly was suggested, but I believe that most of the dealers are resisting any further increase in price. We have not heard anything from the farmers themselves, so I rather suspect that the price has not increased as was suggested.

I think it is most unfortunate if such an increase does take place. I feel that it is quite unwarranted at this time of the year to have a further increase on what we normally consider to be a seasonal increase in prices.

I would hope, and I am sure my hon. friend shares this concern, as do all the rural members of this House, that no such increase will in fact take place.

Mr. Speaker: The hon. member for Timiskaming.

Mr. D. Jackson (Timiskaming): Mr. Speaker, I have a series of five questions for the Minister of Highways. First, is it correct that the patrol crew is to be moved from Kenabeek? Second, why is this move necessary? Third, will the displaced employees be offered jobs with the department in another area? Fourth, why is the department making this move at a time when the roads in the Kenabeek area are in a deplorable condition? Fifth, will this move not make it more difficult for the department to adequately service the roads in the Kenabeek area?

Hon. Mr. Gomme: Mr. Speaker, as in the last question, it refers to conditions of the road and again I have asked for a report. I will have the answer shortly.

I have, sir, the answers to questions 1106 and 1118, which were asked before. Would you like me to give the answers now?

Mr. Speaker: Yes, both members are present.

Hon. Mr. Gomme: This is in reply to question 1106 asked by the member for Oxford (Mr. Innes).

Roads serving inter-regional traffic with little or no land access requirements properly have provincial highway status. When local land access is a significant consideration but wider movements within an area must be accommodated, a road would meet county road criteria. A road serving predominantly local land access demands would properly be vested in a local municipality.

When a provincial highway section is superseded or bypassed by a superior type facility, it would almost certainly cease to be required for provincial purposes. It is usual to transfer such sections to the county or to the local municipality according to its residual function. Many sections have lost, are losing or will lose their status this way as our orderly expansion of provincial highways system develops.

Transfers made effective, or to become effective in 1969, currently total 91 miles to county organizations and 45 miles to local municipalities. Many sections of the road in this latter category appear to meet the county roads criteria and may be expected to be absorbed into county systems upon completion of the county needs studies presently under way. It should be recognized that this is an exceptional year. Our current transfer activities are dealing with problems left over from many previous years.

The second part: An existing minor road would seldom develop a provincial function to warrant assumption by the department. The occasion might arise from a major development into which a minor road can be fitted. The opening of a major new road to which a minor road connects might generate traffic of provincial pattern on a minor road, warranting its assumption. During the past fiscal year the department took over 14 miles of road from junior jurisdictions.

The third part: For the immediate year 1969, there would be no adjustment made to the financial arrangement between the department and a county, because roads have been taken over by that county. However, the needs of the highway so transferred would be measured during the county needs study and would have a bearing on the financial arrangements between the department and the counties during the 1970-74 county roads programme period.

In answer to question 1118; 91 miles will be transferred to the counties of Kent and Essex, seven miles to various local municipalities. All such transfers will be effective July 1, 1969. In answer to the second part; no, a statement to that effect was made at that time by Mr. H. W. Adcock, assistant deputy minister, engineering.

It must be recognized that structural and geometric standards vary according to the functions of roads. It would be extravagant, to the point of absurdity, to build standards suited to high volumes of arterial traffic into roads carrying moderate volumes of local traffic. "First-class standards" must, therefore, be given a relative interpretation. Relative to their function, all roads are to be transferred in acceptable, structural and geometric condition. In point of fact, none of the roads in question has served a provincial function in recent years. All should have been placed under municipal jurisdiction, county or local, long ago.

The municipalities are in a better position to assess the local needs served by these roads and to give suitable priority to future remedial work on the basis of such needs. Existing legislation governing subsidies for remedial construction and maintenance provides adequately for the responsibilities placed upon each municipal authority.

Mr. R. F. Ruston (Essex-Kent): In all fairness how can you turn roads over to counties when they have their budgets already set up and turn them over as of July 1 with still six months to go? They do not have the proper equipment to handle these, they do not have the manpower, they do not have the trucks, the graders, and everything to handle these; I just cannot see how the Minister can do this.

Hon. Mr. Gomme: Mr. Speaker, the municipalities were informed this was going to take place, and of course we are going to pay our share of the subsidy on the expense they have.

Mr. Speaker: The hon. Minister of Energy and Resources Management has answers to questions. One of the members asking the questions is present, but the member for Riverdale is not present. Perhaps the Minister would give these answers, since the hon. member is returning to his seat.

Hon. Mr. Simonett: Mr. Speaker, I have an answer for the hon. member for High Park.

A feasibility study was undertaken for the Ontario Water Resources Commission outlining the servicing scheme for the York central area north of Metropolitan Toronto, which included the Langstaff area.

The contents of the report have not been released because of the many other aspects related to the development of this area which are yet to be resolved. A summary of this report has been given to the heads of the municipalities involved.

Mr. Shulman: In light of the problems that have been so prominent in Toronto in recent days as to whether or not to sell the Langstaff farm, could the Minister not supply the complete report to the Toronto city council so that even at this late date they could make a more sensible decision?

Hon. Mr. Simonett: Well, Mr. Speaker, I understand that some of the official report has been given to the heads of the municipalities—

Mr. Shulman: The complete report?

Hon. Mr. Simonett: We do not want to give out anything further right now because negotiations are going on and they do not want this report made public beyond the municipalities and OWRC.

Mr. Shulman: Is the Minister aware of the difficulties the city of Toronto is in at the present time because they do not have that report?

Hon. Mr. Simonett: No, I am not.

Mr. Speaker: The hon. Minister has another answer?

Hon. Mr. Simonett: I have an answer to a question from the hon. member for Riverdale in two parts.

The first part: there is no separate agreement between the Ontario Water Resources Commission and the township of Chinguacousy. The only agreement is the South Peel agreement which involved the signing of a single agreement for water and one for sewage between the OWRC and the municipalities of Mississauga, Port Credit, Streetsville, Brampton and the township of Chinguacousy.

To the second part: the Ontario Water Resources Commission was not involved in any direct negotiations between Bramalea Consolidated Developments Limited, the township of Chinguacousy and the Ontario Housing Corporation.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): I have a question for the Minister of Labour.

Does the Minister intend to introduce legislation this session to raise the amount of workmen's compensation disability pensions that were established some years ago so that they will be brought in line with the present value of the dollar and the level of present-day wages in the industry in which the workman was injured?

Hon. Mr. Bales: Mr. Speaker, the matter is under review.

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: Mr. Speaker, I have a question for the Provincial Treasurer.

May members of this House examine specific pension plans on request that have been registered with the Pension Commission of Ontario?

Hon. Mr. MacNaughton: Mr. Speaker, the Pension Commission takes the position, which I support, that such plans are confidential to the employer and employee involved. It is a private document in other words between two parties.

However, there is a requirement under the legislation that any employee may require his employer to provide him with a written explanation of the terms and conditions of the plan along with an explanation of the rights and duties of the employer and the employee with reference to the benefits available. So I would think that, in those circumstances, Mr. Speaker, the employee is well protected.

Mr. Shulman: Mr. Speaker, will the Minister accept a supplementary question?

Can the Minister suggest an alternative procedure, because there are certain cases where the employees for one reason or another, are afraid to ask for this and have come to their representative asking that he get it. And as the Minister well knows, such information has not been available.

Hon. Mr. MacNaughton: Well, Mr. Speaker, as I pointed out this is a matter of a confidential nature between two parties and I think any departure from the policy that presently exists would destroy the very confidential nature and character of the relationship.

If any employee, or member of a pension plan, has any difficulty obtaining information about his plan from the employer, I suggest that he address himself to the pension commission, which will take steps to see that his rights under the agreement are made available to him.

Mr. Shulman: Thank you, Mr. Speaker. I have a question for the Minister of Lands and Forests.

Can the Minister advise what was the outcome of the study carried out by his predecessor of the Killarney mountain as a prospective ski area? And has the Minister given consideration to the five suggestions made in the *Metro Sports Record* of April 5, 1969, which would assist in building up skiing facilities in the province?

Hon. Mr. Brunelle: Mr. Speaker, in reply to the hon. member for High Park:

1. On the basis the report of the consultants Marshall, Macklin and Monaghan, development of a prospective ski area on Killarney mountain was not considered feasible.

2. The department has not had an opportunity yet to consider the editorial on public skiing in Ontario in the *Metro Sports Record* of Toronto, April 5, 1969. I have just read it over and there are very good recommendations and I can assure the hon. member that they will be reviewed by my department as well as other departments concerned, such as The Department of Tourism and Information.

Mr. Shulman: Will the Minister inform us —after he has had an opportunity to consider them—what his decision is to be as to these various recommendations?

Hon. Mr. Brunelle: Yes.

Mr. Shulman: I have a question for the Minister of Labour, Mr. Speaker.

1. How often must elevator licenses be renewed?

2. When a licence is seven months out of date, as for example the Guild Inn in Scarborough, does this indicate that there may have been a slipup in inspection?

3. What dangers are involved?

4. Is the fact that the elevator licence in this building has expired of any significance?

5. Does the Minister recommend that the members use the stairs until the elevators here are inspected?

Hon. Mr. Bales: Mr. Speaker, in reply to the question from the hon. member for High Park:

1. Annually.

2. Our record indicates that the elevators at the Guild Inn were inspected in September 1968, and were safety-tested on January 15, 1969. Perhaps the new licence may not have been posted at the Inn. This matter was checked by telephone today, but I have not had a further report.

3. This is not applicable in the light of the previous answer.

4. The answer is no. The expiry date for all government elevators is March 31, 1969. They are currently being inspected. A licence will be issued as soon as they are all done.

5. No.

Mr. Speaker: The hon. Minister of Lands and Forests has the answer to a question asked by the member for Sudbury East.

Hon. Mr. Brunelle: Yes, Mr. Speaker, this question was asked on Monday—question No. 1167.

1. The Department of Lands and Forests has 1,981 lots on its tax roll in Broder and Dill township.

2. The amount of 1968 tax billed is $63,260.50.

Mr. Martel: Is it not a fact that the provincial government is paying for fire protection for little Queen's Park in Broder and Dill township? If this is the case, why is there such a reluctance on the government's part to provide funds for the citizens of Broder and Dill township to purchase fire protection from the same source as the government is purchasing it from?

Hon. Mr. Brunelle: The hon. member knows the answer. He has discussed this matter with myself and the Minister of Municipal Affairs and we are considering it.

Mr. S. Apps (Kingston and the Islands): Mr. Speaker, when I arrived at my desk this afternoon I found on it a little green pamphlet titled "School of Social Work at McMaster University". I imagine that other members of the Legislature have also seen it.

It goes on to explain in the pamphlet that McMaster University is establishing a degree course in social work education. I was particularly interested because, on going over the recommendations of our youth report, I see in recommendation 190, a sufficient number of universities throughout the province being encouraged to provide undergraduate degree courses in social work and psychology so that the expected manpower requirements for these special services will be adequately filled.

An hon. member: Mr. Speaker, on a point of order—

Mr. Apps: Well just—

Mr. Speaker: Mr. Speaker was about to enquire the same from the hon. member.

Mr. Apps: My real purpose in getting up was to say there are many illustrious graduates from McMaster University who are members of this Legislature, Mr. Speaker.

I just wanted to extend my congratulations to the university for establishing this course and to say to the Minister of Social and Family Services—

Mr. Speaker: Order.

Mr. Apps: —that it would be—

Mr. Speaker: Order. No, the hon. member will please take his seat when Mr. Speaker takes the floor and asks for order.

If the hon. member has something that is a point of order, or a point of great interest to the people of his riding and he feels the members should know about it—or a point of personal privilege—he is entitled to hearing. If he has not, then this is not the proper place for it.

He has the debate on the Budget when he can discuss this. Therefore, if he has any of those points, I will be glad to have him take the floor. If not, then he is out of order.

Mr. Apps: Thank you, Mr. Speaker. This certainly is of importance to the members of

my riding, just as it is to the members of every riding in this Legislature. I fail—

Mr. Speaker: Order. The hon. member is out of order.

Mr. Deans: Mr. Speaker, I wonder if I might on a point of privilege before the orders of the day, express my appreciation to Mr. Speaker and to the Minister of Public Works (Mr. Connell) for their prompt handling of my question Tuesday.

It is a clear indication that the rules of this House in regard to accommodation are not going to be broken even by the chief government Whip.

Mr. Speaker: I must confess that I had some sympathy for what the hon. member was just trying to say, and by the time I got to my feet to declare him out of order, he had ceased.

The hon. Attorney General has the floor.

Hon. Mr. Wishart: Mr. Speaker, I have a question, No. 1098, which was submitted on April 2 by the hon. member for Scarborough Centre (Mrs. M. Renwick). I would like to answer it today.

The question was:

> How many children are there, at the present time, in juvenile detention homes and how many in each age group?

The second part:

> How many juvenile detention homes are there in Ontario and where are they?

My answer, Mr. Speaker, to the first part of the question: My officials advise me that it is not possible at this time to provide the number of children presently located in juvenile detention homes throughout the province. Of course, the same applies to the age groups.

However, Mr. Speaker, this information will be available when the probation services issues 1969 statistics, later on this year. For the information of hon. members I can say that in 1968 there were 2,669 boys and 1,155 girls held in detention homes throughout the province.

Now, Mr. Speaker, there are a total of 23 detention homes in Ontario with seven regular homes being located as follows: the county of Algoma, a home in the city of Sault Ste. Marie; county of Carleton, a home in Ottawa; the county of Lincoln, a home in St. Catharines; county of Middlesex, a home in London; county of Welland, a home in Welland; for the county of Wentworth, a home in Hamilton; the county of York, a detention home in Toronto.

Then there are private homes: county of Peel, one in the city of Brampton; county of Haldimand, one in the town of Canfield; for Muskoka, in Bracebridge; Prince Edward county, in Picton; for Stormont, Dundas and Glengarry, in Martintown; for Nipissing, in the city of North Bay; and for Simcoe, in the town of Barrie.

There is space provided in two county homes for the aged, one for Hastings county and one for Victoria and Haliburton. There is accommodation in the district court house in Thunder Bay and there is space in the town hall in Parry Sound for the purpose of children's detention.

There is also a facility used in the children's aid shelters in Timmins, in Oshawa and Ontario county.

Under extreme circumstances, officials have prepared adequate space in the provincial jail in Wellington county. The same is carried out when necessary in the district jail in Sudbury—that is, with segregation.

I should also mention that nine other areas use the facilities outside their counties. These are: the city of Windsor, counties of Essex, Kent, Oxford, Lambton, Halton, Norfolk, Huron and Elgin. All of these use the facilities in the city of London.

Mr. Speaker, all of the locations stated are approved and utilized as detention homes.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order; resuming consideration of the propositions of the government of Ontario submitted to the continuing committee of officials on the Constitution, as of December 1968, sessional paper No. 83.

CONSTITUTION DEBATE

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I made some remarks on this matter on March 5 in this Legislature and at that time, I had indicated particularly what the position of the province of Ontario was in the matter of an entrenched bill of rights. I told what our position had been when this matter first was broached and mentioned the study which had been done and how we had approached it at the recent Dominion-provincial conference in Ottawa.

I was able to indicate in those few remarks, which I submitted at that time, that the position of the Prime Minister of Canada, the Rt. Hon. Pierre Elliott Trudeau, was very much in line with the attitude which we

took to the entrenchment of rights in our constitution.

Now, I should like to, very briefly, conclude my remarks by stating what position we took on behalf of the province of Ontario at the recent conference. I would, therefore, ask permission to read just a few of the statements which were said in that conference.

We said at that time:

> There are certain classical civil liberties, fundamental to democratic government. They include freedom of conscience and religion, freedom of speech, freedom of assembly and association, freedom of the press and the right to vote. The federal government's booklet of last February—

That is February 1968.

> —the Canadian Charter of Human Rights refers to these as political rights. They are basic to our kind of society. They create the atmosphere in which all our institutions of society and government function freely. As these freedoms are the cornerstone of our democratic system of government, there is in my opinion a strong case for their ultimate entrenchment in our Constitution.

The freedoms which I have just mentioned are fundamental in another sense in that their protection is guaranteed without complex legislation.

I went on to say, in that conference, Mr. Speaker, that it should be borne in mind that in any society—particularly in our free society —there are certain minimum constraints on the exercise of even these personal freedoms. They establish limits, that is, constraints on our actions consistent with respect to the freedom of others.

They include, for example, the protection of the individual from defamation, libel and slander. In granting freedom of speech, you must have a certain constraint even though you may entrench that as a right fundamental to your Constitution.

And in any realistic discussion, therefore, of fundamental freedoms, the constraints must always be assumed. So I was at pains to point out, Mr. Speaker, that if we entrenched these political rights, it will be important to indicate perhaps in the preamble to a constitution which we might write, that these constraints should be observed by the courts in their interpretation of that part of the Constitution. We went on to say in that conference that there were other types of rights besides the political rights, which I would prefer to call individual rights. And today these are very prominent.

I think today in our society they have taken on a new dimension from that in which they were formerly held. We talk today about the rights of the consumer, the rights of the tenant, the right to old age security, to a minimum standard of living, to an education —to name just a few.

I think we must distinguish here that you cannot entrench all of these, what I would call individual rights, as fundamental rights. You cannot entrench them and I distinguish them from fundamental rights in a Constitution.

I think for the effective realization of those rights you must have legislation, which is best enacted, perhaps, at a provincial level. The fundamental rights which I described before, freedom of speech and freedom of religion, really need little legislation for their enforcement. But, these other rights are of a different nature and perhaps we should consider that they are best effected, best maintained, best provided in the level of our provincial jurisdiction.

Therefore, in discussing whether we should add a bill of rights to our constitution I think it is important to ask ourselves: What is our goal? How best can we obtain the rights for our citizens? I think the answer must be that we want to provide the most effective protection for the rights of all Canadians, which are fundamental to our well-being.

I was also at pains to point out that there were other rights distinguishable perhaps from both those former kinds: the rights which I would call legal rights. The problem relating to these is different again. Some of these relate to criminal proceedings, and they are covered by the Criminal Code of Canada. They are already a part of our statutory law.

Then there are others relating to civil rights, which are governed and regulated by provincial legislation. Many of these are contract rights, but there are many legal rights distinct from the fundamental rights which I have described, distinct from the individual rights, which are legal rights provided in statutes already. We have followed them for many years and with which we are familiar. Some of the civil rights in that field are provided by provincial legislation. Others, such as those which protect us in criminal proceedings and against the force field of criminal law are provided by federal legislation. Therefore, I would simply say, in concluding my remarks with respect to a bill of rights, that we must bear in mind the distinction between these various kinds of

rights and always keep before us, I think, how best we can achieve the goal of providing the respect for these rights for our citizens.

In the conference of February this year, we spent much time in discussing the matter of rights. We discussed jurisdictions, but we did not, I think, come to grips—perhaps there was not time to come to very serious grips—with the division of powers, which is one of the primary subjects which we must discuss if we are to consider an effective, workable Constitution. And I have thought that perhaps it is not really so necessary to make a new division of powers, although I think it is certainly an area where this should be dealt with, studied, and our Constitution brought into line with our society today.

But perhaps a respect for the division of powers which already exists in our constitution—I think, if that were observed, if there were consultations, if there was consideration, if there could be agreement reached as to where the limits of provincial jurisdiction and federal jurisdiction begin and end, and then if there was respect on the part of both provincial and federal governments—perhaps I should say particularly on the part of the federal government—a respect for observance of those respective areas of jurisdiction, then I think a great deal of our trouble would be solved.

This leads me to say that whether we live with the present Constitution or as we amend it—as I am sure we shall—there must be the desire to observe the fields of division of powers, divisions of jurisdiction as they are laid down. There must be the widest consultation and discussion between governments, federal and provincial. There must still be left—and I feel there will always be—a very wide field for agreement, discussion and understanding between the governments of where their areas begin and end, and a great deal of co-operation in sharing some of the fields.

No matter what kind of a constitution we may finally arrive at this will always be necessary, and it seems to me unfortunate that we have not had in the past—and I think this has been more apparent in recent years—this consultation. We have not had this discussion, we have not had for some time in the past the extent of agreement that we should have had. But I hasten to add that of the very recent years this has become more and more effective. More and more agreement is being reached, more and more consultation is taking place, and more and more understanding, I believe, is being achieved.

I think it is unfortunate that there should have grown up—and I feel that this has been the case—a feeling that there was a rivalry between the federal government in this country, the central government which we all support, and the provincial governments, that their aims and objectives were not the same. Whereas, truly and surely, and simply it could have been observed that the aims of the several parts of Canada, the provinces, were the same as those of the central government, the Parliament of Canada.

They all should have realized, I think, that we were seeking to achieve the same end and objective. But there seems to have been, and unfortunately it seems to have been so, a feeling of rivalry that Ottawa was set apart and its objective, its aims were different from the provinces. But then, perhaps, I suppose that this was natural when it became a matter of sharing a tax field or carrying on a programme, who was to get the credit, who was to get the money to do it.

But if we are to achieve a working constitution which will work perhaps better than the one we have now, we will have to, as I say, observe and respect the fields which are allotted to the provinces and I think we must get away from any feelings that there is a rivalry in the entering into of these obligations, these powers, these responsibilities. I would say no more than this, that it is essential when the areas of responsibility and jurisdiction are settled and determined that the means to carry out the responsibility—that is, in other words, the tax sources be allocated—that those fields be observed and not invaded by one government to the detriment of the functioning of the other.

That seems to have been one of our great difficulties, but again I am quick to say that I believe that difficulty, has been recognized and there has been indicated a desire on the part of all governments to remove that difficulty by agreement, and if the field cannot be clearly and distinctly divided, then to share it on some reasonable and proper basis. I think much progress has been made toward achieving this result.

Mr. Speaker, when I spoke in 1967—I believe in May 1967—on this matter, there was some misunderstanding I think when I attempted to delineate what I felt was the responsibility and the power of the several governments of Canada, the federal government and the governments of the provinces.

Mr. E. W. Sopha (Sudbury): The Attorney General is going to backfill now, is he?

Hon. Mr. Wishart: No, no backing and filling.

Mr. Sopha: I have the remarks right here.

Hon. Mr. Wishart: And so do I have them here.

Mr. Sopha: I did not misunderstand them at all.

Hon. Mr. Wishart: The hon. member is always so certain of his understanding, but it is not always so clear to others that he has understood.

However, Mr. Speaker, in order that there may be no misunderstanding, even in the hon. member's mind, might I cite to him and put on the record the remarks of Viscount Haldane in the case which came before the Privy Council, then our highest court, and perhaps then the highest court in the Commonwealth, in the case The Initiative and Referendum Act, an appeal from the court of appeal of Manitoba, which was decided in July 1919, and is cited in 1919 "Appeal Cases, the Law Reports," at page 935.

Hon. A. Grossman (Minister of Correctional Services): The member for Sudbury should not be a Calvin Coolidge, he should speak up.

Hon. Mr. Wishart: That court, sir, was composed of Viscount Haldane, Lord Buckmaster, Lord Dunedin, Lord Shaw of Dunfermline and Lord Scott Dickson.

Hon. Mr. Grossman: Are any of those QCs?

Hon. Mr. Wishart: The words which he pronounced at that time were accepted at that time and have been accepted ever since. I should like to put them on the record. I think it is well to refer to them because they do delineate, they do define, they do set forth in very clear and distinct language the powers of the federal government and of the provincial governments, in other words, the scheme of Confederation in 1867. And I read from page 942 of that report. This is the judgment of Viscount Haldane delivered for the Privy Council:

> The scheme of the Act passed in 1867 was not to weld the provinces into one, nor to subordinate provincial governments to a central authority, but to establish a central government in which these provinces should be represented, entrusted with the exclusive authority only in affairs in which they had a common interest.
>
> Subject to this, each province was to retain its independence and autonomy and to be directly under the Crown as its head. Within these limits of area and subjects, its local legislature so long as the Imperial Parliament did not repeal its own Act conferring this status was to be supreme and had such powers as the Imperial Parliament possessed in the plenitude of its own freedom before it handed them over to the Dominion and the provinces in accordance with the scheme of distribution which it enacted in 1867.

I put that on the record, Mr. Speaker, in order that there may be a clear understanding of how the Act of 1867 delineated and fixed the division of powers.

Mr. Sopha: I thought the Attorney General was going to recant. He has disappointed me.

Hon. Mr. Wishart: Well, I know I disappointed the member.

Mr. R. F. Nixon (Leader of the Opposition): The Attorney General has restated his old position.

Mr. Sopha: The old position! No trip to Canossa by him.

Hon. Mr. Wishart: I am sorry, of course, to disappoint the hon. member.

Mr. Speaker, having dealt particularly, as I wish to do, with the matter of rights, the matter of their entrenchment, and the matter of those which should be reserved, I would say that the Dominion-provincial conferences, which have had a fairly auspicious beginning, are continuing.

I think it will take a great deal of time to achieve the objectives which lie before us. I am sure the hon. members are aware that further conferences are going forward with the Premiers of the provinces, with the high officials of the departments of various provinces and with Ottawa. Progress is being made, but we need not expect to achieve overnight the very difficult objectives for which we are striving.

I would just point out in closing that there is not only the matter of perhaps writing a new division of powers, new areas of jurisdiction—there is also the matter of determining how we may amend the constitution. Having agreed, perhaps, that it should be amended in certain particulars, how do we achieve that amendment?

At present, it is necessary to appeal to the Parliament at Westminster to amend its Act,

the British North America Act. And even though we might agree that a certain field of jurisdiction which is now federal should be transferred to a province or vice versa, we still have to find a formula by which we can make the amendment.

So there are two tasks before us, and this latter one makes it very difficult to find agreement among ten provinces and a Dominion, an 11th government, that a certain formula will be applied so that we may bring to Canada the right to amend our constitution, which we presently do not have.

It is going to be a difficult and long-standing effort to achieve that amending formula. We thought we had reached it in 1964 when the hon. Guy Favreau presided over our deliberations of the Attorneys General. But even then—although we came so close—we failed. And perhaps the obstacles which confront us today are just as great, if not even greater than they were then.

But I have every confidence, sir, that we will be able to achieve these two results—a change in our responsibilities and in our jurisdictions, and we will also be able to achieve —which I think is a most desirable thing—a formula to amend our Constitution so we have it in our own country as our own.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, I am very happy to be able to participate and make a few remarks in this Constitutional debate.

We now find Canada well into the second century of nationhood. Yet we, as Canadians, are faced with many unresolved problems. There is a keen desire by the people of this country to become masters in their own house and to control their own economic destiny. We continue to advocate full employment, increased production and an equitable distribution of the nation's wealth.

Yet, on the other hand, government seems to be insensitive to finding solutions to the human and material needs of people. The gap between people and between regions of this country continues to widen in terms of an equitable disparity of economic opportunity which will eventually destroy the very fabric of national unity.

We, as a nation, should be assuming the full responsibility and exercising our prerogative in developing a genuinely independent foreign policy. We can, and must, continue our friendly relationship with the United States.

But Canada independently can play a very unique role in world affairs. An independent Canada could emerge as a strong, effective voice in the United Nations, as one of the most respected middle powers in the world. As a peace-loving nation, we could very dramatically point out the folly in the continued arms race and the unnecessary spread of nuclear weapons.

While Canada can play a very important role in international affairs, we must mobilize the full human and material resources of this country to resolve the many problems on the domestic front.

While the two levels of government discuss the various ramifications of a constitution, it is important that within the framework of the constitution there be embodied an economic Bill of Rights. Surely, as the Fathers of Confederation discussed the uniting of this country into a viable nation, one of its commitments was the assurance that we could create decent lives for all of our people.

Yet, 102 years later we find thousands of people denied the decency, the security and the dignity essential to provide a meaningful standard of living.

The report of the Economic Council of Canada, issued in September, 1968, disclosed in the survey period used, that there were 4.2 million non-farm and 550,000 farm Canadians living—or rather, existing—on an annual income ranging from $4,000 to below $1,500. For some 25 per cent of the population of Canada, such incomes mean poverty and unbearable deprivation.

As for the minimum wage laws, here in wealthy Ontario a worker would receive less than $3,000 per year. The uncontradicted facts are that 190,000 workers in Ontario received a wage increase when the minimum wage was increased from $1 to $1.30 per hour. On this income, the lot of the worker is reduced to absolute and dismal poverty. Tens of thousands of workers in Ontario, in the service and manufacturing industries, and in many other regions of Canada work, and work hard, at occupations which pay only the miserable minimum wage.

And I might just digress for a moment, Mr. Speaker, just to illustrate what this poverty means here in Metro. And, I suspect very strongly, it is prevalent in Ontario and Canada. If I could just quote for a moment an article that appeared in the Toronto *Daily Star* recently. It says:

> The odds are more than three in ten, that if you live in Metro you are a poverty statistic living on less than $3,000 a year. For Mr. and Mrs. George B. and their two

children, poverty is a daily diet of stew they call ten and one. Ten pieces of potato running after a small piece of hamburger.

"We eat an awful lot of ten and one," says Mrs. B. with a shrug, talking about how she stretches her husband's $245-a-month salary to keep the family alive. "A ten and one with margarine will fill you up, you do not need dessert," said the portly woman in the kitchen of a Regent Park South apartment.

Dessert is one of the luxuries this family cannot afford. They never go to movies, they do not drink any alcoholic beverages, and George limits himself to two tins of roll-your-own tobacco a month. They saved a dollar a week for a year to buy a second-hand television set for $50 to brighten up their humdrum lives.

I do not need to go on and read the rest of the article. I think that illustrates very forcibly what is happening here in the province of Ontario in the Dominion of Canada. There are many workers who must out of necessity, work at a second job in order to provide a minimum standard of living for themselves and their family. Many work 16 hours a day to reach an income of five or six thousand dollars a year.

What about the aged, who should be assured a life of comfort, security and dignity? Many face the hopeless prospect of trying to live on a little more than $100 a month. What answers have we for the unhappy thousands who are the recipients of unemployment insurance, or living on public welfare pittances?

A gap between promises and performances grows at a time when the economic means to keep the promises have become more abundant. There is a growing awareness among the people of the contradictions of a country richly endowed with scientific and technical knowledge as well as natural resources, yet plagued with widespread poverty.

People in this province and this nation are getting fed up with the never ending struggle trying to keep ahead of the finance company, the chain store cash register, the mortgage lender and the continued rise in the cost of living. Even the relatively high-priced worker finds the present situation intolerable.

An economic bill of rights would provide the means through which the people existing on poverty or marginal income could effectively express their needs. We truly need a vehicle to fight exploitation and poverty. Mr. Speaker, I would like, just for a moment, to indicate what I think should be established in the Constitutional rights for all Canadians:

1. A useful job, if they are able and willing to work, with the provincial and federal government acting as the employer in the last resort.

2. A wage sufficient to support themselves and their families, in decency and dignity, in accordance with the standards prevailing at the time.

3. A guaranteed annual income sufficient to provide adequate living standards, if they are unable to work, either through the negative income tax programme, or some other appropriate means beyond the obsolete and degrading welfare system, currently in effect which destroys the integrity of the family and offends every concept of human dignity.

4. Access to high-quality, comprehensive medical care for all Canadians by the establishment of a universal medicare programme.

5. A good house in a good neighbourhood in a wholesome community, providing a total living environment worthy of free people.

6. An adequate educational opportunity for every Canadian child and youth to facilitate his maximum growth and development, including university education.

Mr. Speaker, now is the time to give expression, equally clear and equally enforceable, to the economic rights that I believe are explicit in the six points I have just outlined. If we, as a nation, fail to respond to the compelling needs of people in a planned, orderly and efficient manner then we can very well be faced with militant demonstrations by those people suffering deprivation and poverty, that would make some of the demonstrations south of the border appear like a ladies' tea party.

Mr. Speaker: Does any other member care to speak?

Mr. J. Renwick (Riverdale): Mr. Speaker, I enter this debate having selected one specific area of great concern in the province for discussion. It is a matter which we have dealt with on all sides of the House on a number of occasions and it is a matter paramount to the life of this province.

I searched to find a common starting point, from the viewpoint of the government and from my viewpoint, at which I could enter upon this question and I found it in the statement made by the Minister of Labour (Mr. Bales) speaking for the Prime Minister (Mr. Robarts) on December 10 of last year on the

20th anniversary of the UN Declaration of Human Rights. And I accept the quotation which he gave from a statement made by Mr. Justice McRuer on the manner in which we, in Ontario specifically and in Canada in general, have dealt under the Constitution with the original inhabitants of the province of Ontario.

Questions of the treatment of the Indian are a matter of shame to all of us. I want very much in this debate to avoid castigating ourselves about what has happened in the past or has failed to happen in the past, and to clear up certain misconceptions which I believe exist, which prevent the government of this province taking the kind of steps which it can take in order to enable the Indian people and the Eskimo people to participate fully, should they wish to do so, in all aspects of life in the province of Ontario.

The Minister of Labour made this statement on December 10 last:

> I am sure all hon. members will agree that the most grievously disadvantaged groups in Canada are our native Indians and Eskimos. Indeed, there is widespread recognition that their condition is one of the darkest blots on our daily life. The hon. Mr. McRuer spoke of this in the course of the address to which I referred at the outset of these remarks.

This is the portion, Mr. Speaker, of the Minister of Labour with which I agree, but I am going to add one paragraph at the beginning and the end in order to complete the whole of the statement which was made by Mr. Justice McRuer on that occasion.

Mr. Justice McRuer said:

> We must examine the social structure that is the product of our social consciousness, and see how far injustice to individuals or groups of individuals is not only tolerated, but encouraged because of certain advantages that will accrue to different segments of our society.
>
> For 100 years we denied the native people of this country a right to express themselves in the government of the country. Solemn treaties were entered into with them and if not broken by us with impunity, they were certainly circumvented by the payment of a few beads, hoes and the odd plough. Millions of acres of productive land were bought for such trifles. We did not massacre these native peoples as was done in some other countries but we have undoubtedly starved thousands of them to death. If all men are born equal in this country, we well know that they do not stay equal long after they are born. We worry a great deal about bills of rights for those who enjoy the profits of the conquest of this continent, but not much about a bill of rights for our native peoples. Certainly our Indian population does not feel that they have had a remedy for acts done by governments which violate the fundamental rights granted to them by the constitution or by law.
>
> We owe a great debt to our native citizens that must be discharged without delay. The time for talk has run out; the time for action has come; but not for colonial action—it much be a partnership development.

It was the middle paragraph of that portion of those remarks that the Minister of Labour quoted on December 10 on the 20th anniversary of the United Nations' Declaration of Human Rights.

We have had misconceptions in the province about the position of the Indian under the constitution. Custom and force of tradition have led to a bar—from the viewpoint of this government—to the taking of any kind of effective action. In order to deal with all aspects of this problem, and to be fair to the government in one area where they have been making some reasonable progress, I must refer to some of the statements which have been made by members of the government which reflect these misconceptions.

All of us, Mr. Speaker, will recall that on the trip home from the members' tour of northwestern Ontario the Prime Minister had a press conference on the train. We, of course, were not present at the press conference but we had the benefit of the press reports about it. On September 14 he is reported to have said that he wants his government to assume full responsibility for the Indians in the province from the federal government, if Ottawa will transfer the necessary funds and the Indians agree.

There were a number of statements following on from that which would indicate that the government of this province wishes to assume its full responsibility. But, there was inherent in the remarks of the Prime Minister, a sensation that some kind of constitutional change is required in order to permit this government to assume their responsibility for the care of the native peoples in this province.

Of course, when I saw the propositions of the government of the province of Ontario for the constitutional conference, which was held earlier this year, I assumed that I would have found in those propositions some reference to bring about the desire expressed by

the Prime Minister. I assumed that the responsibility for the Indian peoples would be a matter of discussion when the constitution of the country was under consideration to find out what constitutional changes are required, if any; to ascertain the position and status of the Indian communities and the Eskimo communities in Canada; and to decide whether or not in any revision which may take place in the constitution, any change should be made with respect to the position of the Indians and of the Eskimos in our society.

So far as I could see in all the documents setting out the proposition in detail for the constitutional changes which this government was prepared to discuss, there is no reference whatsoever either to the Indian peoples or to the Eskimo peoples. Why this is so is a matter which I think the government must respond to in the course of this debate. I understand that the Provincial Secretary (Mr. Welch) will conclude the debate for the government. I would expressly ask that he reply to that part of my remarks—at least which deal with this question—as to why the government did not choose to include—in its propositions for the constitutional conference and discussion and the continuing discussions on the constitution—any reference to the position of the Indian community and of the Eskimo community in Canada and particularly, in this province.

We find also the Minister of Health (Mr. Dymond)—subject to any change which has taken place since last fall—is labouring under the same kind of constitutional misapprehension, which is reflected, I believe, in the Prime Minister's remarks that Indians on the reserves in this province can only receive OMSIP coverage—if they cannot afford to pay the premiums themselves—provided the federal government agrees that Ontario should do so and provides the funds for it.

This is one of the misconceptions that I would like to clear up entirely in this debate. There is no difference in the constitutional position in the province of Ontario based on the question of whether or not an Indian resides on a reservation or does not reside on a reservation. It is this particular misconception which has led to many of the areas of failure by either government to deal adequately with the Indian population.

I need only refer to the *Globe and Mail* article of October 3, 1968, where the present Minister of Health and Welfare in Ottawa again raised the question, with this government, about the coverage of Indians on the reserve under the OMSIP scheme. The hon. Minister of Health, in this Legislature, had specifically stated that:

> OMSIP is available to all residents of Ontario. It is available to people of Indian extraction or Indian blood living off the reservations exactly the same as to any resident.

He then goes on:

> For Indians on the reservation the federal government has traditionally claimed this as their responsibility and we look to the federal government to provide the financing so that Indians, living on reservations, can have the same privilege in this respect as any citizen of Ontario.
>
> Because of the present dialogue between the two levels of government, we in Ontario have made it clear to all Indians that OMSIP is readily available to them.
>
> We have served notice on the federal government that they will be held responsible for the financing of it.

In further supplemental question, the leader of the Opposition asked the Minister of Health:

> Is it true then to say that no Indians on a reserve at the present time are covered with the OMSIP programme?

The Minister of Health replied:

> No, I do not believe it would be true to say that because I believe some Indians have applied for OMSIP on their own as they have been applying for other medical services insurance. I do not think it is widely spread but on certain reservations the Indians do have it.

Well that was a statement by the Minister of Health in this Legislature on November 27, 1968, and I know of no substantial change in the position of the government.

What the Minister of Health was saying is parallel to what the Prime Minister had been saying, that there is inherent, in all our thinking about the Indians that in some way or other the responsibility of this government and responsibility of the federal government, depends on the question of whether or not the Indian is or is not on the reservation. I believe that is a completely fallacious basis for any distinction which can be made, under our constitution about the legislative authority to deal with Indians.

I will come to the specifics of that particular problem in a few minutes.

I want to pay tribute to the government in one area and that is, that there has been very substantial progress in the ability of Indian children to become pupils in the public school systems of the province of Ontario. There is no question that there are now a substantial number of Indian children, greatly increased over a few years ago, who are within the public school system. I refer, in this connection, to an editorial in the *Globe and Mail* of

March 5, 1968, which has this particular statistical information:

> Statistics show that Indians in Ontario are being integrated into the provincial school system and the rate of integration is encouraging. In 1957 17 per cent of 8,274 Indian students were enrolled in the provincial system. In 1967 the figure had increased to 49 per cent of the province's 14,535 Indian students.

Now in that particular area there has been some reasonable progress in the availability of our school system to the Indian population. It is not, for one moment, to deny that there are still very serious problems about the educational openness of our system for the members of that community and for the Eskimo community. For example, the limited study which was made for the provincial committee on the aims and objectives of education in Ontario showed that the support for integration into the public school system was less than enthusiastic. While integration was accepted in principle, for it is considered to be far superior to the old residential Indian schools, one hears too many complaints about discrimination and too many complaints about the methods used to secure agreement among Indian parents.

Well, that is a topic all of its own, but the problem again is involved in the whole question of the responsibility under the constitution for Indians as such, so far as the legislative authority of this province is concerned. It is my contention that in the specific absence of legislation of the Parliament of Canada, about the education of Indians, the responsibility for that education, whether it require preferential care and treatment within that system or whether the present system is adequate, is a responsibility of this government and of this Legislature having the legislative authority to do so.

Again, in The Department of Social and Family Services, we see the same kind of misconception of the responsibility of the provincial Legislature in the field dealing with Indians.

There was an announcement just a few days ago by the director of the branch, that is, The Department of Family and Social Services, Indian development branch. He said a $1-million community development programme fund, largely unused since it was established two years ago, may be used for housing loans for Indians.

The amount has been included in the department's estimates since 1967, but Mr. J. M. Dufour, the director, said:

> Because of complications with the federal government over responsibility for Indian affairs little of it has been used. Last year $171,000 of the fund was spent for several programmes including a housing study in Moosonee and construction of a saw mill and community hall in two other northern communities.

That leads directly to the public accounts for the year ending March 31, 1968, which are, of course, the latest public accounts which are available to us. And we find that of the $1,269,000 which was voted by this Legislature for the Indian development branch of The Department of Social and Family Services —by the principal branch of department of government responsible for Indian affairs in this province—$236,436.92 was spent, leaving an unexpended amount of $1,032,563.08.

Now, I assume from the statement of Mr. Dufour, to which I just referred, that the public accounts of the year which ended on March 31, 1969, will disclose substantially the same state of affairs so far as the expenditure, whatever the hangup, by this government, of the ridiculously limited number of dollars which we vote for the Indian development branch of The Department of Social and Family Services.

Of course, when we come to that particular item in the estimates which are now presently before the House we will have an opportunity to express in more detail our concern about that aspect of the government's attitude towards this question.

There is some indication, Mr. Speaker, that the government, through the Ontario Housing Corporation, is beginning to face up to the housing question of the Indian community in a very marginal sense. I know that there has been a group which visited Moosonee to try and devise a method by which adequate housing can be provided for the Indian community in that area. But it is, if anything, marginal, and it does not really impinge on the constitutional question to which I have referred.

I have used those examples of these particular departments of government because they are the ones principally concerned with the question of the Indian community and the Eskimo community in Ontario. I use it to illustrate the pervasiveness throughout this government—based, I believe, on certain historical inaccuracies of interpretation under our constitution and as a matter of history which has provided the hang-up which prevents the

government from taking hold of the question of the "poverty" of the Indian community—the cultural disadvantage within our society of the Indian community and of the Eskimo community.

That is giving the government credit for having the will to do something about it. Had I found in the propositions for discussion at the constitutional conference any reference to the Indian, I would have been perhaps prepared to say that crediting that will to the government was something more than a mere wish on my part. I have a deep instinctive feeling that the government in substance is not concerned about the problem, that they are prepared to continue to use this false constitutional hangup as a reason why they will not deal adequately in this Legislature with the disadvantages of the Indian and Eskimo communities.

Mr. Speaker, we must now start back at the substance of what we are talking about. I want to use one further quotation of the Prime Minister of Canada in response to a question in the House of Commons not so long ago, to focus attention on the leisurely way in which we kid ourselves that we are in fact coming to grips with the problem of the Indian community in Canada and in the province of Ontario.

You find throughout all references of government to this question of the Indian that, yes, in the long run something is going to happen which is going to be of immeasurable benefit to the Indian. You have this kind of statement, and again I use it only as an example, not in any way for the specific point which was under discussion.

Mr. Robert Simpson, the member for Churchill, questioned the Prime Minister and there was some little bit of a hassle about exactly his right to question him, but it went on. Mr. Speaker, this is Mr. Simpson, the member for Churchill, in the federal House of Commons, on November 5, 1968, in *Hansard* at page 2426:

> Mr. Speaker, might I rephrase the question: Was the Minister of National Health and Welfare stating government policy when, as recorded in the Toronto *Globe and Mail*, he announced to the provincial finance Ministers that the government intends to turn over the Indian health services to the provinces?
>
> *Mr. Trudeau*: Mr. Speaker, once again I would have to see exactly what he said. There is a long-term intention on the part of the government, and this is to be debated I suppose as part of our Indian policy, to arrive eventually at a situation where Indians will be treated like other Canadian citizens of the particular province in which they happen to be. It may have been something along this line to which the Minister was referring.

And that, Mr. Speaker, characterizes the traditional approach of the traditional political parties in Canada to the whole question. They state their concern, they are prepared to speak in relatively moral terms about their responsibility but when faced with the problem of in fact doing something about it, they take refuge in the complexity of the problem and the long-term nature of the solutions which must be found after protracted study if anything is to be accomplished in this area.

I want to say that I again, referring to the Minister of Labour, took some hope out of the fact that in his statement on December 10 in this Legislature he referred to the time having passed. He referred to the hope that we are not going to become bogged down in sterile philosophical debate over such constitutional abstractions as the surrender of sovereignty.

But what the Minister of Labour was saying—and before proceeding to try and dispel or to correct the misapprehensions about the constitutional position, this where I take issue with the government because the Minister of Labour, in line with the illustrations which I have used, then had this to say:

> It should be pointed out, of course, that under our constitution the welfare of our Indians is the chief responsibility of the federal government. So far as I know, no provincial government has placed any obstacle—or indeed could place any obstacle —in the path of having these injustices removed.
>
> On the contrary, on our part the government of Ontario stands ready today to co-operate wholeheartedly with the federal government in launching a massive attack on this problem.
>
> There is no doubt in my mind that other provinces are equally prepared to play their part. No constitutional amendment is necessary for that purpose, there is no need for any surrender of sovereignty.

But then he says—

> All that is required is for the federal government to exercise its sovereignty.

I am simply saying that there are vast areas in which the responsibility for the Indian community and the Eskimo community resides in this Legislature, and it is just not

adequate as a statement of government policy for the Minister of Labour to say: "We are all perfectly happy to have the federal government go ahead in this field if they will just get about doing it." It shows in my mind again a reflection in the statement by the Minister of Labour of a misapprehension of the position under the constitution of the Indian community.

To go back, if I may, then, to try and illustrate what I am saying about the analysis of the constitutional provisions dealing with the Indian community in Canada, I think I have to refer to something called freedom and what we are really engaged in attempting to accomplish so far as all the people in Canada are concerned, but in this particular instance as far the Indian community and the Eskimo community are concerned. The best statement that I could find goes something as follows:

> Freedom, which goes hand in hand with the equally unknown yet incontestible nature of things, cannot be alienated but only humiliated. As for the more strictly political freedom, the freedom of the individual, first of all is a trap and a deception if the society in which man lives is not free, that is, if there does not exist for everyone a free space in which each person can give proof of his value or simply manifest his true nature.
>
> The existence of such a space certainly does not depend only on the laws nor even on that which the ancient Athenians called with a word that remains hard to translate, isonomia.
>
> Long before it is enforced by the law, freedom is guaranteed by the feeling that in a given society there has been formed that tie between the individual and the world and that consciousness of human destiny that is the dignity characteristic of man, which is the most profound and indestructible of facts against which no tyranny can prevail.

I emphasize, Mr. Speaker, that

> Long before it is enforced by the law, freedom is guaranteed by the feeling that in a given society there has been formed that tie between the individual and the world and that consciousness of human destiny that is the dignity characteristic of man, which is the most profound and indestructible of facts.

Now it is only if we accept that kind of statement of the problem with which this government is faced in the area of its responsibility for the Indian community, that we can possibly, in due course, frame the kind of laws, the kind of policies and the kind of attitudes which will enable us to get about immediately in dealing with this difficult, shameful question in Canada.

I know, Mr. Speaker, that the House will bear with me to record three or four basic statements in documents related to this constitutional question about the position of the Indian.

I refer first of all to a quoted extract from article 40 of the articles of capitulations signed by General Amherst as commander-in-chief of His Britannic Majesty's troops and forces in North America and the Marquis de Vaudreuil, governor and lieutenant-general for the King of France in Canada, which provided:

> The savages or Indian allies of His Most Christian Majesty, shall be maintained in the lands they inhabit, if they choose to remain. They shall not be molested on any pretence whatsoever for having carried arms and served His Most Christian Majesty.

It goes on:

> They shall have, as well as the French, liberty of religion and they shall keep their missionaries.

Following the Treaty of Paris in 1763, Mr. Speaker, the Royal proclamation of October 7, 1763—which still appears in the revised statutes of Canada—gave the Indians certain rights that have ever since been judicially recognized even though in many instances aborted. The recital to the proclamation reads in part as follows:

> And whereas it is just and reasonable and essential to our interest and the security of our colonies that the several nations or tribes of Indians with whom we are connected and who live under our protection shall not be molested or disturbed in the possession of such parts of our dominions and territories as not having been ceded to or purchased by us, are reserved to them or any of them as their hunting grounds.

There are, of course, further parts of that particular Royal proclamation, but that is the first legal document about the position of the Indian community in law in Canada from the time of the conquest. And where is it now in the constitution of Canada?

There was a select committee of this Legislature which dealt with the civil liberties and

rights of Indians in Ontario. W. A. Goodfellow was the chairman and the report is in the library of the Legislature.

It was appointed on April 2, 1953, and it reported on March 19, 1954. It drew specific attention to the constitutional provisions which are of concern specifically to me today in this debate. It refers to section 91 of The British North America Act and while it quoted it more extendedly than I will, it goes on to say:

> It is hereby declared, notwithstanding anything in this Act, the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects hereinafter enumerated. That is to say, subsection 24: Indians and lands reserved for Indians.

Then it goes on to quote, and I again quote, from section 87 of the Indian Act, being chapter 29 of the Statutes of Canada 1951. It states as follows:

> Subject to the terms of any treaty and any other Act of the Parliament of Canada and all laws of general application from time to time in force in the province are applicable to and in respect of Indians in the province except to the extent that such laws are inconsistent with this Act—

that is the Indian Act,

> —or any other order, rule, regulation or by-law made thereunder and except to the extent that such laws make provision for any matter for which provision is made by or under this Act.

It is therefore readily seen, Mr. Speaker, without being unduly technical and legal about it, that to the extent that there are laws of general application—with all the refinements that the legal mind can dream up about that phrase—laws which are not inconsistent with the Indian Act of the Parliament of Canada—and provided that the Indian Act does not make provision otherwise—are matters which can be dealt with by the Legislature of this province insofar as the Indian people are concerned.

I want, Mr. Speaker, to deal in some detail, with the specifics of those constiutional provisions and not just leave them hanging in the air after having quoted them.

The first matter that I would like to draw attention to is that heading of section 91, heading 24 which provides that the exclusive legislative authority of the Parliament of Canada extend to Indians and lands reserved for Indians. It does not refer at all under any circumstances to Indians on lands reserved for Indians. There are two separate and distinct subject matters included in that particular heading; the question of Indians and the questions of lands reserved for Indians.

Now I do not intend to deal at any length with the question of lands reserved for Indians. Suffice it to say that we are speaking about the legislative authority of the Parliament of Canada not to own the Indian lands but to simply legislate about them. That is, with respect to their control and management.

Therefore, I am going to set that aside because most of the legal cases which have gone to the Privy Council or to other courts in Canada in the early years of the country, dealt with the question of lands reserved for Indians. In the legal sense, it is pretty clear what those words mean.

I will, however, make this point. The term "lands reserved for Indians" is not synonymous with the Indian reservations. It has a much broader connotation than that.

It is a matter which will be of great concern to this province as it enters into the various disputes which are now beginning to be asserted by the Indian community about the lands reserved for Indians, the relationship of the proprietary interest of the province of Ontario, the rights of the Indian peoples to exercise certain rights over those lands, and the relationship with the federal government in so far as any purported surrender of those rights may take place.

That again is the kind of misapprehension which is abroad that somehow or other the words "land reserved for Indians" meant the Indian reservations. The reservations, known as those little marks on the map, would indicate that all the useless land in Ontario with some exceptions, left for the Indians to live on. One need only look at the Cape Croker reservation to see the type of land that we have in our munificence, left to the Indian people as a reservation.

Therefore, Mr. Speaker, again I emphasize the point that the power of the Parliament of Canada is the power to legislate in respect of Indians. To the extent that the Parliament of Canada has not legislated with respect to Indians, the province of Ontario, as a constitutional matter and irrespective of the provision of section 87 of The Indian Act to which I have just referred, can make applicable to the Indians all the laws of the province of Ontario—not just the prohibitive laws or the regulatory laws; but all the laws which are designed to improve the inherent quality

and nature of the world in which we live; the laws relating to education; the laws relating to social and family services; the laws relating to housing; the laws relating to the operation of our courts and our system of administration of justice.

All of these matters—unless it can be specifically shown that they are dealt with under the federal Indian Act—are within the authority of this Legislature.

Let me make one other distinction. The word "Indian" in The British North America Act has been decided by the Privy Council to mean and include the Eskimo people. As far as I know, The Indian Act does not, by definition, cover Eskimos.

I want again to make that distinction perfectly clear: The Indian Act of Canada, passed under the authority of The British North America Act, deals with the Indian people, specifically does not deal with the Eskimo people, and yet the word "Indian" has, under our constitution, under heading 94, been interpreted to include the Eskimo people.

Another distinction I would make—which again goes to this question of the misapprehension of what we are talking about—is that an Indian who is under The Indian Act may become enfranchised and cease to be an Indian under The Indian Act.

There is a procedure for the enfranchisement of an Indian under The Indian Act by which he ceases to be subject to The Indian Act, but that does not mean that he ceases to be an Indian within the meaning of The British North America Act. That is a distinction which I think is of significance.

I have tried, Mr. Speaker, to reduce to certain stated definite propositions—and I pay tribute to the author Mr. Kenneth Lysyk, of an article published in the *Canadian Bar Review*, part of the centennial issue, 1967 called "The Unique Constitutional Position of the Canadian Indian."

Mr. Lysyk is a lawyer practising in British Columbia, but he has at least endeavoured in clear terms, to place before the lawyers of this country what we are talking about when we speak about Indians. I therefore put these propositions, Mr. Speaker, in the hope and anticipation that they will lead—either today or on another occasion—to a further debate on the constitutional position of the Indian in the province of Ontario and the responsibility of this Assembly.

The first proposition that I want to make concerns the Parliament of Canada. I will deal first with the Parliament of Canada, then with the legislative competence of the legislative assembly of the province of Ontario.

The first proposition is that Parliament can extend effectively to Indians any legislation which the Parliament of Canada is competent to enact for non-Indians. I think that is a pretty trite statement of law, but the Parliament of Canada can legislate on matters of which it is competent for Indians as well as it can for non-Indians.

There is some discussion in the article to which I referred—as to whether or not an international treaty would take precedence over an Act of the Parliament of Canada, and the one which is in question now at the border in Ontario about Indians coming across without being subjected to custom duties, which relates to the Jay Treaty back in—perhaps the member for Sudbury can tell me—

Mr. Sopha: 1854!

Mr. J. Renwick: Yes, quite a long time ago. This provided for free crossing of the border by Indians without being subjected to custom duties. But the Parliament of Canada has legislated otherwise and the courts have held that they are not bound by that international treaty—probably for very good legal reason, but certainly in breach of a treaty which Canada, in my judgment, should honour.

There was some question, strangely enough—and this was an eye-opener to me—as to whether or not the Parliament of Canada in the areas in which it was competent to legislate could override the Indian Treaties—that is, treaties which have been entered into from time to time by the Indians in Canada with any level of government about their lands.

I would have assumed somehow or other that those treaties had a certain paramouncy over what the Parliament of Canada could legislate, but I find that the legal cases do not support it. The fact of the matter is that the Parliament of Canada can abrogate the treaty rights of all the Indians in Canada if it chooses to exercise that authority.

Again, if I may refer briefly to a man who undoubtedly is going to have a position of eminence—has a position of eminence—in the province of Ontario, Mr. Justice McRuer. In court in Ontario, he endeavoured to uphold the simple proposition that that Royal declaration in 1763 had some paramouncy.

But he was reversed by the Supreme Court of Canada. This is a matter of grave con-

cern to me in the brief study which I have made of this question. In fact, the Parliament of Canada—in those matters which are within its legislative competence—can, if it wants, abrogate every single Indian treaty in this country. The only hopeful sign about that is the other side of the coin. The Parliament of Canada can ameliorate the injustices which have been done to the Indian people in the terms under which those treaties were originally negotiated. That is the hopeful side of that particular coin.

The second proposition that I would like to comment upon is this: Can the Parliament of Canada legislate for Indians about matters which would otherwise not come within its legislative competence? In other words, in substance—not exclusively but in substance—can the Parliament of Canada legislate concerning Indians about matters which fall within the jurisdiction of this Assembly because of the provisions of heading 24 of The British North America Act?

I say this with the same diffidence that the author to whom I referred stated it; the legal cases are of no assistance in this regard. There are no legal cases which answer what appears for most lawyers to be a simple proposition; that is, whether the Parliament of Canada can legislate effectively for Indians concerning matters which otherwise lie outside its legislative competence and therefore could not otherwise be validly enacted.

And the conclusion of the learned author is:

> The ambit of federal authority to legislate positively for Indians while undoubtedly comprehending as a minimum the power of defining Indian status is of uncertain extent.

So there is that area of uncertainty which certainly leaves a considerable area of flexibility for the Legislature of this province to deal with Indian matters pending the enactment and clarification of the kind of laws which would exclude the competence of this Legislature to pass those laws.

I turn now to the question of the competence of this assembly under The British North America Act to deal with the Indian community in the province. And I state sometimes as a question and sometimes as an assertive proposition the following propositions:

Firstly, does federal competence, that is, the competence under heading 24 of section 91 preclude the provincial Legislature from dealing with the Indians as Indians? The answer, I think, is clearly "no". Because heading 24 provides for the legislative competence of the Parliament of Canada, it does not therefore necessarily follow that it precludes this Legislature from dealing with Indians within the province of Ontario.

Secondly, do provincial laws of general application apply to Indians? One would like to say yes from the point of view of clarity so far as our position is concerned, but I think one cannot go that far. I think that all one can say is: "not necessarily so". It is certainly a very relevant matter in any consideration of the constitutional question to say: Yes, on balance, all laws of general application passed by this Legislature, apply to the Indian community in the province of Ontario. Again, this is so provided the Parliament of Canada has not acted within its legislative competence.

And the third proposition: Is the Legislature of Ontario able to pass laws related to Indians?

I refer again in this regard to the section 87 of The Indian Act which is a bootstrap section. I quote it again in order that the context of my remarks will be clear:

> Subject to the terms of any treaty and any other Act of the Parliament of Canada all laws of general application from time to time in force in the province are applicable to and in respect of Indians in the province except to the extent that such laws are inconsistent with this Act; and except to the extent that such laws make provision for any matter for which provision is made by or under this Act.

In summary I am going to use the exact words of the learned author to whom I am indebted for my knowledge of this particular problem in his summary. I am going to quote five summary statements which he has made.

> Federal legislative competence with respect to Indians is unfettered by treaties, either Indian treaties or international treaties or by the Royal proclamation of 1763.

Secondly:

> In positive terms, and putting to one side federal laws relating to Indian lands, there is a dearth of authority on the question of the extent to which Parliament may legislate for Indians in areas in which it would not be open to legislate for non-Indians. It is competent to Parliament to define the status of Indians, how far it may go in determining the consequences

of that status is a question which has yet to attract thorough-going judicial analysis.

Thirdly:

Provincial legislation may not of course relate to Indian lands and section 87 of The Indian Act does not touch upon the distribution of legislative authority in this respect.

Fourthly:

Provincial laws of general application will extend to Indians whether on or off reserve. It has been suggested that the Constitution permits this result without the assistance of section 87 of The Indian Act.

Fifthly:

Section 87 of The Indian Act will preclude applicability to Indians of provincial laws which conflict with Indian treaties or with Acts of Parliament other than The Indian Act or which are either inconsistent with The Indian Act or which make provision for any matter for which provision is made by or under The Indian Act.

If I may, in parenthesis, simply say the Indian treaties—so far as the application of provincial laws are concerned—may well and often be a good defence against further encroachment by the white man on the remnants of the rights the Indian community has in Canada.

And in summary, the learned author says: "Where Parliament has not legislated and putting aside matters relating to Indian lands, the provinces have a relatively free hand in legislating for the well-being of the Indian and this is so with respect to reserve Indians, no less than for those who have moved off the reserve into the mainstream of non-Indian society. The area of constitutional flexibility is in fact very great, accepting that constitutional responsibility for Indians is the correlative of legislative authority, there is little justification for the reluctance not infrequently expressed by provincial government to undertake the same responsibility for ameliorating the condition of Indians and Indian settlements that these governments would assume for non Indians and non-Indian communities.

Mr. Speaker, in substance that is what I wanted to say in this debate. I wanted to say that, so far as the Constitution of this country is concerned, there is a wide area which deserves immediate clarification by this government within which, in all aspects of the governmental activities of this province, they can move clearly the better to deal with and to provide for the Indian community and Eskimo community, so that we may have that kind of freedom for the Indian and the Eskimo that we pride ourselves in our more pious moments that we extend under our Constitution to people.

I submit what I have said with all its missing links for the urgent consideration of the government and for its reply at some subsequent time, because we have got to remove this sense of disadvantage, this historic deprivation which we have imposed upon the Indian community in the province of Ontario.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, if you happen to be invited down to the Empire Club, and you met Ted Jolliffe, whom I am told is the president—if you can believe it of that august organization—and who used to be quite a figure here; and if he were to ask you—"How's the Constitution up in that Legislature? Is it a very important issue with the members of the Legislature?" —you would have to tell him that, in truth, the Constitution of Canada does not cut much shakes with the membership of this assembly.

There are other subjects of interest that get the troops out and into their seats much more readily than a discussion of the fabric, the warp and woof of the life of Canada as a nation. You tell Ted Jolliffe that there is nothing like the television cameras to get a full house. You tell him the question period, dismal affair as it is in this House, gets out a bigger crowd. But the Constitution of Canada—as I look across, especially at the Treasury benches—does not.

Indeed, at one time this afternooon there was not a single member of the Executive Council of Ontario in his seat. Now I am not one who complains to try to attract a crowd. I have been favoured with an audience here over the years, and I am not one of those who say members have to be in their seats. That is a mythology imposed upon us largely by the daily press, largely by the Toronto press. It is possible to be a good member and be away from the House a good deal. It is possible to be a bad member and be in the House a good deal.

But this debate—that began back on February 27 with the Prime Minister (Mr. Robarts)—has dragged on in fits and starts, sporadically, from time to time. Now it reaches its penultimate stages. And I observe that the basic fact of life in the political sense in Canada—its Constitution—does not provoke much interest in the members of this assembly.

It all began, of course, back on February 27. As I say, the Prime Minister spoke to the order and, at that time, rather than address himself to the Constitution of Canada and its reform, he devoted most of his time to the national Medicare scheme and Ontario's attitude toward it. To the Prime Minister of Ontario—and the evidence is overwhelming—to the first citizen of Ontario the burden of the problem of the inter-relationship of the provincial and federal governments revolves around money.

One need only remind oneself that on the second day of the Ottawa conference, supposedly devoted to the question of the distribution of legislative power, the cameras were given over to the provincial heads of state—all ten of them, whom, the Winnipeg *Free Press,* in a very apt phrase I have always delighted in, called "the warlords."

It seemed all they wanted to talk about was money. Not one of them, in the interests of the application of uniform standards and social welfare, ever offered to give over any powers or responsibilities to the federal government in order to reduce the strain on the provincial treasuries. Now that ought to be underlined! When they are talking money, not one of them—as far as I can see—ever talks about cutting the suit to fit the cloth available. They never talk in terms of reducing the strain on their treasuries.

Not one of them, so far as I can see—and I have watched the whole conference on television—ever acknowledged that provincial responsibilities over 102 years have expanded beyond anything ever imagined by the Fathers of Confederation.

The Fathers, of course, never dreamed in their wildest flights of fancy the problems that would be faced by the Minister of Highways (Mr. Gomme). They did not even have the automobile, never dreamed of the hundreds of millions of dollars a year the Minister of Highways has to find for capital and maintenance expenditure as a result of the tyranny of the automobile.

Provincial responsibilities have altered in such a way that, as I say, the framers of that document could not possibly have imagined —in a rural economy where every man either looked after himself, or economic distress was tended to by the good neighbourliness of the people on the next farm—that 102 years later we would all become our brother's keepers. We are all our brother's keepers.

They never visualized the hundreds of millions of dollars a year that the Minister of Social and Family Services (Mr. Yaremko) has to raise to meet his responsibilities. I did not notice an acknowledgement from one of the provincial Premiers that there might possibly be a lessening of the strain on the provincial exchequers by inviting the federal government to assume more responsibility.

I have always believed—and have never been challenged on the validity of the proposition—that we in Ontario are the greatest centralists in the whole nation. The people of no other province are more centralist in their attitudes and conceptions of the role of the federal government than we in Ontario.

We have no fear of the federal government, of its intrusion. We have anxiety that it will be a super Colossus of state mechanism that will deprive us of peculiar provincial rights. In that sense, we can say without being strident about it, that people in Ontario are nationalist minded. We have that conception in our history that we had a good deal to do with the founding of this country. The initiative came from politicians in this province, and indeed in this city. And that has ordered our attitude toward the federal government during the 102 years of our experience.

Now on February 27, the Prime Minister used this forum to continue to complain about his monetary problems. These all but vanished a few days later when the Treasurer (Mr. MacNaughton) introduced his Budget and took Ontario into the path of fiscal separatism.

I will just touch on that for a moment. Here was the Premier of Ontario down in Ottawa telling the federal government it is distorting the constitution of this country by intrusions into the field of social welfare and health, and making an assault on provincial autonomy—then a few weeks later the Provincial Treasurer was standing in this House telling the federal government the taxation reforms Ontario is going to introduce.

Well, one is as coercive as the other, I protest to you. It is all part of the same piece of cloth. You cannot complain about federal intrusion from one side of your mouth, and from the other start telling the federal government the methods it should use in raising taxation.

That is precisely what the hon. Treasurer was doing in this House when he introduced that Budget.

One must be careful in talking about such an important and fundamental part of the life of our nation. One has to use a favourite phrase of mine—measure his words carefully.

And I make it clear that I do not for a moment denigrate the importance of the financial relations between the federal government and the provinces.

But, as was said a long time ago, "man does not live by bread alone"; and the financial relations ought not to be allowed to occupy centre stage so that everything else in the constitutional scene is blurred and kept out of focus.

There are two important principles governing the national life of Canada which must be kept in the forefront of any contemplation concerning what kind of country we want Canada to be. After all, is that not the high task upon which we are embarked in rewriting our Constitution? In reorganizing the framework of relations between the several governments in this country, are we not determining what kind of Canada we want our country to be?

Those principles, I submit to you, are firstly, that social services for the amelioration of the welfare of the Canadian people—and particularly its economically deprived citizens—ought to be as uniform as possible across the country to Canadians in all parts of Canada. They are entitled to expect that they will, as far as it is possible, be treated equally in the type of social service they might expect in the modern welfare state which all politicians are committed to provide them. That is the first principle.

The second principle is that regional economic disparity in this country ought to be greatly lessened. I cannot hope that in this century at least that regional economic disparity will disappear, so that all parts of the country become as viable as Ontario and to a lesser extent in our sister province to the east. We do not want to lessen the strength, viability and the quality of life that we in Ontario are able to provide to our people, but I do say, sir, as a second principle, that, if Canada means anything as a nation we must work toward a state of affairs where the economic disparity between the various parts of the country must be made as minimal as men of goodwill, understanding, intelligence, and courage, can make it.

Now, in the light of those two principles, I submit to you, sir, that the federal government is the best organ to achieve effective results in both those areas. For the moment Quebec is turned inward upon itself, obsessed with the crucial necessity of preserving the French-Canadian identity. Ontario by contrast should and must adopt a broad and sweeping perspective of the nation as a whole. And we in Ontario, I suggest, should dedicate ourselves to the high purpose of evening out the economic rewards to the people in all parts of Canada.

And, as I say, to do this we do not have to—and we must not—lessen one iota the quality of the services we supply to the people of Ontario. But on the other hand, I protest that it is crucial to our existence that we eliminate gross differences in economic activity of this nation. For a nation, like a human, that has high pressure at the centre and weakness at the extremities, is likely to suffer some form of vascular or paralytic accident.

Before I go too far in developing this line of thought—and I am going to return to it—I want to pause and make some more specific comments on the structure of this debate and the role that grave constitutional problems play in the political life of this province. I immediately rebuke the assertion of the member for York South (Mr. MacDonald) when he referred to the fact that attention to constitutional problems does not built houses.

Of course it does not. That is a remark that is worthy of a Philistine. You could in the same way say the same thing about any activity. They cannot go to the Pablo Casals concert because it does not build houses. "I will not bother to pick up the indemnity cheque because it does not build houses."

Well, we do not build houses, that is for sure. One thing we do not do is build houses. A nation girded itself for total war effort a generation ago—and indeed twice in this century—finds itself helpless to solve the housing crisis.

And I say by way of interpolation that if something needs to be said in the light of the constitution about building houses, that the nation, the province, the combined forces of the state will never build houses, never provide decent accommodation for people to live in dignity so long as the building of houses is left to the extent that it is in the realm of private profit-making activity.

It will never solve its housing crisis as long as the great mass of the population tolerates the impudence of the few who sequester to themselves pieces of the finite earth surface. I emphasize the words "finite earth surface"—it is all we have got until we start to go out beyond. As long as we tolerate the impudence of that group, who sequester it to themselves and ransom the rest of the population in the purchase price of land. These entrepreneurs that we tolerate are the modern highwaymen, and apparently this govern-

ment, as well as the Ottawa government, intends to suffer them.

Well, we will talk about housing another time, but also, perhaps, an intelligent revision of the constitution might show us the way to solving our housing crisis.

Now my reply in that regard to the member for York South and the Prime Minister, who nodded sagely to him—I am a great Prime Minister watcher, he nodded sagely to him when he made the remark as if only the two of them were here, the nice charming way that the first citizen leans back in the chair—I say to both of them, that we have to keep things in perspective.

Watching the course of the debate you would have to say that the central problem of sitting down to rewrite the document or reorganize—I dislike that phrase, rewrite the document. Maybe we do not have to do that—but the reorganization of it in the light of 100 years of experience with it is one of the central and crucial issues in the next several years ahead of us.

And whether we like it or not, we as elected politicians share a common responsibility for these vital matters. Probably the retson for the ennui which afflicts this debate arises from the unwarranted separation of the Legislature from involvement in the policy, if it can be called that, of constitutional development.

Private members of the Legislature are entitled to ask—and maybe somebody, in the absence of the first citizen, will tell him that I asked—private members of the Legislature are entitled to ask what role they are expected to play in this area. It is clear to me that so far as the Price Minister is concerned, the private member is the last man on the totem pole.

Quebec, of course, has shown the way with its constiutional committee of the Legislature and that committee met a good many times and produced a very valuable report, which I notice in Quebec is consistently referred to.

In Ontario does anyone suggest, is there anyone abroad who is suggesting, that in the ranks valuable contributions to Constitutional development could not be made by the hon. members for Lakeshore (Mr. Lawlor), Carleton East (Mr. A. B. R. Lawrence), York-Forest Hill (Mr. Dunlop), Sarnia (Mr. Bullbrook), Parkdale (Mr. Trotter), Riverdale (Mr. Renwick), and York South? I have no wish to separate the major from the minor, but I mention a few whom I know to have a deep concern about this matter.

An hon. member: Is that so?

Mr. Sopha: Yes, indeed. I have reflected on this matter—but it is no better elsewhere, I noted and it is proper we should zero in on these things, to give ourselves the total picture. I noticed that while the Ottawa conference was taking place the Parliament of Canada was meeting as if its deliberations were of no concern whatever. And at least once the sound of the division bells of the Parliament of Canada interrupted the deliberations of the conference. So that the helpful CBC commentators might enlighten us on what these bells were and what was going on, I think the Prime Minister of Canada made some reference to them.

But one would have thought that the conference, being of the high importance it was, that the Parliament of Canada might have adjourned its sittings to permit as many people to observe—I do not know how many they could get in that room, I have never been in that room in my life—but at least, the the rest of us, they could have watched this conference on television.

This Legislature sir, when this debate is over, will have discussed the Constitution of Canada and its provinces twice in five years. In the meantime the fabric of the political life of the nation has been in the hands of the academics and the bureaucrats, just where the Prime Minister of Ontario has placed it. That is where he put it and that is where he is content that it remain, in the hands of the academics and the bureaucrats.

I know little about the bureaucrats but I must say, the product of the academics is not up to much. I do not have Eugene Forsey at my bedside table to afford me that soporific effect that his writings usually inculcate in me. I do not find it very difficult to constrain my enthusiasm for what the great monarchist writes. He said one time that creeping republicanism was coming into this country so rapidly that he was going to go down to the office of the High Commissioner of the United Kingdom and seek refuge. I wish he would.

Well I say emphatically that this ought to be a matter of top priority with legislators and the Prime Minister ought to create the machinery which will enable legislators to show their concern for this vital area of our national life.

On all sides of the House are serious minded people whose opinions ought to be canvassed. The Prime Minister has not done this. He preferred, a long time ago, early in

his regime, to appoint a committee of people from outside the Legislature.

Now I say—somebody interrupted me and I want to say as modestly as I can—that I have spent many hours in reflection on the Constitutional problems of this nation. I know that others have. I know the member for York South has reflected deeply. His contributions over the years in debate, have contained many, many worthwhile and valuable observations and I give him every credit for his participation.

What a contrast with a situation of 105 years ago. It took three years at that time—three years of debate and discussion to arrive at a consensus. As I stand here today, 105 years later I wonder if we have three years. I wonder do we have three years in which to do it or is there a possibility of intruding into the area of probability that the country may not last the three years before we get it done.

The Legislature of the province of Canada —I say we talked, and I want to draw the contrasts here, we will have discussed the Constitution twice in five years. The Legislature of the province of Canada—I had better be careful—the Legislature of the province of Canada debated the 72 resolutions from February 3 to March 14, 1865. That is a month and two weeks, about six weeks, and at the end of the debate they had come to a decision, the first Premier of Ontario voting against Confederation. But they came to a decision in six weeks. That is where the matter was ultimately settled. It started in Charlottetown, moved to Quebec and ultimately settled in the Legislature of the province of Canada—in six weeks.

Well that is how it all began, Mr. Speaker; that is how this country began, when the last of the three votes were taken in this Legislature March 14, 1865. Then they went to London to get the bill passed and Canada was launched.

In the light of that history I do not see how the Prime Minister of Ontario can hesitate to set up a continuing committee on the Constitution, where opinions from all sections of life in this province could be canvassed by the legislators.

In a very real sense the politicians have a vested interest in the Constitution. If we have the will and the way, we can make a positive contribution to Constitutional development. In contrast to Macdonald and Brown, Galt and Cartier, who were dealing with the unknown, we have 100 years of experience with the document, with the development and with the growth of this province and this nation.

They stood in the shadow of the frontier; we are the managers of a highly developed economy. We have enough creative minds to do it in the Legislature, and I protest that it is not the preserve of the bureaucrats. Am I unkind to say that you cannot help but observe that the bureaucrats will not even grace the Legislature with their presence during the debate of the Constitution; they would not even bother to walk across the courtyard from their offices where they are ensconsed to hear what might be said in this Legislature?

Mr. J. Renwick: The Prime Minister had forgotten the debate.

Mr. Sopha: Yes, my friend from Riverdale says the Prime Minister holds the Constitution so much in the forefront of his mind, that he had forgotten the debate was going to take place.

Hon. Mr. Grossman: Where is the leader of the NDP?

Interjections by hon. members.

Mr. Sopha: I put it to you as a fundamental principle, sir, that the Constitution must always be subject to political control. We can have it no other way. It must be responsive to the democratic process. Now I leave that, but I really hope that those words—as I leave that train of thought—that they will bear some fruit somewhere before it is too late.

Now I have been speaking about creativity. I must pause and pay some attention to the exposure of negativism. I want to make a few comments on the address delivered by the Minister of Social and Family Services (Mr. Yaremko) on the first night of this debate.

In my view that speech, made in the late hours of the evening of February 27, cannot pass unnoticed. It must be answered. The record must be set straight. The other side of the coin must be put in the journals of this House. For in my view that speech was at once one of the most confused and divisive speeches I have listened to since becoming a member of this assembly.

In fairness to the Minister let us concede that he put forward a new concept of Confederation, a Heinz pickles concept, that is Confederation is made up of 57 varieties, except that he reduced them to 47.

Now first of all, let me remind him, if he reads these words, and let me remind him in

the House, that he was quite inaccurate in his description of the terms of reference of the B and B commission. And I hesitate to think that in reading only part of the terms of reference that is, I assume he did not intend to mislead the House; but the point is, had he read all the terms of reference—they are not lengthy—he could not then have made a speech such as he did. Because the terms of reference would have denied him the basis upon which he founded his subsequent remarks.

Now let me read the terms of reference of the B and B commission, because that was the springboard of his address. The commission was empowered to:

> Inquire into and report upon the existing state of bilingualism and biculturalism in Canada and to recommend what steps should be taken to develop the Canadian Confederation. On the basis of an equal partnership between the two founding races.

And there he stopped; and you will remember he flew off, as he does, in all directions and he said: "Where does the third Canada count? Where do I count; the third element?"

But having read on—these words are a continuation, and I checked his speech today. I noticed he stopped. He should have read this, and I quote:

> Taking into account the contribution made by other ethnic groups to the cultural enrichment of Canada and the measures that should be taken to safeguard that contribution.

Now, Mr. Speaker, in view of that clear statement of acknowledgement that Canada has been enriched by many cultures and by many people from many lands—some came early and some came late, it does not matter when you arrived. I noticed our old colleague got himself in hot water down in Ottawa the other day—and we know what a decent fellow he is, Ross Whicher, who used to be here—he got himself into trouble when he said in the House of Commons that it is a little bit better if you have been here for a little bit longer, though I am sure that must have been a slip of the tongue. But the whole point is that the multi-cultural diversity in Canada takes no notice of origin or time of arrival.

In view of that, how in logic can the Minister of Social and Family Services stand up and say that the terms of reference are demeaning to him and to anyone else who happens to be neither French nor English? In what sense do they make him a second-class citizen? I was particularly struck by the fact that when he made the suggestion the strongest dissent came from the very Minister whose backgrounds are neither French nor English.

It is my impression that my colleagues, the member for Downsview (Mr. Singer), the member for Niagara Falls (Mr. Bukator), the member for Dovercourt (Mr. De Monte), the member for Humber (Mr. Ben), like the member for Brantford (Mr. Makarchuk) and the member for Scarborough West (Mr. Lewis), the member for High Park (Mr. Shulman); and I doubt not the member for Renfrew South (Mr. Yakabuski), have no desire to be identified or tagged or labelled as "third elements". These men are all Canadians. They do not represent any "third element"; they represent the people who sent them here. Their presence in this assembly testifies to the contribution they have made and are making to the public life of this province.

The Minister himself did not come to this House, I hope, as a representative of an ethnic group or ethnic groups. Indeed, if I am not mistaken his constituency in 1951 had a distinct Anglo-Saxon majority; and I should not be at all surprised if he got more votes from that group than he received from ethnic groups though I have no exact information on that score.

In a word, Mr. Speaker, I think the Minister has no grounds for complaining that he has been treated as a second class citizen or kept outside the mainstream of our society. As the former Minister of Citizenship he might have had something to say about those 50,000 first citizens of Ontario, of whom the member for Riverdale has spoken so well today. Many of them live in squalor and degradation on Indian reservations in this province. These people, I say, are citizens minus when they are supposed to be citizens plus, they are denied the rights and services made available to all other citizens.

But to return to the "third element" concept: does the Minister of Social and Family Services really believe that Nathan Cohen, the distinguished drama critic, wants to be identified in that way? Does he think that Frank Mahovlich—can you hear it: there goes the "third element" behind the net, he has the puck; the "third element" is at centre ice, he is over the blue line; the "third element" shoots, he scores!

What nonsense!

Frank Mahovlich of Schumacher, Ontario, looks upon himself as being as Canadian as

anyone else in this country. What about Alexander Brott, the conductor; or Abe Bayersky, the artist; or David Lewis, David Croll, John Diefenbaker? Does this Minister think that they want to be set aside from their fellow Canadians by some special badge of identification? The suggestion is—

An hon. member: What about George Armstrong?

Mr. Sopha: Well George Armstrong is, of course, one of Canada's first citizens, from Garson, Ontario.

Mr. V. M. Singer (Downsview): We will have to have a "fourth element" then!

Mr. Sopha: Yes.

The suggestion in my view is simply grotesque.

What, then, was the purpose of the speech so early in this debate? It is my impression that it was intended to confuse the issue, to obscure the fact that basically and historically Canada is made up of two societies, one English and the other French. That is the fact of Canadian life; that is the heart of the matter.

In proof of that, let me call as my first witness the distinguished Canadian who heads the government of this province, a man held in high esteem in every part of Canada. Speaking in a debate in this House, on May 18, 1967, he had this to say, and I quote from the first citizen of Ontario:

> In our country, approximately one third of our people speak French, centred primarily in the province of Quebec. It has been asserted that only in Quebec can the French Canadian be himself. I would suggest that this is an aspect of the whole Canadian dilemma which requires our immediate, and very steadfast, concern.
>
> I have stated before, and I should like to state again, that I am committed to the proposition that cultural equality is the basis upon which Canada is formed. This country is a bi-national state, founded in 1867 by the Fathers of Confederation, who clearly recognized that this was not to be a purely English-speaking country.
>
> There are some that argue that Canada, being in North America where the dominant language is English, should aim to inhibit the use of French and become more and more English in all ways. There are others that seek to create a French-speaking ghetto beyond which no French could be used. Neither of these suggestions seems to me worthy of becoming in any sense the policy of this country.
>
> What we must seek to ensure is that wherever possible, French can be used in all federal government departments and agencies. In all provinces where there are appreciable groups of French-speaking Canadians, provision must be made to permit their children to be educated in their own language. This government is addressing itself to this problem —the whole question of bilingual education in Ontario—and we want Franco-Ontarians to feel that they can be themselves here, and that this is their province as well as anyone else's.
>
> And we must, I think all English Canadians must, ask ourselves if over the years we have been quite as fair and as just to our French-speaking minority in Quebec province. I do not wish to paint any sombre picture of the past, but I would like to point out that we can do many things to remedy this situation today.

Now, sir, just in case the Prime Minister did not make himself clear in English, I want to read a part of that in French:

> Dans notre pays, environ un tiers de la population parle français et se trouve principalement dans la province de Québec. On a déclaré que ce n'est que dans Québec que le canadien français peut être lui-même. Je propose que cet aspect du dilemme canadien reçoive notre attention immédiate et soutenue.
>
> J'ai déjà déclaré, et j'aimerais le réitérer, que je me suis engagé à soutenir la proposition qui reconnait l'égalité culturelle comme la base sur laquelle est fondée le Canada. Ce pays est un état bi-national—

Je dis au Ministre des Terres et Forêts—je regrete—"Ce pays est un état bi-national." C'est le Premier Ministre de la province d'Ontario qui parle ici.

> Ce pays est un état bi-national, fondé en 1867 par les Pères de la Confédération qui reconnurent sans ambiguité qu'il ne s'agissait pas d'un pays strictement anglophone.

He made himself absolutely clear in both French and English, that we believe that Canada is a bi-national state. And just in case it bothers the Prime Minister to have these words recalled in 1969, I want to put him in good solid company, and I call as my second witness no less a person than Her Majesty, Queen Elizabeth II.

Harken to these moving words! They were spoken in French but I give hon. members the English translation. This was Her Majesty speaking to the legislative assembly of Quebec on October 10, 1964:

> Whatever the future, we must prepare for it today. Among compatriots we must explain our point of view without passion, always respecting the opinion of others. The problems of today will founder in disorder if we do not know how to righten them with fraternity.
>
> Let the dialogue continue and it will tend to unify all men of good will. True patriotism does not exclude an understanding of the patriotism of others. Confederation was founded by two races, and I think it appropriate to speak in the language of Cartier and Macdonald:
>
> This country is the meeting place of two great civilizations, each contributing its own genius and quality.

These qualities are not contradictory but complementary to one another. The full energy and progress of a nation can be realized only by continued co-operation in all sections of the community. We are proud of the irreplaceable role and special destiny of French Canada. For 400 years it has maintained its strength and vigour. And whenever you sing "O Canada," you are reminded that you come from a proud race.

It is to this pride, to this nobility of heart that I speak while recalling that the Fathers of Confederation aspired to a great future. Their work is worth pursuing, thereby the hearts which so nourished such an enterprise will not have beaten in vain.

In serving the true interests of Quebec, you will serve those of Canada, in the same way as the true interests of Canada are to serve those of the entire world.

I just have time to call my third witness—these are witnesses of the character, the historical antecedence of this nation.

Mr. Speaker: Perhaps if the hon. member would, it would be better to call a third witness after the adjournment, because there are only two minutes left.

The House took recess at 6.00 o'clock, p.m.

No. 87

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, April 17, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, April 17, 1969

Conclusion of the debate on the constitution, Mr. Sopha, Mr. Welch 3249
Motion to adjourn, Mr. Welch, agreed to 3272

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

CONSTITUTION DEBATE

Mr. Speaker: Perhaps before the hon. member continues with his third witness, the members would like me to introduce our guests this evening, because we have some special and important guests this evening.

Mr. E. W. Sopha (Sudbury): They are all important.

Mr. Speaker: Yes, that is exactly what I said. We have, as I mentioned this afternoon, the 14th Scout Troop from Scarborough West, and students from Riverdale Collegiate Institute in the east gallery; we have the history club of Riverdale Collegiate, who are part of that group of students; and then in Mr. Speaker's gallery we have the executive officers of the Highland Creek Chapter, Imperial Order Daughters of the Empire, and I am sure we are glad to see those ladies up there. I thank the hon. member for Sudbury for allowing me that courtesy.

Mr. Sopha: Mr. Speaker, I convey my gratitude to you for your allusion to my plan of presentation and it indicates to me that you have been attending upon my remarks very closely.

Mr. R. F. Nixon (Leader of the Opposition): So have we all.

Mr. Sopha: I observe that whereas we did not add anything to our numbers this evening, I look around at the faces of those present and I see that we did not lose any that we had before.

Mr. Nixon: There sits the Minister of Agriculture and Food (Mr. Stewart).

Mr. V. M. Singer (Downsview): In solitary splendour.

Mr. Sopha: Before calling my third prestigious witness I wanted to go back a bit and to say very briefly to any that we may have added, that before the dinner hour I was making the point that 100 years ago the writing of the Constitution of Canada was an exercise in politics, and 100 years later it has entirely been given over to the academician, the bureaucrat and the technocrat; and the legislator, in this as in so many other areas, the elected politician, has become in effect part of the façade of life.

Do you recall, sir—if you will permit me to allude to the fact very briefly, though it has no immediate relevance—when the Prime Minister of Canada decided to examine the foreign policy of this country the first people he called in were the academicians and he gave that task over to them. It seems to me that in the second half of the 19th century the only academician of prominence who was on the landscape was Goldwyn Smith. And he had the unrivalled distinction, expatriot of Oxford that he was, displaced person come to seek his fame and fortune in the colony, that he led the crusade in this city from his household which is situate where the Art Gallery of Ontario is now. He was in the vanguard of those that wanted to annex Canada to the United States. But as I say, that has been completely changed now. The politician who occupied the stage in the 19th century has been pushed into the background and the academicians and the bureaucrats have taken over.

And I was saying that it must be a matter of chagrin, it indeed must be a matter of some irritation to people like the hon. member for Carleton East (Mr. A. B. R. Lawrence) and the member for Armourdale (Mr. Carton) on that side, as well as the distinguished leader of this party and many others in the House, that their opinions in constitutional matters do not count for very much. I am protesting and would hope that my words are carried to the Prime Minister (Mr. Robarts), that this is a matter of high principle; and when all is said and done the Constitution of this country must become the sole responsibility of the elected representatives.

Now the other area of my speech I had reached was the one in which I was making the point by calling two very distinguished people in support of the proposition that Canada is fundamentally a nation composed of two cultures, two societies, and to use the

Conservative phrase is a country of two nations. I had read from the remarks of the Prime Minister of this province, uttered in this place, on May 18, 1967, which included this sentence:

> I have stated before and I should like to state again that I am committed to the proposition that cultural equality is the basis upon which Canada is formed. This country is a bi-national state.

I had referred to the remarkable speech made by Her Majesty in the Legislature of Quebec on October 10, 1964, when she said this:

> We are proud of the irreplacable role and special destiny of French Canada. For 400 years it has maintained its strength and vigour.

And before calling as a witness that man that the Laird of Lindsay used to refer to as the "granddaddy" of them all, let me remind my listeners that the history of Canada, as is often thought in its English-speaking section, did not start 100 years ago, did not start with the launching of this nation by The British North America Act, July 1, 1867; it started, if you want to pick a date in time, in the year 1608 when the great Champlain took the first steps to found the historic city on the banks of the St. Lawrence at Quebec.

The history of this country is 400 years old, and it is appropriate to say in reference to the remarks of the member for Riverdale (Mr. J. Renwick) this afternoon, that the same considerations which led His Royal Majesty, George III, to make concessions to the Indians—that is to say, out of gratitude for either their active assistance to the English cause in defeating the French, or at least their neutrality which was just as welcome as the levying of arms—the same considerations which led him, in 1763, to issue the Royal Proclamation, led the English conquerors to make very important concessions to the French Canadian residents of Quebec. The most important of these, of course, was the activity of the American Revolutionaries to the south, and the Act of 1774, which was reaffirmed under The Quebec Act of 1791, is testimony to the fact that the English conquerors decided, as a matter of high policy, not to treat the French residents as a conquered people, but on the contrary, to accept them as equal partners in the founding of a colony on the north half of the North American continent.

Then they showed the shrewdness, the wisdom of that decision at two crucial times —one in 1776 and the years immediately following, and again in 1812 when French Canada in fact saved the north half of the continent for the Empire, which would not have happened without the active assistance of French Canadians. The remarkable thing, so soon after they were defeated themselves on the September afternoon in 1759, is that in a short space of time they should decide that their destiny was better protected with the British than it was in joining forces with the American revolutionaries. But as I say, it is evidence to the shrewdness of the British masters who came to exercise their suzerainty over the north half of the continent.

But we must never forget that that is a fundamental fact of life of this country, that Canada and all it has been since that time is the meeting ground of two histories, two cultures, two languages, two peoples. It is a crossroads, and in a word, at once its greatest charm and its greatest strength.

My third witness is the man who really understood the French Canadians, the chief architect of Confederation. In the year 1856 —note the year, 1856—Macdonald was in his 41st year, and this is what he said:

> The truth is that you British Canadians never can forget that you were once supreme, that Jean Baptiste was your hewer of wood and drawer of water. You struggle not for equality, but ascendancy. Treat them, the French, as a nation—

Note that; let me interpolate, note what he calls them:

> Treat them as a nation and they will act as a free people do, generously; call them a faction and they become factious.

Macdonald on many occasions referred to the French Canadians as a nation. Therefore it was a matter of great regret to me personally that the Conservative Party—which had raised its colours, outlined its principles at Montmorency, and accepted the duality of cultural communities in this country—in the subsequent months, backtracked. The Conservative Party got into a tortuous state of confusion, and in that election at the end of it you could not ascertain what the Conservative Party believed, as they made haste under the onslaught of Jean Baptiste from Prince Albert to retreat from their previous position, which recognized the bi-national character of Canada.

The Conservative Party certainly lacked historians, or a historical sense as they sat, thousands of them at Maple Leaf Gardens, and listened to Diefenbaker as he took the stage that evening, and was carried into three million homes in this country in an attempt to tell us that the experiment of 1841 was a

two-nation concept. But he said and he said it time and time again that night at Maple Leaf Gardens. He said, "We tried that in 1841, and look what we got." The truth was of course, that John Diefenbaker was stating the exact opposite of reality. The experiment of 1841, the Act of union, was not a two-nation concept at all, it was a one-nation experiment.

The member for Lakeshore (Mr. Lawlor) earlier in this debate read into the records the words of the Lord Durham, which led to that experiment. He read them how Durham came here and discovered two peoples warring in the bosom of a single state, which is a fine flourish of very literary writing, and advocated blatently and brazenly in his report that the most Christian, the most charitable thing the English people could do in this country toward the French Canadians—whom he called a people without culture, without a history, without a literature, poor, rude, rough—was to Anglicize them. That is the word used — Anglicize them — eliminate their language, get everybody speaking English. That is one thing about English-speaking people; they have no difficulty, we have no difficulty in feeling that we are superior, and we uplift people by making them like us, making them in our image. That is the white man's burden of the 19th century; we lift them, we improve them, we make them like us.

So the experiment was tried. We united the two provinces. Ontario was the first separatist province in this country—oh yes, it was the first separatist province; it broke away in 1791, you will remember, when the first Loyalists arrived.

I take issue with the Prime Minister. He said that the greatest single factor that led to Confederation was the existence of those northern armies victorious after the civil war. It was one factor, but it was not the only one and it was not the most important one. The most important one, I protest, was that that experiment of the union of the two provinces turned out to be a colossal failure; government broke down, government was paralyzed. Betwen 1859 and 1863 they had four governments in three years or five governments in four years, something of that order. With George Brown declaiming in Toronto the principle of representation by population, government had ceased to function. The French Canadians, tenaciously protesting their right to preserve their culture, refused to accede to the principle of equal representation, the double majority device, and so on. The French Canadian demonstrated he did not want to be assimilated.

So the experiment by 1857 was recognized to be a colossal failure and that is about the year, it might be that year or the year before, that Confederation was first advocated seriously. By whom? By Alexander Tilley Galt, who was the first one, about 1857. It is only a question of time until that mistake of 1841 had to be remedied.

What is the point of this historical survey? The point is to show beyond any peradventure that if this country is to exist, we have to recognize that is made up of two great cultures, French and English, with the added advantage, the incomparable asset, the invaluable fact that thousands of people have come here from many other lands to join us. But the Conservative Party got trapped by Mr. Trudeau in that campaign and they backtracked and appeared to accept the proposition that I can never accept. With all due respect to the distinguished Prime Minister of Canada, he cannot say and convince me that if he discovers 40 Bohemians in Kamsack, Saskatchewan, that they are entitled to the same quantity and quality of treatment as five million people occupying one province, five million people who are the founding peoples of this nation, and who are entitled as a matter of right—let me be understood—to every assistance and sympathy to preserve their heritage, their culture and their language. That is a fact of life. I believe it is, on that score.

Some years ago, my friend, the present Minister of Citizenship (Mr. Welch), delivered a very inspiring address in this House in the course of which he included some words from the eloquent lips of the great D'Arcy McGee. I consider them to be so relevant to this debate that I should like to repeat them on this occasion. Himself an Irish immigrant, albeit ordered to be transported out of Ireland, he still remembered the destructive effects of prejudice in his former homeland, and called upon his new countrymen to "rise above all low limitations and narrow circumscriptions." Let those across the way note those words. "Rise above all low limitations and narrow circumscriptions." And then McGee went on to say:

> We now live in a land of religious and civil liberty. All we have to do is, each for himself, to keep down dissensions which can only widen, impoverish and keep back our country; each for himself to do all he can to increase its wealth, its strength and its reputation; each for himself to

> welcome every talent, to hail every invention, to cherish every gem of art to foster every gleam of authorship, to honour every acquirement, and every natural gift; to lift ourselves to the level of our destinies; to cultivate that true spirit which embraces all creeds and all races, in order to make our province, so rich in known and unknown resources, a great new nation.

Are not these beautiful words, Mr. Speaker, and I ask you to contrast that lofty conception of Canada with the narrow and divisive point of view put forward here by the self-appointed champion of the "third element", the Minister of Social and Family Services (Mr. Yaremko). I think it is perfectly proper to advert to the fact that early in his remarks he leaned over in almost a fawning way towards the first citizen, and said, "I shall treasure the invitation the Prime Minister tendered to me to come to the conference", as if he had got in his possession a singularly valuable piece of Canadiana that will be a great state paper, that will be exhibited in the Yaremko museum, situated on the corner of College and Spadina at some future time.

Hon. A. Grossman (Minister of Correctional Services): That is my riding. Stay out of my riding.

Mr. Sopha: That is in the riding of the Minister of Correctional Services. But that is the way he put it, as if the Prime Minister of Ontario tendered him a written ornate invitation, perhaps something of the order of that, which cost about $9 a copy I suppose. Well, the Prime Minister of Ontario did not think to tell the press that he was part of the delegation to Ottawa, because the ministry of the delegation consisted of the hon. Prime Minister, the hon. Treasurer (Mr. MacNaughton), the hon. Minister of Education (Mr. Davis, the hon. Minister of Justice (Mr. Wishart), and the hon. Minister without Portfolio (Mr. Guindon), and no mention of the Minister of Social and Family Services. I think the truth is, and I wish he was here, that it was not intended that he be part of the delegation at all, that he barged in, uninvited. He barged in and they had to scurry around to get him an invitation to get into, what is it called, the railway room?

Mr. V. M. Singer (Downsview): The Confederation room.

Mr. Sopha: The Confederation room. They had to get him a pass to get in. They tell me he brought a photographer, and at the recess he slid up beside Pierre Elliott Trudeau and the fellow was making like Arthur Rank. They tell me it was a sight to behold. Every time they had a recess he would sneak up beside Walter Weir, or Joey Smallwood, and pop would go the camera. I think that is pretty close to what occurred.

Mr. Speaker, having called those three very distinguished Canadians as witnesses—and since the existence of two distinct societies in our Confederation is so clearly acknowledged by the Queen and her first Minister, and in history 113 years ago by the giant of Canadians—I hope I have contributed in some small way to put to rest the—

Hon. S. J. Randall (Minister of Trade and Development): What about the 40 bohemians?

Mr. Sopha: —put to rest this notion. And in my view, I am going to call—

Mr. Singer: Commune with Hepburn again? Get some more ideas?

Mr. Speaker: Order!

Mr. Sopha: This is a very serious matter. I am going to call a fourth witness in the person of Jean-Jacques Bertrand. In my view, the nationalism which Mr. Bertrand expressed at the Ottawa conference is as valid as the Czech nationalism expressed in Prague, and the Slovak nationalism expressed in Bratislava manifesting itself in the defiance of the Soviet Union. Let me quote the words of Mr. Bertrand:

> If there is a crisis in Canada, it is not because our country is made up of individuals who speak different languages, it is because Canada is the home of two communities, two people, two individuals who speak different languages. It is because Canada is the home of two communities, two peoples, two nations, between which relations need to be harmonized. A French Canadian is not the same as an English Canadian simply because he speaks differently. He speaks differently because he is different.

Then later on he had this to say:

> The important thing for French Canadians from Quebec is not to be allowed, as individuals, to speak their mother tongue, even in areas of the country where there is little chance of being understood. What they want is the opportunity to live together in French, to work in French, to build a society in their image and to be

able to organize their community life so that it will reflect their culture.

We would, therefore, be merely scratching the surface if we were to equate Canada's constitutional problem with a question of personal or linguistic rights.

What we are seeking is a constitutional system most likely to reconcile the free growth of Canada's two cultural communities with the requirements of economic security, and since it is mostly in Quebec that one of these two communities can ensure control over its destiny, the problem may be summed up by asking: "What must be done to have a strong Quebec within Canada?"

Above all, it has become essential to give French Canada, of which Quebec is the mainstay, a deep conviction that it can find in the Canadian Confederation all the required elements for its own development.

We must recognize that for some time, this feeling of confidence has become increasingly subject to question, and that doubts have crept into the minds of many Quebeckers. The questioning and uncertainty cannot last forever. Choices will inevitably have to be made.

It strikes me that the most confident delegation—I say I watched the thing for three days—at the whole conference was the delegation from Quebec. They had no uneasiness whatsoever, and I intended to say later, what I say now about the everest of stupidity of which the CBC is capable. Really, they can reach dizzy heights.

Cardinal goes over to speak to Mr. Bertrand and immediately the commentator comes on and says: "Oh, oh, there is Mr. Cardinal speaking to Mr. Bertrand," as if that was a big deal. Mickey MacDonald could go in and speak to Robarts and that would not cause any flurry at all. But the fact that a Minister of Education, one of the senior members of the delegation, goes over to speak to Mr. Bertrand, you would think all the mailboxes in Quebec are going to be passing Mars in no time at all.

In the psalm of peace, early in the conference, at the first recess after there had been some discussion of the agenda, one of these fellows with the weird looking head sets and portable cameras rushes up to Robarts and he says: "If there is going to be a fight over the agenda, which side are you going to be on?" You see, nothing like making peace.

He thought Robarts was dumb enough to go for that, but our man said: "(a) There is not going to be a fight over the agenda, and (b) I do not think I will be on anybody's side but Canada's." In other words, let us be calm about this.

But in a very real way I am coming to believe that the television cameras do not report the news, they make it. They make it, and when all else is quiet there is nothing like stirring up a little bit of news.

Well, I have read extensively into the record and I am proud to do so, the remarks made by Mr. Bertrand at the conference. I say to you, sir, that is the heart of the matter.

Does it mean giving Quebec an exalted position? Does it mean giving Quebec special privileges at the expense of the rest of Canada? Nothing of the sort. It only gives them the right to be French, to speak French, to live in French, to build a French society within Confederation, whose strength and riches which are many, will be shared with other Canadians.

A French society which will guarantee in law the inalienable rights of the English and other minorities, and here let me stress that the province of Quebec, French Canada, has an unequalled record in such matters. The Jews of Canada regard as their very Magna Carta, the Quebec Statute of 1832, which extended to them the rights and privileges enjoyed by all other citizens. It is worth noting that it was only 30 years later that the mother of Parliaments at Westminster extended full citizenship to those of the Jewish faith.

We have not done that for the 50,000 descendants of those to whom this great land once belonged and here I put on record the words used by the Prime Minister of Ontario on November 5, 1965, when he paid tribute to our sister province. It ought to impress the other side, these remarkable words by the head of the government of Ontario.

Mr. Robarts said on that occasion in the province of Quebec, and I quote:

> I am pleased to say, in the presence of the Prime Minister of Quebec, that his province over the years continued to demonstrate an awareness of the special problems of minority in a multi-cultural society. We, in the rest of Canada, should never forget that the English speaking minority in Quebec is afforded full rights, not only in terms of human and civil rights, but also in terms of language.

In the light of that recognition by the Prime Minister of Ontario, it made all the more shameful the intervention in this House of the two from the back row—the member for Dufferin-Simcoe (Mr. Downer) and the member for Carleton (Mr. W. E. Johnston)—when we sought to catch up in Ontario to what had been a fact of life in Quebec for many decades. I am sure that when the Prime Minister spoke those words he was mindful of the infamous regulation 17, which has happily been buried by the march of progress.

Mr. Speaker, despite our disagreements with him on other questions, let me say genuinely and sincerely to you, that it is my view that no political leader of our time has done more to build strong bonds of friendship between English and French Canada than the present Prime Minister of Ontario. And I doubt if any English-Canadian political leader stands higher in the esteem of the people of French Canada than does the Prime Minister of Ontario. That is why I am so perplexed that so little attention is given to the role of Quebec in our Legislature.

That is the rosy side, and thank God we are led by a man who has always refused to join the wolf pack. I was grateful to him at the time of the national spasm of hysteria that hit this country, when General De Gaulle uttered that phrase from the balcony in Quebec. The hysteria was not new. We had seen that hysteria before. We had seen it in this country, and our ancestors had seen it when the trap was sprung on that November in 1885 in Regina. We had seen the same type of thing rip this country apart into two divided camps for 75 years.

Thank heavens, in respect of that half-breed leader, they have done two things. The Prime Minister of Canada went out to unveil a statue to him, which I am told is about 300 feet away from where the scaffold was. And secondly, the government of Manitoba has announced more or less as a matter of official declaration that the coming of Confederation to Manitoba was a direct result of the activities of Louis Riel. Now, could a man want more from posterity than that?

These things are not new and I think it serves the purpose—I hope it does—to take some notice of the negative, shrill hysteria that does exist in this country.

I want to read you the other side of the coin, right in this city. They tell me CFRB—Ontario's family station—has the largest listening audience of any of the radio stations in Ontario. Well they have a fellow up there by the name of Bill McVean, and on January 13, 1969, on an Ontario family station this is what Mr. McVean had to say:

> We were sitting around talking about the French fact—this is one of the latest Canadian cliches replacing charisma—and I was wondering out loud why nobody nowadays ever stops to consider the English fact, or it that not respectable, being a majority and all.
>
> The English fact is that this is an English-speaking continent. Its policies and its business are conducted in this language. Sad, perhaps, but a fact.
>
> It is a fact that originally the French in Canada were given remarkably generous terms of surrender by the English. French was to be used in federal documents and debates and that is all, no more. There was no talk of bilingualism or biculturalism. Sad, but a fact.
>
> Anything beyond this the French Canadian has acquired through the love, respect and generosity of the English Canadian. That is a fact.

Now let me interpolate. If you did not have a strong stomach, would that not make you vomit to listen to that kind of stuff? He goes on:

> English Canadians are accused of trying to stamp out French culture. No such thing. To begin with this continent, legally, does not have any French culture to stamp out. Secondly, the English Canadian has a warm spot of pride in a dual set of founders. The last thing an English Canadian wants to see is French culture disappear. That is why he gets so angry when he sees the French destroying it.
>
> Quebec is trying to force the French language into business and politics in an English-speaking environment. It will not fit because of the English fact.
>
> Separatism is something most English-speaking Canadians fight against because they realize that a French ghetto in the midst of an English world would live less than two generations and then would disappear forever. The French fact would cease to exist, overwhelmed and snowed under by the English fact, and if Quebec persists in its course of isolationism, I am afraid that even the WASPs will not be able to keep French culture alive.

Of course, all that echoes George Drew, a generation ago. He believed that French Canadians should be recognized as a conquered people. One could answer this drivel if it were not so contemptuous of five million of our fellow citizens. To McVean they

are a conquered people; they were never that. Were the British, I ask you, Mr. Speaker, a conquered race after Dunkirk? French Canada not only survived the Plains of Abraham, but flourished, and now in the whole of Canada those who call French their mother tongue are 6.5 million strong.

I advert to that to say that is the kind of thing that makes separatists. If it were translated into French, if it were distributed to the youth of French Canada, that they have to be beholden, as McVean says, to the generosity of their English-speaking compatriots, the young people of French Canada would conclude in great numbers that they had better go it alone. As the hon. member for Lakeshore said in the debate, the fact is we cannot afford to let them go it alone because if they leave the rest of us are finished; we are done. That is a fact of life. Once French Canada separates from the rest of Confederation, you will find the western provinces flying off and discovering their nexus with the Pacific states. You will find the Atlantic provinces recognizing their sphere of interest with the New England states, and you will have Ontario, and perhaps Manitoba and Saskatchewan, left. This country is finished if we do not keep Quebec in Confederation.

How do my good friends—I wish they were here—the Minister of Lands and Forests (Mr. Brunelle) and the Minister without Portfolio, who represents Stormont, react to that kind of drivel? Ontario's family station, it calls itself.

It is all right, Mr. Speaker, is it not, that a citizen of Ontario, a member elected three times, in some way lectures his fellow citizens of this province? I think that is a fair exercise. I want to say a few words about the reaction in Ontario and other English-speaking provinces to Mr. Cardinal's visit to Paris. I would first of all like to remind you that these visits to France and to the Francophone countries of Africa were not inaugurated by the present government of Quebec, either that under Daniel Johnson or the one led by Jean Jacques Bertrand. Those visits were inaugurated after 1960 by the government of Jean Le Sage. Why is there so much distress over the reception given to this able young statesman? After all, Mr. Cardinal is the Vice-Premier and Minister of Education, and he is the president of the National Council of Ministers of Education.

Instead of feeling angry over the fact that he is greeted with due ceremonial, we should be proud of the honour accorded to him. What is the fundamental difference, I ask you, in the dignified welcome of the Minister of Education of Quebec in Paris, and a hypothetical red carpet welcome of Ontario's Minister of Education in Australia? Indeed, if Bill Davis junketed to the Leeward Island, which just about equalled Gabon in importance, and they put on the dog a bit to welcome him, probably only Mrs. Davis would know that he was out of the country. But if Jean-Guy Cardinal goes abroad, an army of newsmen follow him and the English-language press whips itself into a frenzy of shrill hysteria. It becomes a great affront that he is asked to put up at the presidential palace. Where do they expect him to stay? At the YMCA?

Here is one Canadian who is not at all bothered by the development of cultural ties between Quebec and Francophone countries anywhere in the world. I am deeply disappointed in the Toronto *Daily Star* and the unreasonable posture it adopted in recent months about this type of thing. I am depressed that, figuratively speaking, the old lady of Melinda St. has moved to 80 King St. West. In fact, the Toronto *Daily Star* in recent months in its front page handling of these visits and these conferences reminds one of the *Orange Sentinel* of half a century ago. There have been too many narrow-minded and essentially Waspish views and news stories and editorials to be mistaken about the editorial policy which beats the drums of division in carping and tendentious criticism of Quebec.

At the time of the Niger conference, a headline was "Niger angry at attempt to belittle Canada". You read the story under it and you do not find one item of substance to support that headline. It quotes a source and it never says who the source is; but there is no quotation from any responsible person in the republic of Niger that they are angry at the attempts to belittle Canada.

Then, "Separatist wins major post at Niger meeting," referring to the fact that Jean Marc Leger, a political writer on the Montreal newspaper, *Le Devoir*, had been elected provisional elective secretary of that new Francophone organization. I read the story, and I saw in it that Gerard Pelletier who was with the Canadian delegation, was quoted in the continuation of the story inside, as saying this:

> Pelletier, who once worked with Leger on *Le Devoir* and knows him well, went on "If you ask my personal opinion, knowing Mr. Leger's professional conscience, I believe he will behave like an international

civil servant in keeping with international law. Personally I am not worried."

I followed that up by calling Mr. Pelletier, to ask him about the justification of that headline in the front page of the Toronto *Daily Star,* and he said,

> Well, I say nothing more than I said at the conference at the time. We were not at all disturbed by it, the fact that Leger had been elected to that responsible position. I know him well, and I have known him for a good many years.

I have noticed recently that the Toronto *Daily Star* is complaining, and I must say was manifesting great pique, that the same Gerard Pelletier was welcomed effusively by the French government in Paris. One got the impression that the *Star* would have preferred it if they had ignored him. They had an editorial saying that General De Gaulle had the red carpet out for the Secretary of State, but he was not genuine about it; he was only playing games with us.

The whole point, Mr. Speaker, in referring to these things is a plea for moderation in the campaign of heat and vitriol, the leaven of malice, that we have known at times in our history to have broken out sporadically. It is too near to us to allow ourselves to be irrational about trivia. Like all the minds of the celebrated Rossillon affair—do you remember that one? Do you remember the news stories in the English-language press, on radio and TV about the notorious French agent bent on the destruction of the very unity of Canada.

He was from France, and he went to see a few French Canadians in Manitoba. But if the Minister of Tourism and Information (Mr. Auld) invited the Duke of Norfolk to address the United Empire Loyalist Society in Brockville that would not cause a flurry at all. Personally, I would be offended, but it would be all right to bring some British Royalty over here and revise the old colonial spirit. Well Rossillon visited a few French Canadians in Manitoba and all the press and the TV got terribly upset about it, as they made us aware of this nefarious and sinister activities.

Well, the first Minister of France came to our country very shortly afterwards—I think it was less than a month—on a very sad occasion, and the Prime Minister of Canada met with him for an hour or more at the Citadel. And when they came out, I remember—fresh in our minds this dark D'Artagnon of a figure talking to French Canadians in Manitoba, Rossillon, a name of vitriol on our lips—when he came out from meeting the Prime Minister of France, the newsmen rushed up to him and said: "Mr. Trudeau, did you tell him about Rossillon?" And Mr. Trudeau gave them that charming gallic shrug and he said: "I never thought to mention it".

Mr. Trudeau might have said—because he is given to this kind of quip—"Who is Rossillon?" But he said: "I never thought to mention it." I only see the CBC; maybe CFTO is just as guilty, I do not know, but I only see the CBC; we are a captive audience. The CBC whipped this up in the way they did in respect of De Gaulle before his visit. For three weeks before he arrived they beat the drums, telling us that De Gaulle was going to do something here and to be ready for him. Commentator after commentator on the national news told us to beware of De Gaulle. They predicted that De Gaulle would use his Canadian visit to denounce the United States. That is what they said would be the bone of contention – "he will use Canada as a platform to attack the United States." They were caught flat-footed by his "Vive Quebec libre" from the balcony in Montreal.

All right, I have employed not-so-gentle irony to make the point. I have spoken in the last two or three years in various parts of Ontario, and I have employed the theme of reason, sympathy, understanding and a Canadian method that has served us so successfully of the desire, the willingness to compromise.

I remember talking to the good burghers of Cobourg area—now there is a great place to put across this message, because it is one of the oldest communities in Ontario. It was the earliest community settled by the Loyalists and the Loyalist tradition is still a strong and viable part of the life of Cobourg. I remember telling them that the French Canadian has many hurts, he has got many wounds. And what he says, "je me souviens" —he has much to remember. He suffered many indignities at the hands of his English compatriots.

The only attitude for us in Ontario that is worthy of us is moderation, compassion, the willingness to assist the French Canadian to preserve his heritage, his culture, his history, his language. The Toronto *Daily Star* is too good a paper to keep this up, and I wish it would cut it out. The *Telegram* does not escape either. The most moderate of them all with the editorial policy is the *Globe and Mail.* The *Globe and Mail* makes its arguments but it never goes overboard into the

hysterical, the unfair. It makes very reasoned arguments and does not play up these stories on the front page.

Remember the Toronto *Telegram*—I wish the Minister of Trade and Development had not left, because he could bear me out on this—sent a reporter down to Quebec who discovered that business is leaving Quebec, fleeing, getting out of the province. And he quoted an official of the Minister's department to have said: "We get deluged with enquiries from Quebec about relocation of Quebec business in Ontario." You get the impression that there is a great exodus out of the province of Quebec.

Well, sir, they came around and investigated who the official was in the Minister's department. In *Time* magazine, I recall, it was exposed—the fallacy of the *Telegram* story. It reported that the contrary was the case. The department said that somebody had asked about enquiries from Quebec, and the department told him that the fewest enquiries they got were from that province. And the additional information was that more businesses were located in Quebec than ever before in its history.

I do not know why our press does that sort of thing. That is the one that ought not to escape—the ones that ought not to escape—in this constitutional business. And I turn to the conference itself on the grand old CBC. I agree with Diefenbaker when he says, "It ought to be the last conference on television." I personally hope that there is not another one. I was one of those who asked these politicians to get into the public arena—to hold their conferences in public—and I hope they will continue to do that. But I hope I never have to suffer another one on television, if it is like the last one.

The CBC started it off, as I say, as treating it as if it were a spectacular. But it was well weakened by the second day. Now, on the first day I notice they had Depoe commentating. And I say this about Depoe—he has a very fine and well developed knowledge of the history of this country. But there was something wrong with his voice and he disappeared. He was on early in the morning the first day and we did not see him again.

But, as I say, they started it off as if it were a spectacular equal to the "Carol Burnett Show" or "Bonanza", and had an army of their photographers. But by the second day their will had weakened and they joined the conference either an hour or an hour and a half late. They got 475 phone calls. I was very impressed and encouraged by the number of people who were showing chagrin that they were not carrying the conference.

Now, here is what they have said: "I sat in my living room, did not go down to the office, and I was amazed, it was supposed to come on at ten o'clock. I wanted to see if the Attorney General got up and was there, you know." At ten o'clock it did not come on and the announcer says: "Before we go to the floor I should say we had some phone calls this morning from people asking why we did not carry the conference live from the opening. The explanation is quite simple. The subject was to be "Fundamental Rights", Yesterday for more than an hour this was thrashed out and there didn't seem to be much disagreement at all on the objective of safeguarding human rights, and what was going to develop would be a legal argument on technicalities and legalities and whether these rights should be entrenched in the Constitution. So we took the decision to toss over the resumed debate on that subject and picked up the next subject which is 'Economic Disparity.'"

Really, then, it was a contest. The programme they had on was instead of "The Friendly Giant" and it was a contest between pleasing my four-year-old daughter or myself and she won out with the CBC. She watches TV every morning, so when they pre-empted the conference for "Friendly Giant" it would have been quite improper for me to point out that I pay the taxes in the household that go to underwrite the CBC, because she has her rights too, though I might have argued with her that she can watch "The Friendly Giant" any morning, but she cannot see that funny man from Newfoundland any old day of the week. What I do object to is the impertinence of the CBC in the passage that I have read, and the announcer's explanation that they were in a better position than the rest of us to judge what shall be our bill of fare.

A word ought to be said, and really I am getting out on a limb, about the level of commentary by those who carried out that chore for the CBC. As I say, Depoe disappeared, and they had the team of Collister, Lynch and Cook, and really, to watch them and to listen to them, you had to have a very pronounced masochistic trait. These fellows are no equal to Sevareid, Cronkite or the quality of commentary that American networks are able to provide. I wanted to mention that not only did we have the commentary along the way but in the evenings

they played back excerpts from the conference in the day, and the same team of Lynch, Cook and Collister made a comment upon the events.

The CBC kindly furnished me with a transcript. I do not like to make these general statements without supporting them with some evidence, and I wrote to the CBC and got one of the transcripts. I want to offer that as evidence, because I am saying that if we invest $175 million to $190 million in this corporation, we are entitled to something more than we get. Here is a typical exchange; I am going to read part it. It refers to a part where Mr. Bertrand had just engaged in that sharp exchange with Mr. Trudeau, and they come on:

> *Collister*: What was Quebec trying to do in that exchange?

You get that—what was Quebec trying to do? In other words this is like between periods of an NHL hockey broadcast where you are recapping the play and you are explaining the various moves that are made by Forbes Kennedy and Phil Esposito. Well, Lynch says this:

> Well, I think the Quebeckers themselves were saying that after that exchange, which I think was the most exciting one of the conference and the one that will be most discussed, Bertrand emerged more strongly than ever in this position as Premier of Quebec, and they were even saying there will now be no leadership convention in the Union Nationale; that Bertrand, by suddenly being as nationalistic as he was in that exchange and in his subsequent statements after the conference to reporters, that he solidified himself for the nationalist wing of the party. And that was what he was really trying to do. In other words, you remember an exchange like that between Daniel Johnson and Pierre Trudeau last year, that propelled Pierre Trudeau to the Prime Ministership of Canada. This exchange, they are saying, will propel or entrench Bertrand as Premier of Quebec.

To which I say, you sure have to be grateful to Lynch, you have to be grateful to him. How simple he makes things. He says in that commentary that because Pierre Elliott Trudeau rapped the knuckles of Daniel Johnson in public at last year's conference, therefore Pierre Elliott Trudeau became Prime Minister of Canada. Now, is that not neat? As easy as that. And he is saying now that because Mr. Bertrand jumped on Mr. Trudeau in a nationalistic way, now he will be entrenched in the leadership of the Union Nationale party in Quebec. At that point Cook comes on, and says:

> Well, I certainly would agree with that, Charles.

That is one thing about these guys, they never disagree with each other. He says:

> Well, I certainly would agree with that, Charles. It seemed to me that one of the interesting aspects of it was that Mr. Dozois proposed a resolution regarding federal spending which was very similar to the proposition put forward by the Premier of Manitoba on the first morning, and accepted by the Premier of Alberta. The Quebec delegation said very little, and so at the very end of the conference the Quebec delegation had to make its point, it had to weigh in before the electors of the province of Quebec, and as Charles said, no doubt Mr. Bertrand strengthened his position in the party. Mr. Trudeau would prefer to see Mr. Bertrand Premier of Quebec if the alternative were Jean-Guy Cardinal.

This is a historian speaking, this man is a Canadian historian, and he does not give you a perspective of history. He and Lynch in his opinion are there to explain to the listeners the significance of every move, and note this, Mr. Speaker, every move made by the people of Quebec at the conference has to be seen from the point of view of its narrow and immediate political advantage. Well, a little later on, Lynch has this to say; and remember, we are talking about that exchange involving the foreign policy that took place between Mr. Bertrand and Mr. Trudeau. Collister asks:

> What is Mr. Bertrand's position in the party?
>
> *Lynch*: Well, he is known as a moderate on a lot of matters, including extreme Quebec nationalism, whether he remains one or not after the conference. He was roaring so hard after that scene that we say he was speaking so vehemently and in French and he wouldn't speak in English. The English-speaking reporters were saying they had never seen him like this. He would reply to all English questions in French and his replies were very Cardinalish or nationalistic in tone. All of a sudden he took that switch.

Now note that. What a put-on, I say to you, coining a new word, Cardinalish. In other words, the viewer is expected to buy that kind of drivel, that the position of Jean-Guy

Cardinal must lend itself to a distortion of his name by the addition of a suffix, so that we can identify the stereotype of an extreme nationalist in French Canada. That starts an interesting trend, to put on the suffix "ish." We can start that around here. Randallish would become one who exists on a diet other than independence. Whitish would be one who disturbs when all else is tranquil, and so on.

But really, the point is that we, as viewers of this corporation, are entitled to expect more in the way of commentary than that superficial response that we get. What I do say about these people—Lynch, Collister and Cook—is that they do not interpret at all, they react. They react to the day's headlines and are merely parroting the English language press. There ought to be some recognition, I would think, by the CBC in its reporting that these problems did not arise the day before yesterday. They have been with us for a long time. They have broken out sporadically in our history, and I am depressed in the belief that they will be around for a while yet.

The force is loose in Quebec. The changes that have taken place since 1960, the emergence of a leader with charisma in the person of Rene Levesque, all these give us pause for anxious concern about the future of Confederation.

We cannot be as sanguine as the editorialist in the *Globe and Mail* on December 21, 1962, who urged patience because the new leaders of Quebec had discovered that "English is the language of commerce and is as essential to Quebec as to the rest of us." He prophesized at that time that the use of English would spread throughout Quebec and French Canadians would retain their culture as the Welsh and Scots have done. He said that, "in this way, national unity will be achieved."

Well, the facts of life are different. The phrase coined by Jean Lesage that has become the rallying cry of Quebec, "Maître chez nous" means nothing less than that our French-Canadian compatriots intend to be masters of their own economic destiny within their own province. I say and say again, and I will continue to say as long as I am in public life—because the stakes are so high, the goal is so worth it, that we in English Canada ought to respond with sympathy and moderation and without the carping criticism that has beset us too frequently in the past.

Finally, a word about the treaty-making power. This too, must be kept in perspective. I can understand the desire of Quebec to make pacts in cultural matters with Francophone nations.

Mr. Trudeau himself has said that in the field of education the province is at stake. Let us remember, and let me remind the Attorney General, that it was the provinces themselves that confined the treaty-making power of the federal government. It was no other province, than the province of Ontario, good old Ontario, after the federal government went to the meeting of the International Labour Organization in Geneva and entered into the pacts governing the international labour conventions that were made, that the federal government came back and R. B. Bennett passed some legislation to implement those solemn covenances arrived at in Geneva.

It was no other province than Ontario that mounted the assault on the right to do it and indeed, the case went to the Privy Council and another group of that noble body, to which the Attorney General referred today, held that the federal government could not implement by legislation, any matter that was in the exclusive jurisdiction of the provinces. That is Attorney General of Canada against Attorney General of Ontario, 1937 appeal cases.

So these things have to be kept in perspective and we must recognize that cultural ties with other French-speaking nations are part of the legitimate aspirations of French Canadians. We must recognize that Quebec is not like any other province and the use of any stratagems to blur that fact, must inevitably end in failure and they must inevitably, I say with sadness, end up in the break-up of this country.

Once again I say that the member for Lakeshore is dead right when he says if Quebec leaves, the country is finished. And Canada is worth preserving. It is worth its continuation in the brotherhood of nations. The price to the human race would be too high in the disintegration of Canada, because if you like, among the human family we have a mission. I hope we have a mission and I am not speaking in terms of manifest destiny which has never been part of our cultural configuration.

We have a mission which is at least twofold. The one to interpret the desires of the small and middle powers, to be their spokesman—the one hand. That is to say, to be a voice of the country that seeks nothing from anyone else, has no desire for aggrandisement, that is one side. The other side is to share, with deprived people in every part of

the planet, part of that affluence of which we have so much. Now there is a two-fold mission in the future years of this century and beyond it.

And finally, sir, I am going to turn to the propositions—and I apologize to my good friend, the Provincial Secretary, for delaying him—tendered by the government of Ontario and in a word, and I have used some strong words tonight, I say to you, sir, it is a dismal document. It is a depressing document to put in our hands.

However, I must say, it is a collector's item. They did not labour these around you. You had to really know somebody to get a copy of these propositions. I think they might have been a bit embarrassed about them.

Bill Kinmond gave me these and he abjured me to bring them back to him for the file, for his cabinet and you know there is no more obliging a fellow in the world than Bill Kinmond. Well, I have written in it quite a bit. I hope he will accept them back, in that state. On page 2, the Prime Minister, who introduces these documents has this to say:

> The propositions included in this publication are therefore not to be considered as final, complete or binding.

Now there is nothing like nailing yourself down. There is nothing like allowing yourself a way out. Then, on the next page, he has this to say:

> The government of Ontario has submitted propositions in all the major categories although it had tended to concentrate on several of them. Partially, this was a problem of categorization. What one government has labelled an objective of Confederation, another has called the basic principle. In some categories, the propositions submitted by other governments were acceptable and there seems to be no point in repetition.

Well, one would ask specifically, what? This is too vague and general to be helpful in any way. On the third page, he has this to say:

> Similarly, only one proposition has been submitted in the category, the distribution of legislative powers. This should not be interpreted as a lack of interest in this subject. The contrary is, in fact, the case, as the government considers this subject to be the heart of constitutional review.

To which I say, amen, hosanna, let the Lord be praised.

Mr. Singer: And hear, hear.

Mr. Sopha: And hear, hear; yes, indeed, But the next question is, why not do something about it? You never hear the hon. Prime Minister indicate any area that he thinks there ought to be any change in the distribution of legislative power. Sure, he will go and speak, amid coffee and *petit-fours*, to the national association of manufacturers he will say, "I believe in a strong central government." His Attorney General does not, but we will get to that later. But you never hear the Prime Minister indicate in any specific area what powers he would be willing to accede to the federal government to make it strong.

Then, sir, the document turns to the 40 proposals. I hope they will never become famous, or find themselves the 40 propositions as a term of art in our history classes in our schools in the future. I wanted to say also, I dwell upon the first citizen. I have a note here to say something that ought to be said, that quite apart from the Prime Minister in his speech-making activity about the Constitution, it can safely be said that he is the only member of the Executive Council that does so. You never hear any other member of the Cabinet of Ontario, anywhere in this province, or this country, ever uttering a word about the Constitution, or about Ontario's position in respect of it.

But, as I say, other than watching, if you are a Prime Minister watcher, and keeping an eye on what the Prime Minister says, the only way of knowing what the position of the government of Ontario is in this truncated version the 40 proposals made on behalf of the government by the bureaucrats and technocrats.

Then proposal number three. I am going to advert to a couple of them. Proposal number three speaks in this way:

> Consideration should be given to a preamble to the written Constitution of Canada. The preamble should set out the aims of the Canadian people and the reasons for preserving a federal union.

Well, now, that is very interesting. But one might seek some enlightenment on what are the aims of the Canadian people. One might look to the government of Ontario to give us some assistance; to put in written form its views of what the aims of this country and the reason for the preservation of its union might be. But other than making the fatuous statement, we are left at a loss to understand just where the government of Ontario stands.

Then, you will notice in the format, that number four occupies the whole of the left-hand page, a tremendous waste of paper. Number four says this:

> The alleviation of regional economic disparities is a goal of Canadian federation, and should be recognized as such in the written Canadian constitution.

Well, one agrees. I have addressed quite a few words to the existence of regional economic disparities. But one would hope that the government of Ontario would tell us in some way what it proposes: What the ten sovereign provinces and the federal government acting in common cause directed to high purpose is willing to do towards the elimination of the disparities that do exist, And one is reminded of that assault, of which I did not approve for a moment, by Mr. Smallwood upon the Premier of Ontario at the conference.

The fifth proposition, sir, says that Canada should continue to have a federal system of government. Then it goes on to say:

> Particularly since the "quiet revolution" commenced in Quebec, problems arising from our cultural diversity, especially between French- and English-speaking Canada, have become increasingly critical. Furthermore, Quebec is not the only province that wishes to preserve its individuality.

That is a very teasing phrase. If it means that Ontario wants to preserve its individuality, one would expect to find out from the documents, or in some place, in what way Ontario protests that it has individuality. And, secondly, what steps it would like to take to preserve it.

But, as I say, sir, in respect of all of this, we are left in suspended animation within the careful framework of the first citizen in the opening pages in which he says: "These are not to be taken as the final or binding positions of the government of Ontario."

The complaint can be made in respect of the fatuous statements that I have read. Indeed, Ontario cannot be bound by them, because there is nothing to bind.

"Canada should continue to have a federal system of government." Well, who is saying otherwise? Is there anyone at that conference who was saying otherwise?

I am going to turn, sir, to the one that represents the heart of the matter, and that is the one dealing with the distribution of powers. That is the 34th proposal. When I came to that the flyleaf said: "Section 8, the distribution of legislative power." I thought, well, now we are getting down to something, because when all else is said and done—and you would agree with me, Mr. Speaker, with your schooling in constitutional law—this is the guts of the matter. That is what the constitutional problem is about in this country.

Well, I turn the page to see what position the Ontario government is to take, and in the page and a half that they devote to the distribution of powers all they talk about is money. It is the only thing that is mentioned. And, of course, the distribution of legislative power has been the principal issue that has plagued this country since Oliver Mowat made his initial assault on the federal government in the late seventies.

Mowat, who ruled this province for 24 years, thought of Ontario as an independent nation. Because of his personal experience, his personal antipathy towards John A. Macdonald, he was going to make the most of his opportunity, this leader of this province, to put the federal government in its place. He had a mission in life to increase the hegemony of the component parts of the Confederation. And, for the rest of my remarks, which I hope will not be too lengthy, Mr. Speaker, I am going to dwell on this issue.

It is absolutely clear that the Prime Minister of Ontario is for the *status quo*, and this in the face of the history of The British North America Act and the dislocations this country has encountered arising from the imbalance of the judicial interpretation of sections 91 and 92.

It is the worst form of delusion, I say to you, to believe that the present prosperity under which we labour is a God-given right and represents the eternal order of things.

Dare we forget—I know people like the Minister of Health (Mr. Dymond) will not forget it—the distress, the indignity, the inhumanity of the 1930s which led to the resolution put forward in the House of Commons at Ottawa by the great J. S. Woodsworth, which in turn led to the formation of the Rowell-Sirois commission.

Now, I would like my remarks to contain that resolution of January 28, 1935, when this nation had reached the very bottom of despair and was unable to cope. Canada, as a nation, was unable to cope any longer with the great problems of economic dislocation as well as the vagaries of weather that had afflicted large areas of this country. This resolution of J. S. Woodsworth was adopted

by unanimous vote of the House of Commons and its relevance will be readily seen. It said this:

> In the opinion of this House, a special committee should be set up to study and report on the best method by which The British North America Act may be amended, so that while safeguarding the existing rights of racial and religious minorities and legitimate provincial claims to autonomy, the Dominion government may be given adequate power to deal effectively with urgent economic problems which are essentially national in scope.

I say to those in the position of the Attorney General, who promote the concept of provincial autonomy, that we must not forget that this country in this century, within the minds of many who are living and sitting listening to me tonight, reached a stage in its national life where its central government power was to intervene to come to the rescue of many tens of thousands of Canadians as a result of the imbalance of power that had stemmed from judicial interpretation of The British North America Act at Westminster—3,000 miles away.

It is to right that imbalance that I believe that we ought to be directing our efforts.

I am not going to pause, as I intended to do, to contest with the Attorney General's adherence to the compact theory. I am willing to accede, sir, that the compact theory of Confederation—that is to say that the federal government is the creation of the provinces —is at least a debatable point. But it does not accord with my view of what Canada ought to be and indeed must become if we are going to promote effective government of this nation as a whole.

I was going to read into the record excerpts of the Rowell-Sirois commission report. I am not going to do that but I merely say—it is a funny thing about Lynch and Collister and Cook—that throughout the whole commentary on the CBC's coverage of the constitutional conference, not one of the commentators revealed the fact that a Royal commission under two very distinguished Canadians had gone from one end of this country to the other to examine into its constitutional problems; had heard evidence in every province; had taken submissions from every government—except some of the governments were not too hospitable to them upon their arrival in the capital—but we will not dwell upon that; we will forget about that.

Mr. Nixon: That was Hepburn.

Mr. Singer: That is where you interject. That is where you should have been last night.

Mr. Sopha: But the whole point was that in the volume which they published, the conclusions they came to in 1939 are just as valid 30 years later as they were at that time. I complain that in our approach to this problem it is as if everything were invented the day before yesterday; that there is a putting aside, in an obscurantism that envelops the facts of life, these problems that have been around for a long time and have been written about, have been analyzed. The source material is available.

I part company with the first citizen, and indeed with the member for York South (Mr. MacDonald), when we begin to talk about a strong central government. I am willing to name some fields of jurisdiction that, I say, in respect of a lessening of provincial power in those fields, would promote the creation of a strong central authority. That, the first citizen is unwilling to do. I have always named some of the fields—and I started ten years ago in this House to name them—that I think the provinces ought to begin to get out of. Labour regulation—industry is now national; unions are organized on a national and international basis.

Would it not be more efficacious for the federal government to have the responsibility for labour relations from one part of the country to the other? It would prevent the emergence of peculiar labour laws, affecting large numbers of our workers in individual provinces.

Who would quarrel that the regulations of the securities industry ought not to be a matter of exclusive federal concern? How about the regulation of the insurance industry, the banks, the near-banks, and the trust companies? If you accede to the proposition that the federal government ought to have control over the monetary policy of this nation, and it influences that monetary policy through the central bank and its exclusive jurisdiction over the chartered banks, then who can quarrel with the extension that it also ought to have complete flexibility over all credit-creating institutions?

What about the field of marketing? Is it not a bit silly that in respect of a government—I say to the Minister of Trade and Development—that has the responsibility of selling our wheat by the hundreds of millions of bushels abroad to very good customers, that marketing should be in the jurisdiction of the province if the product is not going

beyond provincial boundaries? Would it not be the better part of rationality if one authority had that responsibility, instead of picking up an apple from the bushel and saying it depends upon whether this apple is going to be eaten in Ontario, or it is going to be shipped to Holland in order to determine which jurisdiction has authority to inspect it? I see that the Minister of Agriculture and Food is in the House. I put that proposition to him. I believe in a strong central government and that these are some of the areas in which it must be strong.

I turn to another important area and that is the field of social welfare and health legislation. I say the Prime Minister is perfectly right when he complains about the federal government exercising initiative in the field so as to impair the financial autonomy of the province. No one could quarrel with that propostion for a moment, but the Prime Minister is wrong when he puts that proposition upon a pinnacle so that he does not permit any qualitative change or consideration of it at all.

Whereas the provinces have exclusive jurisdiction in the field of social welfare and health in respect of their services to the people, surely, at the same time, there is a consideration of national importance that standards should be uniform; that Canadians in every part of the country should have available to them equal standards of service. It is asking too much of politicians, I add, to expect the federal politicians, who have to get elected and have to see to their re-election, to restrain themselves from doing something that will create an empathy between themselves and the people who elect them. It is asking too much of politicial life, I fear, in this Confederation to leave to the provinces all the vote-gathering attractive programmes and leave to the federal government all those grand deals and national matters.

I am not going to dwell upon that. But I do say, in protest to the Prime Minister, that there is a principle of uniformity recognized a generation ago by the Rowell-Sirois commission. They advocated to the government to which they reported that there ought to be national standards of health and welfare legislation.

The other thing is in respect of the distribution of power; I do not care what you call it. You call it co-operative federalism or participatory federalism—that is the one the first citizen of Ontario coined in Ottawa. No matter what name you call it, as long as there is a recognition that after 100 years of experience we must, as rational, intelligent people in this country, be able to meet somewhere at the common table and decide among ourselves, in a co-operative way, the method by which we are going to deliver service to our people, the people we severally represent in the light of the problems, the frustrations and the anxieties that beset them. There is really the heart of the matter.

In two areas, I said this afternoon, there is no province in the country more centralist than Ontario. That is to say, there is no province with less fear of the federal government. There are two areas in which the very powerful taxing mechanism of the federal government has got to be brought to bear if we are to make a success of politics in this country. Those two areas are the field of education and the quality of urban life.

We know the cost of education. In respect of the creation of great megalopolitan areas in this country, if it is to be our fate that 75 or 80 per cent of our people are going to live in urban areas then the federal government has got to begin to assume some responsibility for the quality of that life, and the provision of the services that have to be provided to the people who are going to live in those cities.

I am one that is more than a little disturbed by the policy of this government. It is very germane to refer to policy of this government that in Ontario they are going to create one gigantic city. It is going to run from Fort Erie to Oshawa and north to Barrie. So far as I can determine, this government is content that everybody in Ontario is going to live in it, everybody is going to live in that megalopolis that they are going to create.

Well, the fundamental contradiction of the position of the Prime Minister is that it is logically impossible for him to adopt a position as he appears to do that on the one hand the provinces have exclusive jurisdiction in the fields of health and welfare, and on the one hand look to the federal government to provide him with the necessary revenues to finance provincial programmes in these fields. It is asking too much of federal politiicans to say that they must pay, but they must not intrude. That is the position that the Prime Minister and the hon. Treasurer took at the Ottawa conference.

I believe that there is a case to be made, on the other hand, for more correlation between the powerful federal tax authority on the one hand and federal responsibility in the

area of social welfare on the other hand. There is probably no federal system anywhere else in the world where the powers of the individual unit in the field of regulation of business and commerce is so extensive. Central authority is so truncated as it is in Canada. The provinces are the masters in insurance regulation, in securities, in manufacturing and retail, the marketing of natural products, and towering above all else, in jurisdiction over natural resources.

I am reminded in that connection of the phrase of Professor Frank Scott, who is a very thoughtful analyst in this area, when he said many years ago that provincial autonomy means national inactivity; the more you have of the one, the more you have of the other.

As Professor Laskin has said: "To talk this way about a strong central government and to mean it and to be willing to say—" I have said for ten years in respect of these four fields to which I advert tonight, and nobody has ever accused me of treason. I can recall when I stood up in the back row and advocated that labour legislation and marketing be given to the federal government, and the regulation of insurance companies of securi- You look back, I was saying that in 1960.

Professor Laskin has said: "To talk this way will not be to give comfort to two groups, the separatists or the champions of a limping federalism," of which the Attorney General—and I do not want to be unfair to him—appears to be one. But maybe if you are Attorney General—and I never aspire to that lofty position—and you go to these conferences, you have to be a states-rightist.

Now, it might just be that you have to adopt that role. In any event he protests. I thought during his speech this afternoon that he was playing a different tune at the beginning of it than he was in 1967. That when all was said and done he did not recamp, he did not make the trip to Kenora like the holy Roman Emperor did in front of Pope Gregory and wanted to stick by his guns.

As long as he talks that way—and you know the way he talks about it, some of the phraseology that he used in respect of it; the federal government, he says, is the creation of the provinces, and so on; then you have the spectacle of the Prime Minister of Ontario saying he believes in a strong central government and the Attorney General of Ontario talking in terms that fit Maurice Duplessis in 1940, the great champion of the compact theory of Confederation, and to some extent, his willing ally, Mitchell Hepburn in Ontario.

As I say, we have 100 years of experience. We will not reach our objective with a repetitive dissertation by the Prime Minister of Ontario on Medicare. The imbalance in the distribution of powers is the very basis of the well-founded complaint of the western Premier, that the wealth they generate finds its way into central Canada. That is what they said at the conference. They said, whatever we create in the way of wealth in the west, because of the tariff policies and so on, finds its way into the coffers of the owners of the great industrial complex in central Canada.

As I say, if the nation is to continue to be gorged at the centre and left weak and anaemic at the extremities, it is in grave danger of not surviving for long. The intelligent and provident development of this country, I maintain, is inextricably linked up to a resuscitation or a revival of the national policy.

I firmly believe that much of our present-day frustration stems from the absence of a national policy. An intelligent national policy is a fundamental part of the life of this nation. It means nothing more or less than taking stock of what we have and deciding, in a collective way, what we are going to do with it.

What is the alternative? Well, the alternative is that we move from one brand of colonialism to another, and it saddens me to say in the spirit of self-flagellation, that apparently we are the greatest colonial people that has ever been seen through the history of the world. We were moved out of one colonial area under the suzerainty of the British raj, and we show every proclivity of moving into another atmosphere of colonialism where we are under the hegemony of the American eagle.

On that note I am going to end. Any criticism that I had of the Toronto *Daily Star* earlier is vitiated out of gratitude to this editorial which I feel should be in the journals of this House. I am going to read this editorial into the record. The Toronto *Daily Star* published on Tuesday, April 15, a couple of days ago, and I invite my listeners to harken to it, if they would give me their indulgence, because they are meaningful words.

I will try to read it without making any interpolation. Especially do I direct it to the Minister of Trade and Development who made that unfortunate statement that you cannot eat independence. Here is the answer of the Toronto *Daily Star* to him:

> There is no honour in a gentle death. Man should not die gently, wrote Dylan

Thomas. He should rage, rage against the dying of the light.

Countries can die too, gently or with rage. Canada is taking the quiet route.

A finance Minister is drummed out of Ottawa for advocating fiscal policies that are just a little too Canadian. A monumental reappraisal of our tax structure gathers dust in Ottawa because we cannot afford to be too Canadian in that area either. A task force blueprint for gaining some small measure of additional control over our economy is filed away because—well, just because.

We elect a Prime Minister who sets his lance against the dragon of Quebec nationalism while shrugging off the larger, hungrier dragon that whips its tail to the south of us. One dragon threatens to lose us a province; the other, a nation.

The death rattle grows louder. We lay plans to extricate ourselves from military entanglements in Europe. For what purpose? Not to carve out a distinctive Canadian role in world affairs, as so many had hoped. The troops are being brought home, it appears, to man the northern outposts of Fortress America; to scan the skies for missiles that might be heading for Chicago or Cleveland.

The late U.S. secretary of state, John Foster Dulles, inadvertently warned us of our fate several years ago when he said nations are no longer conquered by armies, but by dollars. George Ball, the former U.S. ambassador to the UN, proposed our epitaph when he predicted that simple economics would inevitably dictate the ultimate corporate merger—between Canada and the United States.

But must we die so gently? Or should we begin to rage, rage against the dying of the light? And, in raging, it is possible that we might ignite some last spark of will that could grow into a flame of self-preservation.

Surely we have something to live for, something worth preserving in this country of ours. Professor Dennis Duffy talks about some of those things in an article which appears below. But the will to live is not enough by itself; if a patient has pneumonia or cancer, something must be done about that too.

Some of the economic remedies are gathering dust in filing cabinets in Ottawa. We must maintain and strengthen our system of cultural antibodies—our press, our magazines, our television, our theatre. We must also identify the grasping filaments that—reach northward to turn our labour unions, our social clubs and our board rooms into vehicles for the aspirations and ideologies of others.

We must reserve some of our rage for those who are willing to let Canada die for private gain—businessmen who do not recognize the word sovereignty because there is no provision for it on the balance sheet; politicians who equate heavy inflows of foreign money with "good times" and who are willing to let future generations pick up the pieces.

Rage can be legitimate and healthy. It could also be the salvation of a worthwhile country. We have been dying too gently.

There is only one history of Canada; various streams in it, but it is one river of history. It is history of the people of Canada in response to their environment, and their reaction to various pressures, external influences and events.

First and last, I say to you, sir, we are a northern people. We are a people of the frontier; it is there, we still have a frontier. We and the Soviet Union are the only two highly industrialized nations in the world which still have a frontier. And out there on the frontier, which is in the consciousness of all of us, fundamentally there is the land that is Canada; it is out there, stretching away in broad expanse.

We have a great love for the land in this country. It is part of us. Therefore, I say to you, Mr. Speaker, the task of the politicians is clear. It is to maintain in vigour and unity a northern nation, a body of people who inherit the vast wealth of the north half of the North American continent; who use that wealth for the welfare of our own people and for the alleviation of human suffering throughout the world.

Those are the terms of our destiny, and if we have not a destiny we cannot truly be called a nation. A nation, said Underhill many times, is a body of people who have done great things together in the past and will do great things together in the future. Then the constitution in those times, our constitution under which we govern ourselves, becomes a mere framework upon which to build our nation. This is what the people we serve require, what they expect. Its intelligent resolution should be nothing less than what the people who elect us deserve.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I deem it a privilege to participate in this very important debate, and to be

the concluding speaker. Important, I am sure, because all of us as members of the Legislature realize that, as we have been reminded so eloquently tonight, on an occasion such as this we are really discussing nothing less than the future of our country. In doing this, we should endeavour to keep political partisanship to a minimum, and, of course, it will be my purpose in the contribution that I will make tonight to follow that particular advice.

I am sure all of us are very proud that we do have a sense of history, even as a young nation; that we fully realize that this country of ours, Canada, was fashioned by the exertions of men of differing political views. We, on this side of the House, will, really, never then permit political partisanship to obscure the great contributions to Canada of men like Brown and Laurier and Mowat, together with those of great Conservatives like Macdonald, and Cartier and Tupper. That is why we follow the policy, I hope obvious to all members of this House, of keeping their example constantly before the people of this country. Indeed, Mr. Speaker, it is at just such a time as this in our history that we should be giving the most careful thought to the decisions of a century ago and to the course of our future development as a nation among the family of nations.

We have all listened with a great deal of interest to all members of the House who have made a contribution in the discussion of this particular matter. I do not wish to comment unduly on the other speakers but I would like to single out my friend who has just completed his contribution, the hon. member for Sudbury.

As I often do, I found myself in some measure of agreement with many of the things which he had to say. But even when I am in sharp disagreement with the member for Sudbury, I recognize in him one of our ablest debaters, a keen and perceptive student of the history of his country. We have seen ample evidence of that during the course of his contribution to this debate today. I recognize him, above all, as one who is sometimes capable of taking an independent and objective position on many public questions. Even though we are often at the receiving end of some of his barbs, we do admire his wit and acknowledge his wisdom.

As we all know, he is capable on occasion of hunting down, Mr. Speaker, even members of his own party and, no doubt, he will go down in the history books as the one who wrote *finis* to the political career of what has now become the name of the Earl of Ovaltine.

In my view, we all owe a great deal of gratitude to the Prime Minister of this province—to whom the member for Sudbury and others have paid tribute—and, indeed, his predecessors, for the part they have played in upholding the principles of Confederation and in fostering a truly national outlook. As the Prime Minister of Ontario has said on many occasions, Mr. Speaker, "I am a Canadian, I am a federalist, and an Ontarian in that order." And I may add that no political leader of this century has given more convincing proof of his devotion to this country of Canada, to federalism and to the province he now leads, than the present Prime Minister of Ontario, the hon. John Robarts.

Mr. E. W. Martel (Sudbury): That is partisanship.

Hon. Mr. Welch: No, it is not partisan at all. Everyone—even the member for Sudbury—acknowledges that.

Mr. Nixon: It sounds better when it comes from him.

Hon. Mr. Welch: Well, it comes from me with no less sincerity.

Mr. Nixon: I have no doubt.

Hon. Mr. Welch: Now, Mr. Speaker, just what is our concept of federalism? Briefly it is this: It proceeds from the assumption that the future strength of Canada and the welfare of the Canadian people will depend upon the measure of co-ordination and continuing co-operation which can be established between all governments in Canada and all the agencies of those governments.

While acknowledging that each provincial government owes its primary responsibility to the people of its own province—and I hope we understand that—we fully recognize the dependence of the people of every province on the strength and on the vigour of the whole nation for their continuing welfare and prosperity. We are also convinced, Mr. Speaker, that the strength of the national structure very largely depends upon the strength, the independence and the self-reliance with which each provincial government is able to undertake its allotted tasks.

These are principles which we believe should be acceptable in every part of Canada since they give no special advantage to one province over another. I feel confident that my friends, the leader of the Opposition and

the member for York South, will fully concur with the concept of Canadian federalism—and I pause to remind them that it is almost word for word what was stated in the Ontario brief to the Dominion-provincial conference over 24 years ago.

In the years between, the Frost and the Robarts governments have consistently and strictly adhered to those views. Differences of opinion there have been, of course, but under these two leaders there has always been the most scrupulous regard to these principles which I have just underlined.

The question that really stands before all of us in Canada today is this: Has the federal system served us well for the past century or should we now abandon it in favour of a unitary system of government? Mr. Speaker, I think it is possible to answer that today in the same way that Macdonald, Brown, Cartier and Mowat answered it over 100 years ago. Then, you see, it was a question of fashioning a new nation. Today it is a question of saving the nation that they helped to fashion. In the year 1969, in my opinion, to abandon federalism is to abandon Canada. By no other system is it really possible to hold this country together.

I go further and I say that in my humble view if you were to ask the people of Quebec to choose between federalism or centralism or separatism, the verdict would be overwhelmingly for federalism. We received new assurances of that at the opening of the current session of the Quebec Legislature. But we have learned from history that in the affairs of men nothing really remains the same yesterday, today and forever. The world of 1969 is obviously a totally different world from that of 1867 and the Canada of today is a totally different Canada from that of 1867.

It is for that very reason that constitutional questions are now pretty high on this nation's agenda. In the light of new problems and new opportunities, we are really compelled to re-examine, as my friend, the member for Sudbury, has pointed out several times during the course of his remarks, the experience of our first century, and while we should hold to that which is good, we must be prepared to remove all obstacles which stand in the way of our future progress. While we should honour the past I hope that we would all agree that it is not possible to permit ourselves to be chained to the past.

Now, there are many people who become quite excited and, I am afraid, sometimes fearful at the mere mention of constitutional change. I suppose really that there were very few men in history more knowledgeable on constitutions than the great Thomas Jefferson, the author of the American Declaration of Independence. In a letter to a contemporary just over a century and a half ago, Jefferson had this to say:

> Some men look at constitutions with sanctimonius reverence and deem them like the Ark of the Covenant, too sacred to be touched. They ascribe to men of the preceding age a wisdom more than human, and suppose that what they did to be beyond amendment . . .
>
> I am certainly not an advocate for too frequent and untried changes in laws and constitutions, but I also know that laws and constitutions must go hand in hand with the progress of the human mind . . .
>
> As new discoveries are made, new truths disclosed and manner and opinions change with the change of circumstances, constitutions must advance also and keep pace with the times.
>
> We might as well require a man to wear still the coat which fitted him as a boy as society to remain ever under the regimen of their ancestors.

It is noteworthy that those words, written as they were in 1816, should be echoed in October of 1964 in the legislative Chamber of Quebec by our own Queen Elizabeth II, when she said:

> A dynamic state should not fear to re-assess its political philosophy. That an agreement worked out 100 years ago does not necessarily meet the needs of the present day should not be surprising.

And it remained for the quiet-spoken and distinguished Premier of Nova Scotia, the Hon. G. F. Smith, to state the case even more succinctly at the Confederation of Tomorrow Conference when he said:

> The future of Canada is more important than The BNA Act.

Mr. Speaker, in our view there is no peril in approaching the question of a revised or even a new constitution. The Fathers of Confederation, with no experience to guide them, did not shrink from the task and they produced a new constitution in the space of a very few years. As Jefferson said of the Declaration of Independence, it was a case of "responding to the common sense of the matter and harmonizing the sentiments of the day."

The founding fathers, courageous men that they were, assumed their obligations as the

"agents of the present" and richly earned the tribute that "they builded better than they knew."

Now, Mr. Speaker, with a century of experience to guide us and a century of achievement on which to build, we in our day are called upon to be the "agents of the present"—to frame a new constitution which will be a reflection of the reality of our day which will acknowledge the rich contribution of the two founding peoples and of the many people from many lands who helped to build our country, and which will express the new confidence that all Canadians feel regarding the future of this nation.

We should, it seems to me, recognize that the constitution-making of the 1860s has some relevance for our day. As the Prime Minister pointed out on the 150th anniversary of George Brown, the founding fathers were faced with the stark fact that the political situation of that period had become intolerable, the old order and the old constitution had failed and was really beyond any patching up. To make matters worse there were ominous words and rumblings from across the border—there was really no time to lose.

Lesser men I suggest, Mr. Speaker, would have retreated in panic and capitulated to the growing chaos, but these patriot statesmen rose to the occasion and transformed those tensions into a creative political force and made problem-solving a constructive material experience lifting the Canadian society of the 1860s to new heights of achievement.

In our day, we have come to recognize the need for making the solving of our problems a "constructive national experience." That is why our own Prime Minister and the former and present Prime Ministers of Canada are to be commended for enabling the people of Canada to "sit in" at the Toronto and Ottawa conferences, thus making them aware of their roles in the national building process.

I have often asked myself, Mr. Speaker, if our present difficulties are really due to inadequacies in The BNA Act or, rather, are they the result of our departure from its principles? By that I mean, have we forgotten that Confederation was created by the provinces, that it was to be a partnership with clearly defined responsibilities? It is not so very long ago that the present—

Mr. W. G. Pitman (Peterborough): Not created by—

Mr. T. Reid (Scarborough East): Ontario did not exist in 1864.

Hon. Mr. Welch: I said the provinces.

Mr. Pitman: There were other provinces.

Hon. Mr. Welch: It is not so very long ago that the present Prime Minister of Canada was warning against the danger of intervention or interference by the federal government in provincial affairs. To use his words:

> The federal system does not give any government the right to meddle in the affairs of others. In matters of education the Canadian state is the provincial state, and none other.

Well, Mr. Speaker, where are you going to draw the line? If this is true of education, is it not equally true about health, welfare and about other areas which are assigned to the provinces under The British North America Act?

Some weeks ago, I am sure we all read a press item in which it was suggested that the Prime Minister of Canada was going to bypass the provincial governments and appeal directly to the people of Canada in certain matters. Now let there be no misunderstanding in this particular matter. The Prime Minister of Canada is the Prime Minister of all Canadians. We all expect him to address Canadians on all matters that concern their welfare, but let us not forget the fact that we are a federal state in which clear areas of responsibility are assigned to the provinces. It is accepted constitutional practice for the two levels of government to show respect for each other's jurisdiction.

Therefore, one can only feel alarmed when he hears the Prime Minister of Canada tell a national TV audience that in his view the federal government has become more relevant to the people of a certain province than the provincial one. I hasten to add that it was not the government of Ontario that was being referred to, but who is to say that our turn might not come a little later? This is a pretty dangerous practice, in my view, which ought to be avoided by any wise federal leader.

Earlier this session, a statement was read in the House with the vital question of human rights as its emphasis, in which the Prime Minister of Ontario warned against the danger of dividing the provinces on an issue in which there really is no fundamental differences as to aim and purpose.

Interjection by an hon. member.

Mr. Speaker: Order. If the hon. member for Scarborough East persists in sitting in another seat and interrupting the debate, some action will have to be taken.

Hon. Mr. Welch: He really has no right to interject, Mr. Speaker—

Mr. Speaker: He has no right to interject from there and he will either return to his own seat or conduct himself properly—

Hon. Mr. Grossman: That is an unofficial interjection.

Hon. Mr. Welch: I think the Parkdale seat should silence him.

Mr. Singer: Censure.

Hon. Mr. Welch: He called for censure, is that the word?

An hon. member: Resign.

Hon. Mr. Welch: Mr. Speaker, the Prime Minister called for concrete action now to relieve the distress of our Indian and Eskimo people and I was very happy that the member for Riverdale placed this great emphasis during his contribution in the discussion of this order. In the words of the Prime Minister:

> The road to effective and far-reaching action in the correction of social injustices is now wide open. There are no constitutional barriers whatsoever. No provincial government has placed any obstacle or indeed could place any obstacle in the path of having these injustices removed. The government of Ontario stands ready today to co-operate wholeheartedly with the federal government in launching a massive attack on this serious problem.

And he added, Mr. Speaker:

> There is no doubt in my mind that other provinces are equally prepared to play their part—there is no need to get bogged down in sterile debate over such constitutional abstractions as the surrender of sovereignty. The provinces and the federal government should exercise the sovereignty they now have on behalf of the disadvantaged in our society.

Well, Mr. Speaker, I am sure that we all agree that that makes good sense to the people of Ontario and to the people of Canada. Our own Minister of Justice made it pretty clear at the February conference that Ontario is quite prepared to have certain political rights entrenched in the constitution. But, a number of provinces, and I underline that particular fact, a number of provinces have declared that they do not want to give the question of an entrenched bill of rights precedence over what they regard as far more important ones such as fiscal policy and the distribution of powers, regional economic disparity, tax sharing and other matters. And, as the Prime Minister pointed out, these are pretty important, are they not? They are pretty vital matters which do affect human rights in their own way as well.

It should be remembered that 20 years have passed since the United Nations General Assembly adopted the universal Declaration of Human Rights and the parliaments of some 40 or 50 countries have since ratified that declaration. But I also remind myself and members of this House, that on this very night in 1969—notwithstanding 20 years of that declaration—two-thirds of the people of the world are still going to bed hungry every night. So you need more than language in some declaration to accomplish some practical results.

There are many constitutions, Mr. Speaker, and I remind ourselves of this, many constitutions which contain what might be called a bill of rights. The current issue of *Human Relations* to which reference was made earlier today, certainly brings this matter out, I think, in the hon. Mr. McRuer's article on dignity. If I am not mistaken that is the case in another country of young Mr. Litvinov, but it did not save him from being sentenced to Siberia for exercising the most elementary human right—the right to speak his mind.

Now you may say that was the USSR. Very well, let us come closer to home. One hundred and eighty years, Mr. Speaker, have passed since the adoption of the American constitution which also contains a Bill of Rights but it is not long ago that the late Dr. Martin Luther King, the spokesman for 20 million black people, cried out in that same United States these words:

> A piece of freedom is not enough for us as human beings, nor for the nation of which we are a part. We have been given pieces but, unlike bread, a slice of which does diminish hunger, a piece of liberty no longer suffices. Freedom is like life. You cannot be given life in instalments. You cannot be given breath but not a body, nor a heart but no blood vessels. Freedom is one thing—you have it all, or you are not free.

Now, Mr. Speaker, I do not know how long it will take for all of us in this country to refashion our constitution, but I do point out that we can achieve much for the benefit of all of our people if, in the meantime, we adhere to the principles and to the spirit and indeed exercise the powers contained in the one we have.

Certainly, the first step that must be taken, and I hope that there would be agreement in this, is the amending or refashioning process to repatriate the present constitution so that it is vested in our control as Canadians. We thought we had that matter—

Interjection by an hon. member.

Hon. Mr. Welch: —Well let us give credit where it is due, as you say. That is fine, it just shows that we think alike on that particular point, that is wonderful.

We thought we had repatriation of the present constitution settled, of course, five years ago by the Fulton-Favreau formula which, as you will recall, was endorsed by this assembly. Now it looks as though we shall have to start all over again.

As I said at the outset that is what the men of 1864 had to do. They began with nothing —we begin with a century of experience and vast achievement, as the member for Sudbury said. So let the creative minds in our society get to work at once and have a proposal for repatriation to put forward in time for the next constitutional conference. I guess that is in June; I read something about June as a date.

Mr. H. Peacock (Windsor West): Do not do it.

Hon. Mr. Welch: That should be number one. Let item number two be a reaffirmation of the principles of federalism. Let the federal government from here on treat the provincial governments as partners in the national enterprise and not as branch plants of the federal government or as colonial outposts. Let them consult and not impose.

Let item number three be what our own Prime Minister has described as a massive programme for action now, to bring justice and equality of opportunity to our greatly distressed native peoples.

In my view, Mr. Speaker, the last constitutional conference in Ottawa, despite some difference of opinion, did create a feeling of greater confidence among the people of Canada. It helped to put an end to what someone called the mood of uncertainty.

Such moods are really nothing new in our history. It was prevalent in the 1890s following the death of Macdonald. Even the great Laurier for a time despaired of Canada's future and yet even at that time, there was an underlying optimism that we could overcome our difficulties within a few years. Laurier was saying that the 20th century belonged to Canada.

I began these remarks, Mr. Speaker, by saying that it was a healthy exercise to really examine our history. I believe it was my colleague, the Minister of Education, who paraphrased Socrates by saying "An examined history is really not worth having.

With that thought in mind, I want to conclude my remarks on this particular subject by placing on the record, some paragraphs from a really moving address delivered by the Prime Minister of Ontario to the annual meeting of the Canadian Manufacturers' Association in June, 1965.

Mr. Singer: It is really moving.

Hon. Mr. Welch: In my view, the Prime Minister of Ontario is number one right here in this province and throughout this country —the great statesman who has been on the scene to help keep this country together. He is number one; let there be no question about that here.

Mr. Pitman: He was doing that a couple of years ago.

Hon. Mr. Welch: It might well set the tone for our actions in the days ahead.

Mr. Sopha: The hon. Minister of Correctional Services said he was the only one.

Interjection by an hon. member.

Mr. B. Newman (Windsor-Walkerville): Keep to building those homes.

Hon. Mr. Welch: Meanwhile, back to the Canadian Manufacturers' Association, if I may quote:

> Confederation was more than a political decision. It was an act of courage that defied geography. It defied economics; defied tradition and, one can almost say, defied common sense, but it worked. Confederation was successful because it captured the imagination of the people of that day. It worked because it created a political entity which fired the creative talents of the people of Canada, and it gave Canadians a collective image of themselves.

I am still quoting:

> Confederation was more than a legal document—

you see, hon. leader of the Opposition:

> —dividing jurisdictions between provincial and federal governments. Confederation was the realization of men's ambition and desire to create a nation out of half a continent, to secure those fundamental

rights and privileges that had been won after centuries of struggle, and to achieve a political union that would allow two great peoples to develop and to prosper harmoniously.

In the years since Confederation, we have forged a great nation. We have seen our population grow to over 20 million. We have developed a strong, strong, vibrant and viable economy. We have only just tapped the untold riches of our land. We have prospered materially and we prospered culturally. We have lived in peace among ourselves, and in two great wars we have successfully defended this country of ours.

Then he goes on to say this, and I think this is pretty significant for us in this whole consideration:

We have to rekindle this spirit of faith in our national destiny. We have to make the same type of bold, sweeping, imaginative political decisions as the Fathers of Confederation did. We must build on the firm foundation which—

Mr. Singer: I thought that was what the Prime Minister said?

Hon. Mr. Welch: I am still quoting the Prime Minister.

Mr. Singer: I thought you might have been.

Hon. Mr. Welch: Quoting:

We must build on the firm foundation which we have inherited from our fathers.

Mrs. M. Renwick (Scarborough Centre): Social and Family Services—something bold and imaginative.

Hon. Mr. Welch: Quoting:

We must develop a new sense of personal dedication—

I am sure the member for Scarborough Centre would agree with that.

Mr. Pitman: Good description of last October-November.

Hon. Mr. Welch: Quoting:

—a sense of personal dedication and participation in the future of our country.

Mr. Pitman: Good description of last fall.

Hon. Mr. Welch: And then he asks:

Is this beyond the ability of our political parties and our political leaders? Are we so wedded to the pursuit of political or geographic or regional advantage that we cannot co-operate to preserve our nation and to building for the future?

I believe that the preservation and the development of Canada must be put beyond party, beyond faction, beyond selfish interest. New decisions must be made, new arrangements must be worked out, technical and administrative problems must be solved. And this must be done through the wholehearted co-operation of all Canadians of all political views and of all languages and racial origins.

Says the Prime Minister with great optimism:

We can meet the challenge of the preservation and strengthening of Confederation if we affirm our faith in ourselves as a nation, in national independence, in national unity and in national development. These are the essential ingredients of our survival as a nation. These are really the three principles to which Canadians of every province, of every region and of every political persuasion must re-dedicate themselves.

Without this commitment on the part of the individual Canadian for his country—

I think we have to get this attitude straightened out as we approach—

Mr. Singer: Did he say that?

Hon. Mr. Welch: No, I am sorry, I forget —that is in parenthesis.

Hon. Mr. Randall: Do you mind repeating that?

Hon. Mr. Welch: Yes, I will do that. Thank you.

Without this commitment on the part of the individual Canadian for his country and to the principles and ideals for which it stands, without pride in its traditions and accomplishments, the task ahead becomes more arduous, if not quite impossible. But, if we can mobilize the talents and abilities of our people and direct their energy to the task of nation-building Canada can emerge as a symbol of man's creative spirit in a world too often dominated by despair.

That is the end of the quotation. Perhaps we might conclude our discussion of this and the future development of our nation on that tone. I am sure we would all dedicate ourselves to those principles.

Mr. Speaker, inasmuch as this would appear to complete the debate on this matter, I would like to move the discharge of the first order from the order paper, if that is in order.

Mr. Speaker: It would be my opinion that such a motion is not required; that the debate having been completed, it would be automatically discharged. But I also have no objection to placing the motion moved by Mr. Welch that this order be discharged.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, tomorrow it is planned to have some Budget Debate and then there is the private members' hour.

Mr. Singer: Budget Debate?

Hon. Mr. Welch: Yes, I think the Whips have worked out some Budget speakers for tomorrow. There is some indication of a lack of communication somewhere?

Mr. Singer: You could always read another speech by the Prime Minister.

Hon. Mr. Welch: Any one of them would be quite worthwhile at any time.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.35 o'clock, p.m.

No. 88



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Friday, April 18, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Friday, April 18, 1969

Commission to evaluate government programmes, bill to establish, Mr. Shulman, first reading 3275

Carillon Park in Hawkesbury area, questions to Mr. Brunelle, Mr. Nixon 3275

Gas concentrations in Inco operations, questions to Mr. A. F. Lawrence, Mr. Martel 3275

EMO ambulance service, question to Mr. Dymond, Mr. Ben 3276

Cooks working in northern Hydro camps, questions to Mr. Simonett, Mr. Stokes 3276

Zinc smelter location, question to Mr. A. F. Lawrence, Mr. Ferrier 3276

Cost of inquiry into pollution at Port Maitland, questions to Mr. Dymond, Mr. Burr 3277

Assessment at Ajax, questions to Mr. McKeough, Mr. Good 3277

Colour TV sets, questions to Mr. Bales, Mr. Makarchuk 3278

Snowmobile mechanics, question to Mr. Bales, Mr. Martel 3278

Third party insurance risk for nuclear power stations, questions to Mr. Simonett, Mr. Burr 3279

Shortage of Ontario Hospital professional staff, questions to Mr. Dymond, Mrs. M. Renwick 3279

Tabling reports, Mr. Dymond 3279

Resumption of the debate on the Budget, Mr. Burr 3280

Motion to adjourn debate, Mr. Burr, agreed to 3288

On notice of motion No. 4, Mr. De Monte, Mr. Rowe, Mr. Pilkey, Mr. Ben, Mr. Carruthers 3288

Motion to adjourn, Mr. Welch, agreed to 3299

LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 18, 1969

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: This morning in the east gallery we have as our guests students from the United Mennonite Educational Institute in Leamington; and in the west gallery students from Our Lady of Peace Separate School in Islington and the Smith Public School in Grimsby.

Later we shall have students with us from Prince Edward Public School in Windsor.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

COMMISSION TO EVALUATE GOVERNMENT PROGRAMMES

Mr. M. Shulman (High Park) moves first reading of bill intituled: An Act to establish a commission to evaluate government programmes.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this bill is self-explanatory. It allows the ruling party to appoint a majority of members on the commission and allows the other two parties to appoint a minority of the members who would evaluate the government programmes and make suggestions as to priorities.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question for the hon. Minister of Lands and Forests. Why has work been discontinued on the preparation of Carillon Park in the Hawkesbury area? When was the park originally scheduled for completion and what is the new completion date?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. leader of the Opposition: we are using the funds available this year to improve our existing parks and therefore, we do not plan to open any new parks.

Last year we were criticized that we had increased our fees and that in some of the parks, the services were not up to standard. That is why this year we will have more electrical outlets, more paving of certain roads in the parks and more comfort stations which will considerably improve our parks this year.

With reference to Carillon Park; we had planned originally to have limited use of this park for this summer, 1969. However, in view of our policy to improve our existing parks, we hope to have Carillon Park opened up next year.

Mr. Nixon: Mr. Speaker, I wonder if I might ask the Minister what investment we already have in the park facilities there that will not be used this summer because you are not prepared to open?

Hon. Mr. Brunelle: Mr. Speaker, is the hon. member referring to Carillon? This summer in Carillon Park we will just have a caretaker or two looking after it to make sure our physical facilities are not being damaged. But there will be no attendants and no services provided.

Mr. Nixon: Will it be available to the public at all?

Hon. Mr. Brunelle: Well we will not prevent people from going into it, but there will be no facilities open.

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, a question of the Minister of Mines:

1. Why did the Minister's department decline the offer of the United Steelworkers of America to purchase and make available to the department in Sudbury a $10,000 automatically operated monitor to detect accurate reading of gas concentrations for use in the Inco operations?

2. Would this monitor not provide the accurate figures needed to determine whether the men at Inco are working in areas where the threshhold limits are exceeded frequently?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, the very generous offer by the United Steelworkers of America to purchase and to make available to us an automatically operated monitor has certainly not been declined. We have been very intensively studying the various types of monitors in use in the United States and Canada as to their practicability, and also I may say we have really come up with some conclusions that there are none available in the North American continent that would really furnish us with the type of monitor that we want, but now that we have come to these conclusions ourselves, and certain specific information is available to us now, I have requested the United Steelworkers to submit descriptive material concerning the monitor that they have in mind.

This has just gone out. As a matter of fact I think I signed the letter to them yesterday so the letter either went out yesterday or is going out today in answer to a further communication which was received in my office just yesterday.

I do not contemplate the question again being asked in the House relating to a letter received from them. It is hoped that a suitable monitor will give an indication of the concentration of sulphur-dioxide in the working areas of the plant. In any event this is our purpose.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): I have a question for the hon. Minister of Health who has come into the House. As a matter of fact I have two, one carried over from yesterday. I will put that one first, with your permission. Mr. Speaker.

In view of the controversy caused by Metro Toronto Emergency Measures Organization ambulance service drivers who refuse to transport bodies considered to be without life as reported in the Toronto *Daily Star* on April 9, 1969, will the Minister pass regulations compelling ambulance drivers to transport bodies, dead or alive, to hospital?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the legislation relative to ambulance services is currently under review and will be brought before the House.

It is the view of our department that an ambulance should transport a body unless it has been certified dead by a physician. In light of this, I think it will be made perfectly clear in the regulations. Just what wording the regulation will follow I am not, at the present time, prepared to say, but we will make it clear that this is our belief.

Mr. Ben: Thank you very much. I appreciate the Minister's assurances on this matter.

The next question, Mr. Speaker, is, in view of the report from Washington referred to yesterday in both the Toronto *Daily Star* and Toronto *Telegram* which warns of the dangers of radiation from colour television sets, will the Minister assure that the Canadian Standards Association, which act as agent for Ontario Hydro, will set up a standard of radiation which would be safe to all viewers at all distances, and enforce these standards with stiff fines again manufacturers which distribute television sets below the prescribed standards?

Hon. Mr. Dymond: Mr. Speaker, may I be permitted to take this question as notice?

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

What is the amount deducted for meals only from the weekly wages of cooks working in Hydro camps in Northern Ontario?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, I am advised by the Hydro that nothing is deducted. Camp cooks have free room and board.

Mr. Stokes: If I might ask a supplementary—is the Minister aware that camp cooks are being paid less than the minimum wage across the province?

Hon. Mr. Simonett: I do not think that is supplementary to the question.

Mr. D. C. MacDonald (York South): It is pretty pertinent though!

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Conchrane South): Mr. Speaker, I have a question of the Minister of Mines.

When will the next meeting between the government and Texas Gulf Sulphur take place to discuss the location of the zinc smelter?

Hon. A. F. Lawrence: Mr. Speaker, what the member is really asking for is another

progress report, I presume, and I am happy to give it.

There have been a number of meetings over the last two weeks with various officials of Texas Gulf in my office. As a result of that, Texas Gulf has now indicated in writing to us certain objects, certain desires that may be fulfilled if the government can, in turn, indicate certain commitments. This letter has been received and I am in the process of drafting a fairly full reply to them which, unfortunately, due to my absence from the city for the beginning of next week in any event, I guess will not really get out of here until about Thursday or so. But it will be an answer to the Texas Gulf officials on certain requests they have made to us.

Mr. MacDonald: Commitments from the Minister before any commitments from them?

Mr. Speaker: Order! The hon. Minister is answering a question of the member for Cochrane South.

The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Health.

Does the government support the position of the Ontario Hospital Services Commission that wage increases in hospitals must not exceed 6.5 per cent and may reach that level only in extreme cases?

Hon. Mr. Dymond: Mr. Speaker, I would like to take that question as notice.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Health from yesterday:

What was the total cost of the inquiry into pollution in the Port Maitland area?

Hon. Mr. Dymond: The cost, Mr. Speaker, was $76,000.

Mr. Burr: Mr. Speaker, a supplementary question: did any of this money go in the form of compensation to the people in the area?

Hon. Mr. Dymond: No. Mr. Speaker, that is quite separate and distinct.

Mr. Burr: If it is quite separate, was any money spent on compensation to the people in the area?

Hon. Mr. Dymond: I will have to take that as a separate question, Mr. Speaker, I will have to take it as notice.

Mr. Speaker: Does the hon. member for Waterloo North wish to place a question of the Minister of Municipal Affairs from the other day?

Mr. E. R. Good (Waterloo North): Mr. Speaker, I do not have a copy with me, it is on its way up from my office.

Mr. Speaker: I will send my copy to the hon. member.

Mr. Good: Thank you, Mr. Speaker. To the Minister of Municipal Affairs, in three parts:

Is the Minister aware that the re-assessment completed in 1968 in the town of Ajax has resulted in an unreasonable shift of the assessment from commercial to residential property?

In view of the shifting of 25 per cent additional assessment to residential property, what steps is the Minister prepared to take to return the proper share of assessment to industry?

How soon will the Minister reply to the letter of March 28 from the mayor in order to set a date for a meeting to discuss the problem with officials of the town of Ajax?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, I am, of course, aware of the complaints by the town of Ajax with respect to the tax shift from commercial and industrial property to residental property which occurred as a result of the re-assessment conducted by the assessment department of the county of Ontario in 1968 for taxation in 1969, in particular in the town of Ajax.

In reply to the second part of the question, I have a brief report which I have received from our assessment branch. Prior to re-assessment, the commercial and industrial properties carried 47.486 per cent of the total assessment. The residential class of properties carried 52.504 per cent. There was $9 million-odd commercial, industrial assessment as against $10.2 million of residential assessment.

The latest revised assessment roll of the town of Ajax as a result of the re-assessment project indicates that the commercial, industrial properties carry 34.802 per cent of the assessment and residential property carries 65.198 per cent. Total commercial-industrial assessment is $27.5 million, the total residential assessment is $51.6 million.

Prior to re-assessment, it was the practice of the assessment department of the town of Ajax to assess industrial property at one-third

of value, or as close to this as possible. The assessment department attempted to assess residential property at one-third of value and then allowed a 10 per cent reduction. It was also their practice, generally speaking, not to include the value of plumbing, garages and recreation rooms in the residential valuation.

The Ontario county assessment department did, however, attempt to rectify this last inequitable characteristic of the town's assessment practices prior to the re-assessment.

Suffice to say, on revaluation the residential property was assessed at market value, including recreation rooms, plumbing and garages, and there was no ten per cent reduction. I might also point out that during re-assessment a new subdivision known as Clover Ridge was opened up. There are 525 lots in this subdivision, and the new assessment includes the valuation of these lots, plus the valuation of 327 homes that are now completed and occupied, or ready for occupation.

These 327 homes have sold or are selling at prices ranging from $24,000 to $27,000. Since there was no comparable increase in the amount of property used for commercial and industrial purposes, the new subdivision had the effect of increasing the ratio of residential property as against commercial-industrial.

I have just received this report from the assessment branch of the department setting out these figures, and I am now in a position to reply to the mayor's letter of March 28 and I will expect to do so in the next few days.

Mr. Good: Mr. Speaker, by way of supplementary, the Minister gave me information which I had prior to this. But do you feel this shift is worthy of your attention that something be done to relieve this tremendous shift from commercial to residential? This is what I would like to know.

Hon. Mr. McKeough: I assume that the town of Ajax, inasmuch as they did not appeal the assessment, felt that the assessment figures as arrived at were equitable, both for individual property holders and for the total class. Aside from the new subdivision, I think that what must be pointed out is that there were inequities in the system of assessment before, and presumably, since there was no appeal, the town recognized that there were these inequities which are now being adjusted.

Mr. Speaker: The Minister of Labour is now in his seat. Perhaps the member for Brantford would place his questions.

Mr. M. Makarchuk (Brantford): I have a question of the Minister of Labour.

In view of reports carried in the April 17 Toronto *Daily Star* indicating that colour TV sets may emanate harmful radiation, if not properly adjusted, will the Minister take the necessary action to ensure that TV technicians working on colour sets are qualified and have available proper equipment for measuring the high voltages?

The second part: Has the department investigated the possibility of TV repair technicians and possible TV factory workers receiving harmful dosages of radiation?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, within the last two years we have launched an apprenticeship training programme for radio and TV technicians. The programme recognizes and stresses specifically the hazards of high voltages in television sets and instructs technicians in how to cope with this matter safely. In reference to the second part of the question, that would be dealt with, subsequently, I suggest, by the hon. Minister of Health.

Mr. Makarchuk: Mr. Speaker, by way of a supplementary question, the first part of that question is concerned with the radiations which are induced by the high voltages. I realize that the technicians are aware of the dangers of high voltages, but what I am concerned about is the fact that if the technicians did not have the proper equipment to measure the high voltages, there is a possibility that sets may emanate radiation.

Hon. Mr. Bales: Mr. Speaker, I made it clear, at least I hope I did, that the course instructs the technicians as to how to cope with this matter safely, and they are given training in that.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: A question of the Minister of Labour.

With the increasing use of snowmobiles, does the Minister intend to bring forward regulations under The Apprenticeship and Tradesman's Qualification Act, 1964, setting out qualifications for snowmobile mechanics?

Hon. Mr. Bales: Mr. Speaker, in reply to the question, I am advised that this matter was considered by the labour-management

provincial advisory committee for motive power trades. The committee concluded that the regulations under the Act were not required at this time but the matter has continued to be under review.

Mr. Speaker: Does the hon. member for Sandwich-Riverside have a question?

Mr. Burr: Mr. Speaker, a question of the Minister of Energy and Resources Management, number 1212.

Why did the Minister indicate yesterday that private insurance companies are reluctant to issue third party risk insurance for nuclear power stations?

Hon. Mr. Simonett: Mr. Speaker, this came about by way of a supplementary question yesterday: "Was any private carrier invited to carry the insurance on Douglas Point?" I said at that time, "I doubt if any private carrier was invited." I am not sure of that because that has nothing to do with Ontario Hydro or the provincial government. It is owned by Atomic Energy of Canada. Maybe that was a misstatement.

Then, I went on to say, "I doubt if there is a private carrier that would want that type of insurance." I would say that that is a misstatement too, because I think any insurance company, provided it could get its rate, would be interested in any insurance. But I am told by those in the know that there are no nuclear plants insured with insurance companies. They are either carried by the government or the utility that owns the plant.

Mr. Burr: Mr. Speaker, as a supplementary question, is it possible that this reluctance comes from the fact that there are radioactive emissions from the plants?

Hon. Mr. Simonett: No, Mr. Speaker.

Mr. Burr: That is quite impossible?

Hon. Mr. Dymond: Mr. Speaker, before the orders of the day, the hon. member for Scarborough Centre asked for additional information which I did not have for her when she asked the question. I am now in a position to tell you, sir, and through you the hon. member, where there exists shortage of professional staff; in Hamilton there are five; at Kingston two; Toronto, four; North Bay, two; Penetang, two; Woodstock, three; Lakeshore, three; Brockville, three; Thistletown, three; St. Thomas, two; London, one; Owen Sound, one.

Mr. Speaker, while I am on my feet, before the orders of the day, I would like to table the annual report of the Ontario Mental Health Foundation for 1967-68, the annual report for the Clarke Institute of Psychiatry for 12 months ending December 31, 1968.

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, I would like to ask if the Minister would accept a supplementary question to his additional information?

I would like to ask the Minister of Health if the students graduating from the community colleges will be usefully employed in the Ontario Hospitals as assistants to help make up for some of the vacancies left by the doctors. Not to replace the doctors, naturally, Mr. Speaker, but will these students be going into some of these hospitals that must be very short staffed?

Hon. Mr. Dymond: Mr. Speaker, I believe that some arrangements have been under way for some little while between the community colleges and students involved and The Department of Civil Service to establish the classification for these new workers, and to see where they can fit into the situation.

We have been very interested in this and we are trying to do all we can to arrive at a satisfactory understanding whereby we can use their services.

Mrs. M. Renwick: Mr. Speaker, would the Minister accept a short supplementary? The classification is not set at this time?

Hon. Mr. Dymond: That is the latest word I have, but I must admit that that was before we rose for the Easter recess.

Mr. Nixon: Mr. Speaker, on a point of order regarding the Minister of Health tabbling the two reports. I listened to the titles quite carefully and neither one of them is the same as the title of the folder that has been put on our desks. Does this folder purport to be the annual report of OMSIP, by any chance?

Hon. Mr. Dymond: No, Mr. Speaker. It is not really a report, it is a rundown on the highlights, as it says; an information piece. It was submitted—as I understood—for the hon. member for York South who, some time ago, asked if we would be issuing an annual report. The annual report for OMSIP will be included in the annual report of the department. These are some interesting highlights which I felt would be some value to the members for their own private use.

Mr. Nixon: Mr. Speaker, on a point of order—

Hon. Mr. Dymond: No, Mr. Speaker, this is a report.

Mr. Nixon: It also says it is growing into a mighty tree.

Mr. V. M. Singer (Downsview): The Minister did not even say what kind of tree.

Mr. Speaker: Orders of the day.

Clerk of the House: First order, resuming the adjourned debate on the amendment, to the motion that Mr. Speaker do now leave the chair and the House resolve itself into the committee on ways and means.

BUDGET DEBATE

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, on a point of order before the hon. member begins. You may be aware that when this order was adjourned on the last occasion, the hon. member for Grey-Bruce (Mr. Sargent) was holding forth. As I understand it, we had no notice that this order was going to be called before last night at the adjournment. I would draw your attention that the hon. gentleman had not completed his remarks. Perhaps there would be an occasion when the order is called again when he might have that opportunity.

Hon. R. S. Welch (Provincial Secretary): I do not wish to get into a debate on the matter, but I do take exception to the point made by the hon. leader of the Opposition that there was no notice of this order being called today. I personally talked to his Whip at noon yesterday to discuss with him the order of business today and, last night, when the leader of the Opposition expressed some surprise that this order was going to be called, I reminded him of that fact.

We have no objection, of course, to the hon. member for Grey-Bruce completing his remarks, but I do want the record made clear as far as communications between ourselves and his Whip, and in fact all Whips, indicating what the order of business would be for this morning.

Mr. Nixon: Further to that, Mr. Speaker, I am glad to hear that the House leader did speak directly to the hon. member for Algoma-Manitoulin (Mr. Farquhar), because the Whip of the government party did not.

Mr. D. C. MacDonald (York South): Well Mr. Speaker, I just want to say that we knew on Wednesday, not just yesterday noon, that there was going to be a Budget Debate this morning.

Mr. Nixon: It certainly was not conveyed to us.

Mr. C. G. Pilkey (Oshawa): Just the Opposition knew.

Mr. MacDonald: The second point I want to draw to your attention, Mr. Speaker, is that I have no objection to providing an opportunity for this member to complete his speech at a later date, but there have been earlier occasions when similar circumstances have arisen, and that privilege has not been extended. I note the change, I shall remember it.

Mr. Speaker: Now that we have the problem resolved, I hope to everyone's satisfaction, certainly to Mr. Speaker's, I would suggest that the hon. member for Sandwich-Riverside embark on his Budget Debate speech.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I wish to make a few comments on artificial kidney machines or hemo-dialysis.

Very briefly, the artificial kidney machine treats those who are suffering from a kidney disease. The patient's blood is pumped through a series of tubes, coils and filters, and during the process, which uses about 200 quarts of water during each dialysis, the machine takes over the kidneys' normal and vital function of removing from the blood, wastes and impurities that would otherwise accumulate and cause death.

These are removed by osmosis and, at the same time, vital chemicals normally added to the blood by healthy kidneys, pass from the solution in the machine into the blood. The purified blood is then returned to the body. Sometimes a few treatments are sufficient, as in cases of acute infection.

But where irreparable kidney damage has been suffered, twice weekly treatments lasting from six to 13 hours each are required, depending upon the individual patient and the individual machine.

The treatment is painless and patients may lead a nearly-normal life. A Seattle man, who was the first patient to take long-term treatment, is still regularly employed as a mechanic nine years later. He had received vein and artery transplants at the University of Washington. This treatment is expensive, costing between $10,000 and $20,000 per patient per year, in United States hospitals. As a result, only about 1,700 Americans are at present receiving this treatment, while it is estimated that 8,000 persons in the United

States will die this year for lack of such treatment.

One somewhat hopeful development is that of the home unit. About 200 of the 1,700 Americans receiving hemo dialysis do so at home. The savings are substantial.

For example, the first year the bill for home dialysis or hemo-dialysis is usually $10,000. This includes the $3,000 or $4,000 required to acquire the machine, and the fees for training a member of the family to operate it. Thereafter, it costs from $3,000 to $5,000 a year to maintain the machine and to buy the various components and chemicals that must be changed after every use.

Unfortunately some homes and some hospitals have only fluoridated water at their disposal, and this has presented a very serious problem.

In the *Archives of Internal Medicine* of February, 1965, there is a report of the absorption of fluoride by a patient, a nurse, with a chronic renal insufficiency, who underwent dialysis repeatedly with fluoridated water in an artificial kidney unit in Rochester, New York.

X-ray observations revealed that there was:

> Excess bone breakdown and an elevated concentration of fluoride in the bone, 5500 parts per million. Only part of this concentration can be accounted for by the amount absorbed during dialysis. This suggests she was ingesting and retaining more fluoride than usual for some time. The question of increased retention of fluoride in patients with kidney disease has not been resolved.

The report comments that although further experimental work—and I underline experimental work—with fluoride would seem justified. Now I quote:

> It would seem prudent to use non fluoridated dialysate baths for long term hemodialysis.

As this study was made in co-operation with, and under the sponsorship of the United States Public Health Service, one would assume that all those working with artificial kidney machines would have been cautioned by the USPHS. This, Mr. Speaker, did not happen.

The United States Public Health Service has been minimizing the toxicity of fluorides for many years and has remained silent. It felt no responsibility.

Three years later, Dr. Taves of Rochester again gave a warning, this time much louder, but still, the public health service remained silent. In November, 1968, a different doctor gave solid proof at a meeting in Washington, DC, that fluoridated water should not be used in an artificial kidney, but the United States Public Health Service still remained silent.

It was not until late January, 1969, Mr. Speaker, about ten weeks ago, that this subject found its way into the news media because of a paper presented in Vancouver before the Royal Canadian College of Physicians and Surgeons. Even then, the matter was given rather casual treatment by the press.

For example, the Windsor *Star* headline was: "Fluoridated Water 'bugs' kidney machine", which was not very informative for those who merely scan the headlines. Indeed, those who read the text found few details.

On March 1, however, a lengthy detailed account of this whole matter was printed in *Saturday Review*, an American magazine; and on March 10, the *Saturday Review* article was printed in the *United States Congressional Record*.

I wish to put on record a few paragraphs from this very long article, after first explaining that the scene now goes back to the spring of 1968, a year ago, in Philadelphia at a meeting of the American Society for Artificial Internal Organs, at which was present Dr. Taves, one of the four University of Rochester authors of the February 1965 article in the *Archives of Internal Medicine*. The *Saturday Review* says:

> Among the scientists who attended the Philadelphia meeting at which Taves spoke was a young Canadian, Dr. Gerald Posen. Dr. Posen had studied at Johns Hopkins at Baltimore, and had gone from there to Montreal to join the staff of the Montreal General Hospital. There he did clinical research with artificial kidneys.
>
> It was commonplace for patients, aided by artificial kidneys, to be attacked by blood and bone discomforts, but these problems were just as commonly dissipated by supplementing the patient's supply of calcium, phosphorus, and Vitamin D.

Now, Mr. Speaker, I understand there has been a correction in the word "phosphorus". It should be "phosphorus binding gel". The article continues:

> The experience at Montreal encouraged Dr. Posen to take on a bigger assignment and he went to the Ottawa General

Hospital in Canada's capital city to take charge of that institution's artificial unit.

There he encountered much more severe manifestations of the same types of bone problems he had found and successfully combated in Montreal.

This is where the article becomes interesting.

But he discovered to his dismay that the treatments he had used in Montreal would not work in Ottawa. No matter what massive therapeutic dosages he prescribed, the bone deformation in his artificial kidney patients grew worse instead of better.

Posen went to the meeting of the American Society for Artificial Internal Organs in Philadelphia to learn something helpful in alleviating the suffering of the people in his charge. By chance he sat beside Taves at a dinner party and he told Taves his troubles. Taves asked him whether the possibility of fluoride involvement had been considered. Posen said it had not. Taves asked whether the public drinking water in Montreal was fluoridated. Posen said it was not. Was the public drinking water of Ottawa fluoridated? Posen did not know. The question agitated him so much that he walked to the nearest telephone and called Ottawa. Was Ottawa's public drinking water fluoridated? Yes, it had been since November 1965.

To make a long story short, Mr. Speaker, Dr. Posen checked most carefully the effect of the fluoridated water and found that it was, indeed, the factor that caused the difference between the success with artificial kidney machines in Montreal and his failure in Ottawa.

How much damage was done to the bodies of these patients who were using the artificial kidney units in Ottawa? Let the *Saturday Review* tell us.

In opening his remarks to the Royal Canadian College of Physicians and Surgeons, Posen mentioned 16 cases in which artificial kidneys were used at Ottawa General Hospital since 1964. Later, in a long distance telephone conversation with *Saturday Review's* science editor, he discussed 14 of these patients who had "minimal or no detectable bone disease" at the time treatment with artificial kidneys began. Four of the 14 died before Posen could learn very much about them.

The concentration of fluoride in the blood of all the remaining ten patients rose to levels comparable to the levels that cause fluoride-induced bone diseases in experimental animals. Alkaline phosphatase, an enzyme that circulates in the blood in amounts proportional to dissolution of bone in the body, also rose steadily in volume in all ten patients. By the end of a year of dialysis with fluoridated water, the ten patients had all developed bone disease. Nine of the ten complained of pain in their bones. Six were attacked by arthralgias—arthritic-like pains in the joints. Three developed calcific bursitis, a condition in which mineral crystals imbed in the shoulder muscles and saw at them from within. The muscles of five of the ten patients became weakened, and in three cases symptoms of irritation of the surface of nerves appeared.

X-rays, meanwhile, showed knobby growth on some bones, oversize crystals of mineral inside other bones and disappearance of minerals from areas beneath the surfaces of still other bones. Progressive x-ray pictures revealed that as the period of dialysis with fluoridated water lengthened, dissolution of bone in all ten patients accelerated. In nine of the ten, the mineral substance of some bones became so depleted that the bones broke spontaneously. For example, ribs cracked under the pressure of breathing.

I am going to read those last two sentences again, Mr. Speaker.

In nine of the ten, the mineral substance of some bones became so depleted that the bones broke spontaneously. For example, ribs cracked under the pressure of breathing.

In this article there is a great deal of other information and it is of great interest and importance. However, I have quoted sufficient to show that this is beyond doubt a matter of life and death for those whose continued existence depends on artificial kidney machines. And yet it took Dr. Posen, who was one of the persons in Canada most interested in this subject, three years—three unnecessary years—to discover, and even then by chance, that it was the fluoridated water that was causing bone disease and perhaps other side effects, when used in artificial kidney units.

In November, 1968, Dr. Posen spread the word to many United States hospitals through the meeting of the American Society of Nephrology, in Washington, D.C. After he had given his paper he was approached by "scores of kidney specialists", to quote the *Saturday Review*, all of them wanting to know where

their hospitals could buy dependable filters to remove fluoride from their artificial kidney washing machines. And yet, *Saturday Review* says:

> If any account of Dr. Posen's report ever has been published in a newspaper or magazine or on a radio or TV broadcast, *Saturday Review's* science editor is not aware of it.

There was still no public knowledge of this in Canada until late January, 1969, when the Canadian newspapers finally mentioned it. And about March 10, approximately five weeks ago, the United States Public Health Service finally sent out a warning.

Now, what was our Minister of Health (Mr. Dymond) doing all this time? On Monday, March 17, I asked him in the House whether he had alerted the hospitals in Ontario to this danger, which had been reported to the press at the end of January. To this he replied:

> I have not drawn this to the attention of the hospitals because this grew out of a paper delivered by a member of a hospital staff, and scientific papers are usually available to hospitals as readily as they are to The Department of Health. Indeed we get our information of this kind from the scientists who are out in the field, and therefore the hospitals have access to the same information.

Four days later, Mr. Speaker, I asked Him whether he could now assure the House that all kidney machine operators had been alerted to the danger. His reply:

> I answered this question for the hon. member a few days ago.

In other words, no, he still had not bothered.

On the previous day, March 20, in the Windsor *Star* there was a big illustrated article extolling the fine work done by the four artificial kidney machines in Grace Hospital, and appealing for public funds to help buy three pieces of equipment: 1. A device to remove fluoride from Windsor's fluoridated water; 2. A fifth artificial kidney machine; 3. A special platform scale.

When I asked the Minister on Monday, March 17, whether he was aware that "this warning was made in February, 1965, in the *Archives of Internal Medicine* in a study by University of Rochester scientists under a grant from the United States Public Health Service"; he replied that he was. Unfortunately, I did not ask him how long he had been aware of it.

It is generally agreed or assumed that the Minister of Health for Ontario is ultimately responsible for looking after all matters relating to the health of the people of Ontario. Yet, in this matter, he has shown what one Windsor citizen, an engineer, who spoke to me—referred to as a callous indifference.

According to the Minister there are 14 hospitals in Ontario using artificial kidneys. Surely, Mr. Speaker, after the report appeared in February, 1965, our Minister of Health should have sent a note to each of these 14 hospitals saying: "Have you see the disturbing article in last month's issue of the *Archives of Internal Medicine*? If you are using fluoridated water in your kidney units have you had a similar experience? Let me know your findings.

This would have cost 70 cents in postage, but at least it would have alerted Dr. Posen in Ottawa or his predecessor, if Dr. Posen had not yet arrived from Montreal. The success that Doctor Posen had in Montreal would have been duplicated in Ottawa. It is quite possible—even likely—that some or all of the five deaths at Ottawa General Hospital would not have occurred. Certainly the ten patients who developed bone disease, as horribly described in *Saturday Review*—and probably at the Royal Canadian College of Physicians and Surgeons meeting in Vancouver—would have been spared this ghastly experience.

Now we do not know when the Minister became aware of this danger, reported in February, 1965. But if he knew, he should have alerted our hospitals and if he did not know, why did he not? His answer that "scientific papers are usually available to hospitals as readily as they are to The Department of Health" seems to be the height of irresponsibility, a callous disregard for the well-being of the people of Ontario.

What is happening to those home unit users in Ontario? The Minister cannot expect them to read scientific journals. He cannot expect them to afford the deionizing equipment. I have heard of five home unit users in Ontario. Perhaps there are more. On March 21, when I asked the Minister how many there were, he said that to his knowledge there was only one. Is his knowledge any greater now? Is his concern any greater now?

Recently the Minister said: "I have been in this House too long to be embarrassed". Now this, Mr. Speaker, is a statement that we can accept in whole and in part. "In part" referring to the part of the statement which would end with the words "too long"—namely, "I have been in this House too long". With that, most of us in the Opposition are forced to agree.

We need a Minister of Health who is concerned about the health of the people of Ontario, a Minister who is embarrassed when he makes a mistake. And we need a government that is concerned. But this government, like the Minister, has been here too long to be embarrassed.

During the CBC hearings, about a month ago, inquiring into the "Air of Death" TV documentary, the history of this particular programme was revealed. A pollution conference had been held in Montreal late in October 1966 sponsored by the resources Ministers of the various provinces. As the experts in various fields of pollution shared their knowledge, it became apparent that pollution has become man's number one problem threatening not only his health but indeed his very survival.

The feeling was repeatedly expressed, in the informal conversations during coffee breaks at the conference, that the public at large was unaware of the seriousness of this problem. CBC representatives at the conferences were impressed with their obligation to inform the public. Consequently, the CBC began work on three documentary films, one on air pollution, one on soil pollution and one of water pollution.

The "Air of Death" documentary, which took almost a year of research and preparation, was the first of the three to be presented. Late in October 1967, the programme was aired and immediately had a great impact on the public and on the governments of this country.

The Ontario government almost immediately set up a committee to investigate pollution in the Port Maitland area. The committee found that air pollution certainly existed there and that it harmed almost everything in sight except human beings. Only the naive expected any other finding from this committee. But there was one surprise. Instead of joining in the almost unanimous public praise of the CBC for rendering a public service, the Hall committee made a vicious attack on the CBC.

In retrospect of course, Mr. Speaker, we realize that this was a diversionary tactic aimed at taking the heat off both the Ontario government and the Electric Reduction Company. The attack on the CBC was also an attack on Dr. George Waldbott, one of the few independent scientists able and willing and courageous enough to expose and oppose air pollution. Among his many duties Dr. Waldbott is chairman of the air pollution committee of the Michigan Allergy Society.

If any one person precipitated the investigation of air pollution by ERCO, it was Dr. Waldbott. Because he is world famous in the field of allergy it was difficult to discredit him. However, the Hall committee made the attempt in Appendix XIV on page 347 of its report, where we are told that Dr. Waldbott's brief—which he was discouraged from presenting to the committee itself—had been submitted to Dr. Edmund Martin, the committee's consultant, in London, England.

Now the committee did not choose to print Dr. Waldbott's brief, some of which I read into the records of this Legislature some time I believe in May last year. Nor did it see fit to print Dr. Martin's critique of Dr. Waldbott's brief, in which he had given his reasons for diagnosing ten of the Port Maitland people as definitely, and seven as probably, afflicted with fluorosis.

On December 13, 1968, I wrote to the Minister of Health asking for a copy of Dr. Martin's critique. I have not yet had a reply from the Minister. However, I have here a copy of Dr. Martin's critique and I can see why the Hall committee did not publish it in their report.

Dr. Martin first attacks the International Society for Fluoride Research, of which Dr. Waldbott is secretary. He says:

> I know little of it, but I think it is getting a footing mainly in European countries where experience is principally of cases of industrial poisoning and excessive doses.

Now, for the information of Dr. Martin, I have examined the first 20 papers presented to and discussed by this international society and only two of the 20 were concerned with acute fluorosis and none with industrial fluorosis. So Dr. Martin's thought about the interests of this international society for fluoride research are very wide of the mark, proving merely, as he himself says, that "he knows little of it".

Dr. Martin then says that Dr. Waldbott's claim to have reported the first fatality from anaphylaxis due to penicillin is incorrect. Dr. Martin gives the credit to another doctor who reported a case earlier under the title, "Fatal delayed anaphylactic shock after penicillin". Dr. Waldbott's rebuttal is that Dr. Martin fails to distinguish between serum sickness and anaphylaxis.

Thirdly, Dr. Martin questions Dr. Waldbott's claim to a first report in 1953 of a "smoker's respiratory syndrome" concluding with the statement "probably other physicians would not regard Waldbott's syndrome

as being any different from cases of sensitivity to other foreign substances." Nevertheless, in 1954 an editorial in *The Journal of the American Medical Association* in discussing smoking and lung cancer, commented as follows:

> Somewhat akin to this, but still a separate clinical entity, is smoker's respiratory syndrome as described by Dr. Waldbott.

Dr. Martin's fourth attempt to belittle Dr. Waldbott's scientific standing is even weaker. It is short enough to quote in its entirety:

> I know nothing of Waldbott's Bronchoscopic lavage. It sounds a drastic method of treatment which might precipitate death rather than save life! The opinion of some other allergist on this would be interesting.

Well, if this were a procedure, Mr. Speaker, that Dr. Waldbott had discovered only last year, Dr. Martin might be excused for his ignorance of it, but Dr. Waldbott reported this in August, 1949, almost 20 years ago, after it had been used in 127 cases. By 1965, Dr. Waldbott was able to report that more than 1500 patients with allergic asthma had been so treated. Dr. Martin's criticism of Dr. Waldbott as an allergist is worth about the same as mine would be of Dr. Shulman's as a financier, he is just out of his depth.

Nothing daunted, however, Dr. Martin plunges on like Don Quixote. His fifth charge at Dr. Waldbott is a claim that:

> From his writings one gets the impression that he has had little training in research methods such as one gets by doing post-graduate work in a university or research institution.

Actually, Dr. Waldbott has repeatedly served on teaching faculties of post-graduate courses, at the University of Michigan, medical school, at Wayne State medical school, at the American Academy of Allergy and the American College of Allergists.

Dr. Martin, in a sixth effort, says in his critique of Dr. Waldbott:

> It would be strange if, with all the laboratory facilities in the United States and Canada, hospitals and physicians lack facilities to carry out reliable fluoride analysis as alleged by Waldbott.

I have here, Mr. Speaker, five letters from various United States laboratories saying that they have no facilities for fluoride analysis. Most of these had been recommended to physicians who were searching for those facilities. Dr. Martin asks later—this is No. 7:

> Did Mr. Warnick's blood really contain 0.7 ppm? I can find no allusion to this in Dr. Tidey's evidence.

This raises an interesting point, Mr. Speaker. Did Dr. Tidey present this information to the Hall committee? If not, why not? If he did, why was no reference made to this in the report? I have this report here, a photostatic copy of it. It exists, but Dr. Martin was unaware of it.

Dr. Martin next refers to:

> A preceding paragraph where Dr. Waldbott has been showing that the fluoride content of bones in cases of crippling fluorosis, varies from 0.5 to 7000 parts per million.

Now by this time Dr. Martin must have been getting tired and must have been unable to read straight, because Dr. Waldbott said in his brief—and anyone who wishes can read it for himself:

> Fluoride analyses of blood are equally as unreliable in pinpointing damage by fluoride. Dr. Tidey reported on fluoride values in four members of the Warnick family. All were taken in February at a time when there was much less exposure to fluoride than during midsummer. Nevertheless, Mr. Warnick's blood, even then, contained 0.7 parts per million, an unusually high value. In five out of 16 cases of advanced crippling fluorosis in India, values ranged from 0.5 to 0.8 parts per million.

Now that, Mr. Speaker, you will note, deals entirely with blood.

> Similiarly, the fluoride content of bones gives no information concerning the fluoride concentration in any other tissues and certainly none about damage to internal organs. The thesis that there cannot be skeletal fluorosis unless bones contain 7,000 parts per million of fluoride is no longer tenable in the light of recent observations. Soriano, Singh, and Pinet reported crippling fluorosis in individuals whose bone fluoride ranged from 600 to 1,800 parts per million.

Incidentally, bone biopsy on Joe Casina showed 641.3 parts per million and 864.1 parts per million. But of course Joe Casina has not fluorosis, you know.

This error of Dr. Martin's does not give us the impression that he himself is much of a scientist when he misunderstands a plain, unambiguous, obvious reference to 0.5 parts per million in blood as referring somehow or other to 0.5 parts per million in bone. This error is absolutely inexcusable. It indicates

almost the same degree of incomprehension as that shown by the Hall committee members when they misunderstood the man in the CBC's "Air of Death" programme, who said: "They"—meaning the doctors—"cut a hole in your throat". This had to do, of course, with the effects of air pollution. Despite the fact that the man in the TV programme was shown lying in what appeared to be a hospital bed or operating table and had a tube sticking out of his throat, the Hall committee criticized the CBC, page 329, for allegedly having the man say: "They"—meaning air pollution. How "they" could refer to air pollution, which is singular, is a difficulty they did not try to solve. "They"—air pollution—"cut a hole in your throat".

This is a misinterpretation which very few high school students would have made. How the Hall committee made it is simply incomprehensible, yet it happened.

It is difficult to say which is the more incredible error; Dr. Martin's "0.5 parts per million" blunder or the Hall committee's "hole in the throat" gaff. Of course, Mr. Speaker, the Hall committee could have spotted Dr. Martin's reading error as easily as you or I, but the Hall committee preferred to "reject many of the statements made by Dr. Waldb'ott in his brief." They preferred to accept testimony such as that offered by Dr. Martin.

There are further criticisms by Dr. Martin in his critique and further rebuttals by Dr. Waldbott, but I have given you at least eight—enough to show that the Hall committee had good reason not to include Dr. Martin's so-called "critique" in its report. It would not have discredited Dr. Waldbott, it would have discredited their own consultant, Dr. Martin.

Now, Mr. Speaker, on December 17 I spoke in this House on the report of the committee which was asked to investigate the damage done to crops, animals and humans by air pollution in the vicinity of the fertilizer plant operated by the Eelctric Reduction Company. It is now commonly called ERCO and it lies near the village of Stromness, which is near Port Maitland, which is near Dunnville.

At that time I announced my intention, first to prove that humans in the area were suffering from fluorosis, as admittedly were the crops and livestock, and secondly, to show why the committee did not come to this conclusion.

As far as I am aware no one denied that I succeeded in both efforts. However, because the pollution of the area still continues, and because the people are still suffering, not only physically but financially, I intend to give some further evidence to support my contention.

Let us start with a brief résumé of the situation: On October 22, 1967, the CBC presented a TV programme entitled, "Air of Death" which ranged widely over the North American continent and brought home, to the people of Ontario at least, the seriousness of air pollution by telling about the situation around the ERCO plant. The Ontario government set up a committee to investigate.

In December, 1968, the committee reported in effect: Yes, the vegetation is harmed; yes, the livestock is harmed; yes, the paint on houses and cars is harmed; yes the windows are harmed—the glass windows; in fact almost everything in the neighbourhood has been harmed except the human beings.

Nine of the residents had been put on what amounted almost to a trial. Four of these had been hospitalized in Toronto General Hospital and three of the four had completely baffled the physicians. No one could diagnose their ailment except to say that whatever mysterious element had changed their environment, it certainly was not the fluoride emission from ERCO. That was one thing they were sure about.

How did the Hall committee reach this amazing conclusion? The Hall committee mentions on page 58 of its report that during the November and December 1968 investigation of the health of the people near Port Maitland by The Ontario Department of Health, certain criteria were used for the diagnosis of fluorosis, and one of these criteria was "Appropriate Symptoms and Findings". The Hall committee adds that:

> These criteria were selected after an exhaustive study had been made of the scientific literature relevant to human fluorosis.

It would be interesting, Mr. Speaker, to learn what these appropriate symptoms discovered by The Department of Health were. It would also be interesting to find out why the Hall commission virtually ignored the existence of these appropriate symptoms, whatever they were, after taking the trouble to mention them. Perhaps some day the Minister will enlighten us. Why did the Hall committee then reject the criteria which The Ontario Department of Health had selected, in the words of the Hall committee itself, "after exhaustive study had been made of the

scientific literature relevant to human fluorosis"?

I personally doubt whether The Ontario Department of Health had made "an exhaustive study", but the Hall committee raises no doubts about The Department of Health's exhaustive study. Yet I think that the department may have discovered several symptoms of human fluorosis in its study, whereas the Hall committee ignores completely The Department of Health's findings. What were the symptoms? The report does not tell us how many The Ontario Department of Health found. What did the Hall committee think of these "appropriate symptoms"? The Hall committee was made aware of them, as we are informed in section 190 of the report, but the report itself ignores them.

The Hall committee accepted the other three of the four criteria selected by The Ontario Department of Health, namely (a) lengthy exposure, (b) urine analysis, (c) bone X-rays. But instead of the "appropriate symptoms" which The Department of Health had found in its exhaustive study, the Hall committee substituted two criteria of its own, namely, severe mottling or staining of the permanent teeth and high fluoride concentration in the dry bone ash.

The first of these two was a very safe criterion because mottling occurs only in the formative stages of children's teeth and after many years the mottled teeth may become stained. Because the intense pollution began less than three years previously, the Hall committee was safe in establishing this as a criterion. The inclusion of the analysis of bone ash was risky, almost an instance, Mr. Speaker, of brinkmanship, because there are known standards of normalcy and it would have been very awkward, had a bone biopsy been made and a high fluoride concentration found.

But the Hall committee did not "indulge in" bone biopsies, to use its own peculiar phrase, because it had established a criterion of criteria, namely: "In order to diagnose adequately chronic fluorosis in humans, it is necessary that more than one"—I repeat—more than one of the following conditions be present."

It then lists the five criteria I have just indicated, three being almost identical with three of The Department of Health's criteria, with mottling and bone content being substituted for the appropriate symptoms of The Department of Health. The Hall committee then concludes that:

> A history of lengthy exposure to relatively high concentrations of fluoride in the air, food and/or water, is not proven.

It does this without tabling any results of water sampling by the OWRC which actually did show high fluoride concentration in the drinking water. It does this without tabling any results of food analysis, and these have been made by others ill able to afford the expense, and the tests do show prohibitive amounts of fluoride. It actually admits that the air did contain "above acceptable levels" on several occasions but because "such samples contained quantities of particulate matter" and because "of such particulate only those of size less than seven millimicrons can be absorbed into the lung, such occurrences could not lead to human fluorosis."

Having thus convinced itself that there was no undue exposure to fluoride in air, food and/or water, the Hall committee knocked down the three straw men it had set up, namely: mottling and staining of teeth, most unlikely in such a short time, in fact impossible in such a short time; bone changes discernible by x-ray, which is virtually impossible in such a short time; and urine analysis, which gives no indication of how much fluoride is being stored in the bones or the tissues of the body.

This left only the problem of fluoride concentration in the bone. How could the hazard of making this test be avoided? Very simply. Having stated that there must be more than one of the five conditions or criteria described, it is obvious that even if bone biopsies proved the bones of the ERCO neighbours to be chock full of fluoride, this would fulfil only one of the five conditions and would not be adequate to justify the diagnosis of fluorosis. Hence, the Hall committee concluded on page 113 of the report, and I quote:

> (d) that there was no reason to indulge in bone biopsy in order to determine the fluoride concentration in the bone ash in view of (a), (b), (c) and (e).

A most ingenious method of avoiding an embarrassing test.

A bone biopsy has been done on at least one of the ERCO neighbours, Mr. Joe Casina, and the test showed 641.3 parts per million, and 864.1 parts per million. In cases of crippling fluorosis it has been found that bone can contain as little as 600 parts per million. The Hall committee would have been hard put to explain away Mr. Casina's bone biopsy.

To sum up: the Hall committee merely explained that x-ray tests had shown no evidence of fluorosis and urine tests could shed no light on this aspect either, therefore, there was no fluorosis. By reading the report we were able to learn that none of the experts called in to testify before the committee had ever seen, or at least, had ever recognized, a case of fluorosis, although one expert indicated that if he saw one he could diagnose it as easily as he could leprosy. The expert spoke knowingly on the subject of fluorosis, referring to the great Danish expert, Roholm, but they ignored the list of general symptoms of fluorosis that he had given back in 1937. As I pointed out, one of the victims, Mr. Warnick, had ten of these symptoms of fluorosis, yet the experts talked only about the negative findings of x-ray and urine tests. I wonder if any of Mr. Warnick's symptoms are on The Department of Health list of appropriate symptoms.

Mr. Speaker: Perhaps the hon. member would find a convenient time now, or in the near future, to break his remarks and adjourn the debate.

Mr. Burr: Mr. Speaker, I move that the debate be adjourned.

Mr. Speaker: The member for Sandwich-Riverside moves the adjournment of the debate.

Motion agreed to.

NOTICE OF MOTION

Clerk of the House: Notice of motion No. 4, by Mr. De Monte.

RESOLUTION: That in the opinion of this House employees have the right to be actively included in any planning for change arising from automation or industrial rationalization, the effect of which would be to make substantive changes in their working conditions or cause redundancies.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker. I move, seconded by the hon. member for York Centre (Mr. Deacon) resolution No. 4 standing in my name on the order paper.

Mr. Speaker: The member for Dovercourt, seconded by the member for York Centre moves resolution No. 4 standing in his name on the order paper.

Mr. De Monte: Mr. Speaker, as I rise to debate this resolution I am reminded that the current issue involving some 102 employeees of the Canadian Westinghouse Co. at the Etobicoke shop is a timely reminder that in industrial relations, as in all else, the price of fair dealing is eternal vigilance.

Let me tell that story for the record. On Monday, February 10, at four in the afternoon, the company told the union representatives, and shortly thereafter the affected workers, that, starting almost immediately, they would be phasing out certain manufacturing operations at the Etobicoke plant, with the phase-out to be completed by July, 1969.

The affected employees have up to 20-odd years of service with Westinghouse. The phase-out is to be made, not because the company is ceasing production of certain lines, but because it is deemed more economical to transfer production to two other company plants outside Metro. At the same time, Mr. Speaker, the provincial government has got into the act by negotiating with Westinghouse for a forgivable loan in respect of one of these out-of-town plants, at Lawrenceville.

The affected workers, members of the United Electrical, Radio and Machine Workers of America, naturally felt exposed and unprotected at this sudden and unexpected turn of events. They regarded the decision by Westinghouse as an arbitrary one which, for a small overhead saving to the company, would disrupt the lives of many workers who had served it long and faithfully.

The union said on their behalf:

> It is high time that government enforce some social responsibility of these corporations through appropriate legislation against "runaway shops". In our opinion, Westinghouse should be obliged to continue this production and employment in its present location as a responsibility to those who have given their years to contributing to the company's growth and profits.

But what did the company say? The company was silent and refused even to talk to the union representatives about the move. So the union representatives came up here to the Legislature, and the Legislature performed one of its more useful democratic functions when, in turn, the government, the Opposition, and the New Democratic Party offices were opened to these representatives and the story was told. As a result of this visit, a Mr. Peebles, in the office of the Minister of Trade and Development (Mr. Randall) was put to work on the case, and the

door was pried open, at least to the extent that the parties are now talking as they should have been in the first instance.

Of course, the issue is far from a satisfactory solution. The company wants to pay only half a week's severance pay to the laid-off employees for each year up to 20 years of service, so that perhaps the top severance pay would amount to $1,500, which is barely enough to catch one's breath these days, and which the union has termed unacceptable. The other argument being advanced is: why cannot the vacant capacity in Etobicoke be used for new production, rather than transferring work, even through an indirect shuffle, to Lawrenceville.

Mr. P. D. Lawlor (Lakeshore): They want to cash in on that one.

Mr. De Monte: The Minister of Trade and Development has pointed out that there will be no direct transfer of work, but the feeling persists that in fact the province's holding out a forgivable loan to a rich company like Westinghouse in order to encourage it to set up production outside of Toronto, is, in effect, encouragement of the runaway shop concept which is anathema to organized labour because of its social consequences which run very, very deep.

Mr. Lawlor: Besides, playing you for taxes.

Mr. S. Lewis (Scarborough West): And, incidentally, which concept is totally excluded.

Mr. De Monte: Yes, I know. Well, the runaway shop is only one aspect of the changing labour situation that has been catalogued in the Woods report. To Professor Woods and his colleagues, the answer would appear to lie in the restructuring of the Canada Labour Relations Board, which he would rename the Canadian Industrial Relations Board, into a non-representative body that would stand quite apart from the labour-management field, and look at all these developments from the wider viewpoint of social change.

I expect that this concept will be fiercely debated at the federal level, particularly if it results in fragmenting the bargaining units, as labour commentators suggest it might, or compelling them to coalesce into one unit per industry, with one joint certificate. It is difficult to conceive what effect this would have on the railway non-operating unions, for example.

However, some leadership is obviously needed since labour unions have themselves been insensitive to the slow advance of that special form of automation we call cybernation—the merging of automated mechanical processes under computer control. In the case of the railway non-ops, the advent of automated and cybernated hump-yards has left them with a desire to consolidate their splintered forces, but the practical difficulties have been so insurmountable that only one merger has so far been consummated, and only one other has been seriously promoted. The melding power of the new Canadian Industrial Relations Board would likely forge a new kind of powerful bargaining agent, and old faces on the labour scene would drop out from view, to be replaced with a new generation of labour leaders. This is the prediction of most labour writers. It would certainly be as traumatic as the birth of the county school boards that we have been discussing in this House earlier this week.

When all the dust is settled, what are we likely to find? What will the new scene be like? Presumably the new federal board will begin to make the same kind of impact on the labour front as the new Canadian Radio-Television Commission is currently making in the field of communications. It will be objective to the point of being aloof, and it will be able to compel management as much by moral persuasion as by other means to embark on policies that are in the best interests of Canadian society.

Since most people, including legislators, are vague on what the nature of the problem is, I am glad of this opportunity to place on record some quotations to which we can subsequently refer, if not this morning, then as we come to the estimates of The Department of Labour. Indeed, I would say that the purpose of this resolution was not so much as to exhaust the subject as to lay down certain principles and establish in the proceedings of this Legislature references upon which we can later build.

Since the private members' hour can never come to a vote, I regard this function of the hour as most important. Just as I had the honour to catalogue what I hope will be regarded as the definitive reference to Caisson's disease earlier this session, so today my purpose is to lay down quotations on which the Opposition can build throughout the session.

The first such quotation I wish to record is by Dr. John T. Deutsch, former chairman

of the Economic Council of Canada, speaking in the proceedings of the National Conference on Labour-Management Relations in Ottawa on November 9, 1964. He said:

> We are confronted with the problem of how to deal with displacement and dislocation with the need for retraining, with the development of new skills, with the survival of an enterprise and the investment of new capital, with material and human losses, and with the question of how to distribute new benefits between wages, social welfare and leisure.
>
> These are complex and rapidly changing issues which cannot be tackled successfully unless, first, there is mutual concern and mutual recognition of the legitimate role of each party. Second, there is realization that neither the responsibility for, nor the cost of adjustment, can be imposed solely upon one of the parties, or let fall upon the weak.
>
> Third, there is a comprehension of the need for objective analysis for information for prior study, for consultation, and forward planning, and for a readiness to deal with reality.

Well, this makes clear, Mr. Speaker, that technological changes are an economic and human problem of vast proportions. But what should beneficiaries like ourselves—those of us who can enjoy the fruits of automation—be doing for those whom this kind of progress hurts. The question is well posed by the authors, Somers, Cushman and Weinberg, in the book "Adjusting to Technological Change" published by Harper and Row, New York, 1963, and here is what they said:

> The differentiation between beneficiary and sufferers from technological change presents us with a moral as well as an economic problem. Society as a whole, by and large, is a beneficiary. It is morally acceptable for most of us to enjoy the benefits of new technologies without utilizing every possible means of minimizing the losses and assisting the readjustment of those who are not beneficiaries but sufferers? Society has a moral obligation to accept the cost of necessary programmes to this end as a charge against the benefits of technological advance.

Put in the context of the Westinghouse situation, if Westinghouse finds it is more efficient to move its operation, what moral obligations does this firm have to those who are rendered jobless and forced to move from familiar surroundings? What obligation does society as a whole have to relocate or retrain the people who have been displaced?

Mr. Lawlor: It is the moral obligation of that government to do something about it.

Mr. De Monte: In its observations in chapter 8, the Freedman Report, the report of the industrial enquiry commission on Canadian National Railway run-throughs, debunks the economists' distinction between the role of government and the blame to be attached to "progress" in the general sense.

So far as the displaced worker is concerned, the report points out, the stark and immediate fact is that he is jobless. So when economists take the broad view and say it is not technology, but lack of government planning that creates unemployment, they are splitting hairs insofar as the individual and his difficulties are concerned. In the end there is only the individual who suffers.

Mr. Lawlor: What of the man let out after 29 years?

Mr. De Monte: The report also speaks of silent fixing, the attrition that comes as old employees retire or die off and are not replaced. Now railroads have been particularly prone to this reduction in labour intake. Between 1952 and 1959, the railway work force declined 19 per cent, and it has declined even further since that date. The effect of technological change must necessarily be to reduce the labour content of any given process. As Walter Reuther said and pointed out to Ford: "Machines cannot buy cars". When the CNR trains started to run through Nakina and Wainwright instead of stopping, 147 people directly lost their jobs, but the social effect extended to even wider circles beyond those immediately affected and produced a ghost-town syndrome.

In this context, the role of both the federal and the provincial government is twofold. Employment policies must increase the total demand for labour for an economic development. Manpower policy must facilitate retraining and make it possible for men to take the training and to relocate without undue hardship once they are retrained.

If we are to have a flexible and mobile work force in Ontario, we have to think of people first, rather than looking at the problem in terms of statistics. We have to ensure that individual workers are adequately protected economically against taking a beating from change, just because they happen to be on the firing line.

The Westinghouse case brings everything into focus and makes it topical because the Manpower Consultative Service was set up to encourage and assist management and unions to use the techniques of joint consultation and objective research to prevent unnecessary technological unemployment. The federal government assistance is available to the extent of one-half the cost incurred in such research and in the development of programmes of adjustment.

Yet Westinghouse will not pay its 50 per cent in the case of the Etobicoke workers, and it seems to me that it is encumbent upon the provincial Department of Labour to start to put the pressure on Westinghouse to accept its moral responsibilities in this situation, particularly if a forgiveable loan is being held out to the firm, however remotely the carrot and the stick are linked.

At the moment we have a carrot and no stick, and, from all accounts, a very obstinate mule. I think we have to insist that, as a condition of the granting of the forgivable loan to Westinghouse, that it subscribe to the manpower consultative service—pay its 50 per cent—and this without prejudice to efforts now being made to use vacant capacity in Etobicoke to produce new lines for the firm.

The Freedman report speaks of industry and labour moving confidently forward in co-operative efforts to meet the problem, but the reality seems to be very different.

The time has long passed when the entrepreneur could treat all factors of production —land, labour and capital—merely as commodities to be purchased on the market; when he could juggle their ratio to his best possible advantage and profit, without regard to the social consequences of his actions. Labour cannot just be "let go" any more without all kinds of repercussions occurring, and it follows that the release of labour into the market must be subject to the control of society, at least to the extent that the goals of society and those of unrestricted enterprise are incompatible. That is the human message of the technological revolution.

With that, of course, goes the responsibility of labour not to adopt a "Luddite" approach, obstructing and destroying innovation, if not physically, then procedurally. Technology can help us all, and the worker is not excluded from the general gain. When the nation is hurt by opposition to technological advances, the workers are hurting themselves too.

As long as we get moral fair dealing, we are off to a new start. But moral fair dealing with displaced individuals ought certainly to involve severance pay at least to the model standards laid down in The CP-CN Railway Act, or, more recently, the POP programme, associated with the auto pact, whereby workers displaced as a result of the operation of the auto pact are subsidized for a year in addition to their unemployment benefit.

It seems inconceivable to me that Westinghouse would be so far from these standards as to cause discussion of the Etobicoke situation in this Legislature, and one is tempted to ask: Do they really think they can get away with it and still collect a forgivable loan from the province?

There is also the question of Westinghouse's social obligations to the community of Etobicoke, and while it can be argued that a Metropolitan community is less homogeneous than a rural railway shop, the principle is still not invalidated completely.

We have had other instances, including I understand, some in Middlesex county, where a stronger degree of community dislocation was in prospect.

They are all matters of degree, but this factor is never, never entirely absent. There is always a grocer, a barber, a drugstore keeper, a ladies' beauty parlor operator, laundromat owner, a hotel keeper, a variety and hardware store, a butcher, a baker and a candlestick maker, who stand to lose whenever an industrial enterprise departs from a community.

So the lines in the marriage service about not entering into the state of wedlock lightly also apply to the company move.

Many members, I am sure, will be familiar with Donald H. Michael's pamphlet, "The Silent Conquest", dealing with cybernation. This little booklet was written for the Centre for Democratic Institutions and has sold over a million copies since its first edition in 1962.

Michael takes the process of automation to its ultimate, and shows how not only blue collar workers will be affected, but also the white collar workers, clerks first and then the managerial staff.

Since he wrote that prophetic treatise, the advent of technology has speeded up the process even more than he imagined. First, we have the transitor, then the integrated circuit and then large scale integration. Now I understand the latest development is what is called the thick-film hybrid circuit—and the problem there is not that it will put television sets in a wrist-watch but that it will be able to oversee the automated reproduction of its

own kind. In fact, we are now coming to the true robot.

At the same time we are receiving reports that biological functions and organic cells are being used as part of circuits. We have the arm that a man can cause to move by "thinking" or willing it to move, and sending a minute electrical impulse to his nerve ends—which the sensitive amplifiers which are part of the arm's electronics—detect. This signal they amplify a million times and cause the "prosethetic device" to move at its owner's will, just as though it were his own arm.

On the other hand, we have actual living cells being incorporated into computer circuits as "memories" and "gating devices", so the distinction between living matter and an electronic circuit is being eroded away. Yet our thinking is still mechanical and watertight, and we have no legal mechanism to deal with all the new situations that will arise.

The definition of death and the problem associated with The Human Tissues Act could very quickly merge with the problems and the legalities associated with automation, as automation becomes cybernation, computer-controlled automatic processes in action, perhaps involving human functions as part of the chain.

To dramatize this, what if the entire antiballistic missile system is computerized except for the moral decision to push the button? Yet in a less dramatic way, in oil refineries and continuous process operations, we may begin to impose intolerable strains on human judgment—if one man can see his error amplified a million times. The strain of knowing you cannot afford to make even one mistake may place a whole new dimension on responsibility.

Yet it is coming. In *U.S. News and World Report* a businessman was quoted as saying: "It is no longer a question of do you automate, but how much and how soon in light of the probable actions of your competitors." Here in Canada we do not even have the delaying grace that comes from new techniques having to be devised and developed over a period of years. They exist now and they need only be imported. So the cultural shock of Canadians is much worse and the prospects might be much more frightening than even our neighbours in the south have experienced. We may get it all at once.

I will be finished in one moment, Mr. Speaker. I just have a short paragraph.

There is another aspect to all this. Reducing the number of living people in an operation cuts out much of the headaches for management's industrial relations operation. Machines do not talk back, so we have the responsibility not to allow this easy way out if it is against the longer-term interest of society as a whole. Now that it is possible to view production as one integrated operation rather than as a series of individual processes following each other, our thinking has to change too.

We have to ask ourselves where we are going. We have to seriously question whether the classic Westinghouse Etobicoke situation —involving as it does, management, labour, the provincial government with its forgivable loan and the federal government with its spurned consultative service—is it not the starting point, the first clear-cut instance of our having to move in for larger social purposes. Can we leave these four elements of society alone to come up with an agreed solution and expect us to abide by it? Or is the Westinghouse case just number one of the new age—the example that gives concrete meaning to this resolution, which I now move—that, in the opinion of this House, employees have the right to be actively included in any planning for change arising from automation or industrial rationalization, the effect of which would be to make substantial changes in their working conditions or cause redundancies.

Mr. R. D. Rowe (Northumberland): I have pleasure in rising to support in principle the hon. member's resolution, as enunciated by him and which he has very well documented. I think this to be a reasonable concept of both what is right and what is responsible and is, to my knowledge, practised in a great many cases right now; indeed, I would hope it will come about in the majority of cases where technological change takes place.

It should be noted, I think, that technological change results from the application of scientific and engineering knowledge and techniques to the processes of production, distribution and other economic activities. This is usually evident by a change in the material, equipment, methods, organization or product and results in a substantial change in both the quantity and the quality of labour required in the process.

One form of such change—automation—is the replacement by machines of mental processes engaged in monitoring and controlling work. A more familiar form is mechanization in which machines replace human physical effort. I think we will all agree that Ontario

must maintain a high and constant rate of economic growth if its citizens are to have a rising standard of living and if its products are to be competitive on both domestic and foreign markets. Among the factors which the Economic Council of Canada enumerated recently as being most important in improving the productivity of the Canadian economy are (a) improved human knowledge and skills and (b) swifter and more effective technological change.

Because of this need to search continually for new and better ways of using our resources, technological change must be considered as necessary. Such change, however, often results in both worker displacement and skill shortages. This, of course, occurs because new technology may make existing jobs and skills redundant, or change working conditions, job content, and even work locations. On the other hand, workers with certain skills will find expanding opportunities; and new jobs and occupations will develop that employers may find it difficult to fill.

There is wide agreement and substantial evidence that displacement resulting from change will not become unemployment if it is accompanied by a rapid rate of growth. This suggests, therefore, that one solution lies not in slowing up the process of change but in providing alternative job opportunities. Ontario seems to be a case in point. In spite of changing technology, the province's rapid rate of growth has kept unemployment down to approximately 2.5 per cent of the labour force over the recent period—and this, I think, is an enviable record.

Of course, it must be admitted that rapid economic growth cannot provide the complete answer to the manpower and employment problems arising from technological change. It is necessary, in addition, that the work force be prepared for the job opportunities which will be available. This can be accomplished through broad gauge basic education and training programmes that will make it possible for workers to adapt readily to different job requirements.

For those already in the labour force, well-timed retraining and skill upgrading will, in many cases, both prevent unemployment as well as labour shortages. This, of course, needs to be supplemented by counselling services because it is difficult for each individual to obtain knowledge about the kind of adjustment which he should make.

One basic requirement, in my opinion—and in line with today's resolution—is that adequate notice of any change in technology, which will alter the manpower requirements, be given employees who will be affected. This allows them time to prepare for whatever action they may have to take through training, finding a new job or other measures and can substantially reduce the degree of dislocation they experience.

In this connection, wherever possible—and it may be possible in the majority of cases, if not all—employees should have the right, as the resolution says, to be "actively included in any planning for change arising from automation or industrial rationalization". Recently, agreements arrived at by collective bargaining in the pulp and paper, oil refining and tobacco industries, and undoubtedly others, have included clauses relating to such notice and discussion.

Worker participation in such planning or collective bargaining can make a real contribution by influencing the manner in which technological change is introduced and consequently any resulting dislocation. To accomplish this without too much conflict, when change becomes necessary for an industry to improve its efficiency in order to survive, it seems logical that the union involved should not automatically take a position of unqualified opposition. Similarly, management must not stand on narrowly defined rights and refuse to share in the cost burdens that technological change sometimes imposes on employees. In other words, both unions and management must take an enlightened approach to these matters.

Collective bargaining can influence the way available work is shared among employees when a change is introduced. This can be done, for instance, by broadening of seniority units and attempting to increase the number of job opportunities by such means as reducing the normal work year over a short period. Both parties can also co-operate in the retraining and upgrading process. Bargaining can also be, and has been, useful in easing dislocation problems by arranging financial support through supplemental unemployment benefits, severance pay and moving allowances and by devising ways of assisting employees to find new jobs.

Practically all of these measures have been used in our own province or are provided for in union contracts. To quite some extent they need to be tailor-made to individual situations; but this close co-operation between management and labour plays an important role in freeing companies to make desirable technological advances and at the same time alleviating employee fear of them. For these reasons, Mr. Speaker, I am pleased to lend support to the hon. member's resolution.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, I am very happy to endorse this resolution and I am very happy to see that the Conservatives and Liberals have finally adopted the position of the New Democratic Party.

Last year—on April 8 when this was debated in this House – the Conservative Party, represented by the member for Hamilton Mountain (Mr. J. R. Smith), made the following statement:

> And how can we endorse this resolution when we are still awaiting the reports from Rand and the Woods commission?

And the member for Sudbury (Mr. Sopha) made the following statement, he said that:

> Modern industry offers a great range of opportunity for various skills and aptitudes, so I think my friend from Oshawa is mistaken, if I judge him correctly, that he looked upon automation as being something of an enemy.
>
> Though I am not prepared to say—since I said I am musing out loud and giving voice to my thoughts -I am not prepared to say that the unions should not have the opportunity on behalf of those whom they represent to bargain for their future and what will happen to them as a result of the introduction of far-reaching technological change. But I would be very slow to adopt the principle that any minor change in a process ought to give rise to the right.

Mr. Speaker, I suspect very strongly that the member for Sudbury was playing the numbers game there. I suggest to this House that whether it is one job involved or whether it is 100 or 1,000 jobs involved, those workers ought to have a right to have their jobs protected and their living standards protected.

I also want to say that I support the contention of the member for Dovercourt (Mr. De Monte) in regard to the Westinghouse situation. We have the Kelvinator situation in London; in 1966 there were 3,000 workers displaced in Oshawa by unilateral decision by management, and at that time, an absence of any show of concern by government. And all of this was accomplished, Mr. Speaker, in the name of industrial rationalization.

I want for a moment to quote the philosophy of Professor Freedman in terms of automation. He said that:

> An obligation rests upon the company to take reasonable steps towards minimizing the adverse effect which change may have upon its employees. That obligation has its roots in the principle that when a technological change is introduced, the cost of reasonable proposals to protect employees from its adverse consequences is a proper charge against benefits and savings.

He went on to say:

> A technological advance, whose benefits accrue to the employer but whose burden falls on the employee, is unacceptable in a society which is concerned about human welfare.

As a result of the Freedman report, Mr. Mackasey, the Minister of Labour, in the federal Parliament, said on November 21 last year:

> The estimates of the labour department will be before the House at the end of the question period, but I might reassure the hon. gentleman that any doubts I had on the philosophy of the Freedman commission report are dissipated by the action of the Ford Co. and I will strongly recommend to my colleagues some legal action along the line of the Freedman report.

He went on to say:

> I did appreciate the endorsation this afternoon of the philosophy contained in the Freedman report. I suspect this is the first time a Conservative member of Parliament has ever endorsed the philosophy of the Freedman report. I think this is a sign of progress on their part. I would like to attribute that progress to the hon. gentleman, the very genial labour critic from Central Nova, when I take this concept to the Cabinet and bring it back to the House of Commons in bill form. In view of the fact that the New Democratic Party supports the idea and the official labour critic of the Conservative party is wedded to the philosophy in the Freedman report, the bill should have speedy passage.

Nevertheless Freedman did lay down the concept of dealing with technological changes of workers and their jobs.

Mr. Speaker, the member for Dovercourt said he hoped that labour would never adopt a Luddite approach. Let me say that labour, in my opinion, has never adopted a Luddite approach and I want to quote from the collective bargaining agreement with General Motors Corp. This agreement is applicable to many industries in this province. It goes on to say:

> The improvement factor provided herein recognizes a continuing improvement in the standard of living of employees depends on technological progress—better tools, methods, processes and equipment, and a co-operative attitude on the part of all parties in such progress. It further recognizes the principle that to produce more

with the same amount of human effort is a sound economic and social objective.

This illustrates that labour has never adopted a Luddite approach to technological change in industry.

What we are really saying here today is that there should be legislation enacted by the federal and provincial Legislatures presuming labour's right to bargain and, if necessary, to strike over issues arising out of technological changes introduced by management during the lifetime of an agreement.

I was very happy to see that the Woods commission departed from Rand in that regard and the Woods commission did propose a legal requirement that employers give six months' notice of technological or other changes causing serious job displacement, and combined with this the right of the union to bargain for the right to strike on a job displacement issue during the term of a contract. That is the key—that the unions must have the right to bargain during the term of a contract because if they are not given that right, then this whole question has no real meaning. We must have legislation that gives those workers that kind of protection.

To give you an illustration of what is happening in industry in terms of technological change I want to point out that in the year 1947—and I use American figures because I have not the Canadian figures—the Ford Motor Co. produced 4.8 million cars and trucks with 626,000 production workers—that is in 1947. In 1966 they produced 10.4 million cars and trucks—more than double—with 671,000 production workers. In other words an increase of 45,000 production workers producing approximately 5.5 million more automobiles in that industry. This illustrates the kind of technological change that is happening in industry.

We all live in a period of very revolutionary, dynamic, social and economic change. We live in a revolutionary age, but I think the most important single factor contributing to this radical change is the scientific and technological change that is happening in our industry.

Now I want to just make a very brief observation—I just have a couple of minutes—again, why government and the trade unionists and the general public ought to be participating in any changes as regard industry.

The federal government provides a programme for advancement of industrial technology and they budgeted in this year $11 million that will be available to industry. They also have a programme called "General Incentives" for research and development. They will be providing in that area, $34 million for research and development. In addition to that the federal government provides many incentives to government in terms of their income tax for research and development.

Now the point that I am trying to make, Mr. Speaker, is this: Because of the public expenditures in research and development in this province, the corporations should not be allowed to make unilateral decisions in regard to the workers, in view of the fact of the millions and millions of dollars that have been expended from the public purse. Surely the workers and the public, through the government, ought to have a say in what management is going to do in terms of their production, their processes and any other changes that they may initiate.

I want to conclude by saying that this party supports the resolution and we support the proposition that labour ought to have a right to bargain during the lifetime of the agreement and we also think that management should meet its social responsibility to displaced workers and disrupted communities. That is another thing, Mr. Speaker, the disrupted community as a result of technological change. I think that management has to change their antiquated attitude on the so called, "residual theory of management rights." They ought to co-operate with government and labour in programmes designed to make possible adjustments to change with little or no hardship on employees and the community.

Mr. G. Ben (Humber): Mr. Speaker, in rising to support the resolution of the hon. member for Dovercourt (Mr. De Monte), I want to first congratulate him, and also the hon. member for Northumberland (Mr. Rowe) and the hon. member for Oshawa (Mr. Pilkey); although I do regret that the hon. member for Oshawa had to start off his address by taking a swing at the hon. member for Sudbury, because I think that subsequently he contradicted himself in attacking the statement that he cited of the hon. member for Sudbury because—

Mr. Lawlor: Come on! The hon. member for Humber contradicts himself two or three times a week.

Mr. E. W. Sopha (Sudbury): I have done no wrong here!

Mr. Ben: Mr. Speaker, the words of Walter P. Reuther, who is the president of the union of which the hon. member for Oshawa is an honourary member—

Mr. Sopha: Well he is a high official.

Mr. Ben: A high official! At one time he made the statement in asking Ford—I think I should explain that Reuther was saying that when he first started working for the Ford Motor Company in 1927 it took three and one half weeks to machine a model T engine block, and that there were thosuands of people employed through the process. In 1950 the Ford people took Reuther to see their new fully automated engine line at a new plant at the city airport in Cleveland, and this plant was machining V8 engine blocks. It brought a rough casting from the casting plant and went through the line untouched by human hands and came out fully completed in 14 and six-tenths minutes.

The people who were showing him the line asked, "Does it not worry you that you are going to lose all the union dues from the people that this machine is replacing?" He replied, "No, that does not worry me at all; what worries me is how Ford is going to manage to sell automobiles to these machines."

The hon. member for Oshawa had up-to-date figures, but in the same speech that Reuther made this little anecdote that I have just recited, he also pointed out that from 1953 to 1962, production in manufacturing rose 23 per cent with 12 per cent fewer manufacturing workers. In the automobile industry he pointed out that in 1947 the basic automobile industry production of passenger cars and trucks—had 626,400 workers who produced 4,793,000 cars and trucks, and in 1962—558,600 workers turned out 8,187,000 cars and trucks. In other words he said 67,800 fewer workers made 3,394,000 more cars and trucks.

Evidently Ford had found out how to sell automobiles to machines.

I make this point because Reuther was an example of enlightened union leadership. He was, you might say, a follower of people like Harry Bridges, who organized the west coast unions there and permitted the introduction of the pallettes system and had the shippers there make provision for the people who would be laid off through automation. Harry Bridges, in turn, followed John Lewis, who was for many, many years the president of the miners union in the United States and who also foresaw the introduction of automation and that provision had to be made well before the difficulties arose.

We have a situation here in Canada—I did not catch all the figures of the hon. member for Oshawa on automobile production, but suffice to say that even with automation in 1962 in Canada, we had 108,100 automobile workers; 1963 123,000; 1964, 141,000; 1965, 163,000; and 1966, 173,900.

Even though we are getting machines, we are still creating employment because methods are being found within labour and management sit-downs to keep people employed. The point I wanted to stress, Mr. Speaker, is that too many companies overlook that the general public has a stake in their enterprises. It goes back to Confederation itself, and the building of what is now the Canadian Pacific Railway, when John A. Macdonald gave to Canadian Pacific 25 million acres of land as a subsidy to push this railroad through.

Therefore, every citizen of this country has a stake in that railroad and in the Canadian National Railways. You could go beyond that, for generations, decades and years, the people in Canada had to pay higher prices for their industrial products because they were subsidizing Canadian industry so that it could get on its feet and compete world-wide.

So, whether you have shares in a company or not, you are still a shareholder because at one time you or your ancestors contributed to the well-being of that company to enable it to get on its feet. There is not a major company in this country that has not received those benefits.

We still recognize this in many of the Acts that are passed by the federal-provincial governments. We have the federal assistance to manufacturing programme for the advancement of technology, called PIAT, introduced in 1965, where the government stimulates industrial growth by the application of science and technology to the development of new and improved products and processes.

The last figure I have, was that over $35 million was invested in 109 government-assisted projects. These companies are getting the benefits of my money, your money, and the people's money. They owe it to the community to see that the community is not rent asunder or turned topsy-turvy because they take it upon themselves to unilaterally move or discontinue one particular line.

There is The Industrial Research and Development Incentive Act which was enacted in March, 1967, and is administered by The

Department of Industry. It provides for tax grants in place of former tax allowances for research and development, so again the taxpayer of Canada rates a stake in that company. They ought to have a say in how it is administered when it comes to disrupting communities.

There are many more. There is the area development programme which sponsors economic development in designated areas characterized by high chronic unemployment. It works in about the same way as the equalization of industrial opportunity programme of this province.

There is shipbuilding and construction assistance. They have defense production development assistance and, of course, the most recent one, the one that the hon. member for Oshawa would be most familiar with, would be the Canada-United States agreement on automotive products signed by then Prime Minister Lester Pearson and the then President of the United States, Lyndon B. Johnson, on January 16, 1965. Because they appreciated that there was going to be disruption by the introduction of this Act, they did introduce a programme which tried to take into consideration what the after-effects of this would be. They brought in a general assistance programme which helped to alleviate the suffering that came because of the change in a technique involving automobile parts production.

An hon. member: None of this can be done unless there are higher-priced cars every year.

Mr. Ben: Mr. Speaker, I hate to digress because I only have one minute.

The point I am trying to make, Mr. Speaker, is that it is time that industry appreciated that every citizen has a share in those undertakings and that the citizens should be consulted when major moves, such as the nature of Westinghouse's, are made. As the hon. member for Dovercourt pointed out, it is not just a question of a certain number of people being laid off. In fact, about four people are maintained by each one employed in the provision of services. Therefore, it is not just 102 people that have been displaced, but approximately 500. It is time that something was done to instill in these people a sense of responsibility. The Freedman report went a long way towards it and I think that there should be some other action taken. For that reason, we support the resolution of the hon. member for Dovercourt.

Mr. A. Carruthers (Durham): Mr. Speaker, the resolution introduced by the hon. member for Dovercourt brings to the attention of this House, and indeed to the public at large, a problem which although not new has taken on added significance in recent years due to the accelerated pace of automation. I am pleased to join with the other members in supporting the principle of the resolution. This accelerated pace of technological change in Ontario requires adjustments in the structure of our society, both in the social and economic fields; adjustments, some of which can be realized through the action of government while others must be assumed by and become the responsibility of labour, management and other institutions.

The Ontario government, through the activities of the select committee on manpower training, and by programmes of economic development, by labour legislation, and manpower training has taken important steps to deal with the problem of automation. The present industrial incentive programme sponsored by The Department of Trade and Development is part of this programme. Through the financial incentives provided through the programme, industry has been decentralized, making it possible to absorb a great deal of the surplus labour resulting from the great technological changes that are taking place in the field of agriculture.

The social revolution of our period, however, requires that a greater degree of co-operation between management and labour must exist in the days ahead if the hardships and injustices created by unemployment are to be avoided, and the benefits and improved standard of living resulting from technological change are to be enjoyed by society as a whole.

Since labour and management generally agree, I believe, on the necessity for automation, it would seem reasonable to assume that they would co-operate fully in facilitating its introduction.

Traditionally, unions have concerned themselves with union recognition and security: Later the emphasis was placed on wages and fringe benefits. Today in the face of accelerated automation, union attention is directed more to job security and rightly so.

I believe it is fair to say that labour and management could agree on the goals of sharing the gains of automation providing greater job and income security, and these goals are possible if each side recognizes fully the rights of the other.

The rights of employees to be included in any planning for change arising from automation must be considered with respect to the responsibility involved, and should not conflict with the basic rights of either management or labour.

Management has an obligation, Mr. Speaker, I believe:

1. To insist on technological progress including automation.

2. To retain—the right to preplan the technical as well as the human side of automation.

3. To assist employees displaced by automation before they are displaced.

4. To educate employees in the benefits of automation, and help them recognize the opportunities it creates.

The degree of planning participation is dependent on a number of circumstances over which industry may have little or no control in a large number of instances.

The development of the synthetic fibre industry, for example, has had an adverse effect on the cotton and woollen industries. Here it is technological change operating through the market place, that is the important factor.

A little over a year ago, Crane Canada Ltd., a long-established industry in the town of Port Hope, closed down its operation because of what was considered similar circumstances. This industry manufactured cast bath tubs, basins, and so on, products for which the market has decreased materially. The decision to finalize this operation resulted in considerable hardship, particularly to a large number of senior employees. A year previous to this action, the employees of the industry went on a strike that lasted for several weeks.

Whether the strike had any bearing on the decision to close down operations is a matter for conjecture, but it would be reasonable to assume that had there been full co-operation between management and union involving a degree of planning, perhaps the resulting unemployment, and financial hardship to both the employees and the community could have been avoided.

This industry is relocated in the town of Trenton and has been assisted through forgivable loan grants by this government. Mr. Speaker, I am not convinced that that grant was justified in those circumstances.

To some, automation is something that increases unemployment; to others it means increased productivity; but to all, it is agreed that automation is essential to the attainment of our economic goals and to the maintenance of our competitive industrial position.

Management must reserve the right to operate an industry and to plan its future development and growth. It must reserve the right to automate production when such action is to the benefit of the industry and the shareholders. In other words, management has the responsibility to enhance the efficiency of the enterprise. It is certainly not in the interests of the employees to have an inefficient enterprise that represents both insecure employment and insecure investment.

In assuring an efficient enterprise through technological change, management has a responsibility to safeguard to as great a degree as possible the interests of its employees. A programme to ensure the rights and interests of the employees requires mutual planning to a degree and could, I suggest, provide for the following:

1. Advance notice to and consultation with employees when major changes are to be planned.

2. The right of an employee to be transferred to another job within the plant or to another plant with compensation for expenses incurred.

3. Training for new jobs with no expense to the worker.

4. Preservation of income where downgrading may occur by change of jobs resulting from automation.

5. Provision where possible for early retirement with an adequate pension.

6. General wage increases where financial gains have been the result of automation.

7. The continuance of insurance coverage and other fringe benefits during periods of layoffs resulting from the use of automated equipment.

8. Adjustment of job classification and rates of pay whenever automation has increased skill requirements.

In conclusion, Mr. Speaker, it hardly needs to be said that the establishment of a mature and constructive labour-management relationship is essential if change is to be made in both an efficient and a conscientious manner. There is a great deal of room for greater labour-management co-operation before either will be in any danger of abdicating its responsibilities. Both must adopt a sense of common purpose based upon the truth that mutual interests, not divergent views, are the relevant criteria for the conduct of the relationship. On management's part, this

requires a reasonable consistent approach to industrial relations rather than an irrational, vacillating one. Acceptance of the union, and not least, assertion of its determination to plan, organize, direct and control, that is to manage the enterprise.

Labour, on the other hand, is faced with a difficult task of determining where the true interests of its members lie. Will it, in the name of job security, so obstruct the introduction of automation as to defeat its purposes or will its conception of what truly constitutes job security be directed to a positive and constructive course? I am sure that Canadian labour will demonstrate its initiative and courage in responding to the challenges of automation. The result can only mean more employment opportunities and a raising of our living standards.

Mr. Speaker: This concludes the private members' hour.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, on Monday we will return to estimates; and of course we are in session during Monday evening as well.

Mr. R. F. Nixon (Leader of the Opposition): Before the motion for adjournment, I know the Minister and the other members will join with me in offering our congratulations and felicitations to my colleage, the member for Sudbury (Mr. Sopha), on the occasion of his birthday.

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to; the House adjourned at 1 o'clock, p.m.

No. 89

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, April 21, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, April 21, 1969

Highway Traffic Act, bill to amend, Mr. Shulman, first reading 3305

Middlesex by-election, questions to Mr. Robarts, Mr. Nixon 3305

Registered and graduate nurses, questions to Mr. Dymond, Mr. Nixon 3305

Belleville council appeal re OMB decision, question to Mr. Robarts, Mr. MacDonald 3305

Ontario Union of Indians brief, question to Mr. Yaremko, Mr. MacDonald 3306

Canada Assistance Plan, questions to Mr. Robarts, Mr. Braithwaite 3306

Juvenile detention homes and training schools, question to Mr. Robarts, Mrs. M. Renwick 3306

Canada Assistance Plan, question to Mr. Yaremko, Mrs. M. Renwick 3306

Peterborough board of review, questions to Mr. Yaremko, Mrs. M. Renwick 3306

Cooks in northern Hydro camps, questions to Mr. Simonett, Mr. Stokes 3307

Wage increases in hospitals, questions to Mr. Dymond, Mr. Deans 3307

Road services at Kennabeek, questions to Mr. Gomme, Mr. Jackson 3307

Highways 64 and 535, questions to Mr. Gomme, Mr. Martel 3308

Compensation for crop damage, question to Mr. Dymond, Mr. Burr 3308

Estimates, **Department of Social and Family Services,** Mr. Yaremko, continued 3308

Workmen's Compensation Act, bill to amend, on second reading, Mr. Jackson, Mr. Henderson, Mr. Ben, Mr. Ferrier, Mr. De Monte, Mr. Pilkey 3332

Recess, 6 o'clock 3341

LEGISLATIVE ASSEMBLY OF ONTARIO

The House met today at 2 o'clock p.m.

Prayers.

Mr. Speaker: Our guests this afternoon in the east gallery are students from Dufferin Heights Junior High School in Downsview; and in the east and the west galleries, students from Lord Roberts Public School in Scarborough. Later this afternoon we will have students from Algonquin High School in South River in the west gallery.

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, if I may I would like to introduce a counterpart of my own from the province of Quebec, the Minister of Public Works, the Hon. Armand Russell. He is here today in company with his Deputy and the Deputy Attorney General of Quebec. They are looking over our new complex buildings and also visiting the new courthouse on University Avenue.

We are always pleased to have our Quebec friends here. He tells me that he is very pleased with our new set of buildings; he wants to learn about the mistakes—of course there is the odd one—they do not want to repeat them.

I would say that the Hon. Armand Russell, although he is my counterpart in Quebec, has a couple of things going for him that I have not. He is completely bilingual, of course, and in Quebec he is Chairman of the Treasury Board on most days.

I thought you would like to meet him and I would ask him to stand: The Hon. Armand Russell, the Minister of Public Works of the province of Quebec.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, before the orders of the day, may I rise on a question of personal privilege.

Last Saturday afternoon the member for High Park (Mr. Shulman) and myself attempted to visit the home for retarded children at Palmerston, Ontario, at which place and time we were refused admission. Mr. Speaker, I think at this stage in our proceedings we had better try to bring to a head precisely what our rights and privileges as members of this House are. I am going to refer to you today, Mr. Speaker, the whole question. After all, in matters of this kind, where great sums of public money are being expended on public institutions, it is a primary interest of this House; and when members of the House are willing to put themselves out sufficiently of their time to visit these institutions in the best of faith, there is no reason why we should be stopped at the door after having made a long trip.

Not only that—not only the matter of public funds being expended—but for the care and protection, if you will, of the inmates of these various institutions. We have not been refused, although under some threat from the hon. Minister of Correctional Services; we have been, so far as we can determine from the matron in charge, refused by the hon. Minister of Health.

I do place this matter before you in the best of good faith, Mr. Speaker, and would ask that in the next day or two you take this under surveillance and give it your considered judgment and bring back to the House a report, once and for all, as to where we stand with respect to these visitations. If we have to give notice, Mr. Speaker, prior to attending upon these institutions then the whole purpose, I think you will well realize, is undermined.

There is no point in going, and certainly, I am not going, when they have everything nicely laid out for the delectation of people like myself. It is only under actual conditions I am interested. And who else can do this task, in the absence of an ombudsman in the province? Nobody else is in a position so to do. It is our bounden duty and responsibility within the terms of our oath, that we give surveillance to the affairs of this province; and to have a Minister obstructing us in this duty and responsibility seems to me highly detrimental of the best interests of the province.

Mr. Speaker: The matter which the hon. member for Lakeshore has raised is not a new one with respect to similar matters in the past, and I think that his suggestion is sound. I will be glad to discuss it with the

Prime Minister (Mr. Robarts) because I believe that is where the matter should rest. I will bring a report back to the House after I have had the opportunity of doing so. In the interim, the hon. member and I may wish to discuss the matter, which I hope I have the authority of the House to do. But in any event I will report back to the House.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, this is an important matter and it seems to me it would be an appropriate occasion for the Minister of Health to give reasons for this occurrence in public and before the other members of the House, rather than in a private investigation. Would the Minister of Health be prepared to speak to the point raised by the hon. member for Lakeshore?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, this is the first time I have heard of this particular instance; but I have pointed out to you, sir, and to this House, that we are not trying to obstruct anyone in their seeking to look after what they interpret to be their bounden duty to the public.

We simply point out to you, sir, and to the hon. members, that our job is to carry out programmes in the interests of the patients who are our charges. We cannot do this in orderly fashion if the whole routine of the organization is upset from time to time.

We have specifically stated that it is very simple, Mr. Speaker. All other members—except a few from that particular group of the House—have made it a practice to contact the superintendent of the institution and ask when they can come.

They can visit any particular patient at any time during visiting hours as any member of the public is permitted to do. But if they want to make a tour of the hospital or of the institution in question, they can do so by making prior arrangements with the superintendent.

I would hope that the hon. member does not think that he is considered of such great importance that the superintendent would cause a tremendous upheaval in the whole institution just to have it in ship-shape order for him.

Mr. Speaker, he can see the institution as it is at any time by letting the superintendent know. But if it is his practice, as it has been in the past, to land on an institution at 5 o'clock in the afternoon, usually on Saturday or Sunday, he can hardly expect the whole organization to be there to meet him with red carpet.

Mr. D. C. MacDonald (York South): The Minister has underlined the nature and proportions of the problem—

Mr. M. Shulman (High Park): As one of the offenders, I presume, in the Minister's view, I must point out to you, sir, that the facts as he is presenting them are not correct. There has been no disruption—certainly from the members from this party—of any institution. And I think, I hope you will agree with me, sir, that if we give advance notice to the superintendent or to the Minister—as various superintendents have requested—before making such a visit, it is extremely unlikely that we will be able to see the organization as it is under normal circumstances. Rather—

Mr. Speaker: This matter is now becoming a debate and this is not the proper place for it.

The hon. member for Lakeshore has placed it before me and the hon. member for High Park has added his views.

The hon. member for High Park should resume his seat when Mr. Speaker is on his feet.

The hon. Minister, at the request of the leader of the Opposition, with which I agreed, has expressed his views of it. This is not the place or the time to debate it further. I am well aware of the situation. I am well aware of the views expressed by the member for High Park. I will, as I said originally, discuss the matter with the Prime Minister and any other persons involved and report to the House.

Mr. Shulman: Mr. Speaker—

Mr. Speaker: The hon. member is out of order. There is no place for further debate. If he wishes to rise on a point of privilege himself, he may do so, but he is out of order as far as the present discussion is concerned.

Mr. Shulman: Then I rise on a point of personal privilege, if that is the way I must do it. I also have been denied entry to two institutions in this province. And I wish to say categorically at this time that at no time have I or to my knowledge any other member of this House from any party, caused any disruption in any institution.

In fact, the tours that have been made have been made on off-hours when the programmes were not taking place and the superintendent has never been bothered. We have gone about with the nurse who was available or a clerk or an orderly, and there has been no disruption of the routine whatsoever. This is an absolute falsehood.

Mr. S. Lewis (Scarborough West): The superintendents were amicable until the Minister moved in.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

THE HIGHWAY TRAFFIC ACT

Mr. Shulman moves first reading of bill intituled An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this bill makes it an offence for a dealer of used motor vehicles to sell a motor vehicle knowing the odometer has been altered.

Mr. Nixon: Mr. Speaker, I have a question of the Premier.

Can he now advise the House whether or not it is within his power to issue the writ for a by-election in Middlesex South while the Legislature is in session?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the hon. member for Downsview (Mr. Singer) brought this to my attention. If a member has died while the House is in session, then a writ can be issued and directed to the returning officer, if there is a returning officer. At the moment there is no returning officer in the riding of Middlesex South. I only repeat what I said when this question was raised the other day; there will be no desire on my part or the part of the government to delay this by-election.

Mr. Nixon: I wonder if the Premier could tell the House when he might appoint a returning officer in that constituency?

Hon. Mr. Robarts: Traditionally, we have not called by-elections while the House is in session. It seems to me we are liable to be here for another few weeks, so I think we probably have time to deal with this matter.

Mr. Nixon: To the Minister of Health, Mr. Speaker:

Is the Minister of Health planning to meet with the registered and graduate nurses of the Lakeshore Psychiatric Hospital to negotiate further increases in salaries?

Second, and it is associated with this, is the decision of Riverdale Hospital to lay off 30 nurses because of budget cutbacks directly related to a decision taken by the Ontario Hospital Services Commission?

Hon. Mr. Dymond: Mr. Speaker, in answer to the first part of the hon. leader's question, I point out that salary negotiations between my staff and all public service staff and government are a matter for negotiation with The Department of Civil Service.

The second question: This report is in error and I believe was corrected by the medical superintendent of Riverdale. The lay off of nurses there was simply because of the fact the hospital was over-staffed.

Mr. Nixon: Might I ask a supplementary question?

The Minister, in answering my first question, said that he does not deal in these matters and yet surely the general policy, particularly having to do with those associated with medical services, must at least come under the Minister's direction to some extent. Is he aware of widespread discontent with the budgetary decisions of the Ontario Hospital Services Commission which is reflecting itself in communications, statements and letters from nurses and others associated with the provision of these services? They seem to be directed at the Minister of Health more than any one else. Is he aware of this feeling of discontent and does he intend to do anything to alleviate it?

Hon. Mr. Dymond: I am aware, Mr. Speaker, that there have been complaints and criticisms of our budget. The commission laid down certain guidelines to hospital boards, and quite a number of the boards have been able to set up satisfactory budgets within those guidelines. I think, and in this view I am supported by the Commission's belief, that all boards can meet the needs of their particular hospitals and stay within the guidelines as laid out. The 6.5 per cent salary increase and a total of 8.5 per cent increase in the operating costs of the hospitals is not an unrealistic one; and I repeat, many hospitals have found it possible to put into effect some additional efficiencies and economies here and there where it is not going to hurt patient care; they have been able to stay within the framework proposed.

Mr. MacDonald: Mr. Speaker, I have a question of the Prime Minister. When will the Cabinet deal with the appeal to the Lieutenant-Governor-in-Council by the Belleville council in respect to the OMB decision dated March 14, 1969?

Hon. Mr. Robarts: Mr. Speaker, that will be dealt with in the normal course of events. It was received relatively recently; I had the dates here the other day, perhaps I do not have it now. I cannot tell the hon. member specifically when it will be dealt with, but there is a routine for dealing with these appeals and it is following that routine.

It is a matter of some complexity. It will have to be gone into with some care, therefore I am not in a position to give the member a specific date as to when it will be dealt with, but I see no reason why it should be unduly delayed. It is being treated in the normal fashion.

Mr. MacDonald: My second question, Mr. Speaker, is to the Minister of Social and Family Services. When is the government going to respond to the brief of the Ontario Union of Indians requestiong financial assistance to underwrite field officers for a one-year period?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I believe that the brief that the hon. member is referring to was the brief to the federal government which was—

Mr. MacDonald: It was a brief to the hon. Minister, about three weeks ago, with regard to field officers to seek out information on various aspects of conditions that Indians face. The Ontario Union of Indians presented it.

Hon. Mr. Yaremko: The original brief which I saw was the brief to the federal government. At the time I asked for further information, and then the union brought forward additional material. I am still seeking clarification and the proposal has been considered, but I am still seeking clarification and the response will come out in the very near future, I hope.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I have questions of the Premier.

Will the Premier table the Canada Assistance Plan between the federal government and the government of Ontario?

And the second question: when does the government intend to start to advise all recipients and applicants that they have the right of appeal beyond local decisions under the plan?

Hon. Mr. Robarts: Mr. Speaker, I will be happy to table that agreement, I have it right here. I will table it now so that the hon. members can look at it.

The agreement itself is relatively brief, the rest are schedules to the agreement. The Department of Social and Family Services is presently preparing a notification, such as the member mentioned in the second half of the question, which will be sent to all provincial recipients.

Mr. Braithwaite: A supplementary, Mr. Speaker: would the Premier be able to give us some idea as to how long it will take? Would it be a month or two months?

Hon. Mr. Robarts: It is being done right now. The format is being drawn up and it will be sent out. I presume it will be done in the next two or three days.

Mr. Speaker: The hon. member for Scarborough Centre:

Mrs. M. Renwick (Scarborough Centre): A question to the Prime Minister: what would be the saving to the province if juvenile detention homes and training schools were transferred to The Department of Social and Family Services and thus qualify for cost sharing under the Canada Assistance Plan?

Hon. Mr. Robarts: I am afraid I could not answer that question. There are a whole host of matters that would have to be investigated. Some work is being done on it, but it is impossible for me to say what the saving would be or to give a figure that would be at all meaningful.

However, I suppose in due course we will get some figure to see what might be saved. But it is going to require a great deal of detailed study before we would have that figure or before we could decide whether we wish to do this.

Mrs. M. Renwick: Thank you.

A question of the Minister of Social and Family Services: in the last fiscal year how much money did the department receive under the Canada Assistance Plan?

Hon. Mr. Yaremko: The last fiscal year for which figures are completed is 1967-68; the figure is $106,149,853.82.

Mrs. M. Renwick: And a question of the same Minister, Mr. Speaker, the Minister of Social and Family Services:

What costs were entailed for the board of review hearings held in Peterborough earlier this month?

How many days and for what hours were the hearings held?

How many cases were reviewed?

Have decisions regarding these cases been made? If not, when can they be expected?

Hon. Mr. Yaremko: The answer to No. 1 is $774.04. The answer to No. 2 is two days. The hours were: on April 9, 10 a.m. to 12.15 p.m. and 2 p.m. to 5.30 p.m., actual hearing time; April 10, 9.30 a.m. to 12 p.m. and 1.30 p.m. to 4.10 p.m. actual hearing time. I understand the members of the board also spent several hours each day reviewing the results of the hearings. I am informed it was until 11.30 p.m. the first day.

The answer to 3 is four.

The answer to No. 4 is yes; and notice of decision is going out this week.

Mr. Speaker: The member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question of the Minister of Energy and Resources Management.

Is the Minister aware that some cooks employed in Hydro camps in northern Ontario receive less than the minimum wage as set out in The Employment Standards Act of 1968?

Will the Minister take immediate steps to have those wages increased and arrange for a recovery of back wages for those periods during which employees were paid below the minimum wage?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the answer is no, I am not aware that there are cooks being paid less than the minimum wage—nor are Hydro. Nevertheless, they are enquiring in all their camps as to the cooks; and if this is the case it will not be necessary for me to take any immediate steps because it will be corrected by them.

Hon. Mr. Dymond: Mr. Speaker, before the orders of the day, the hon. member for Wentworth (Mr. Deans) asked a question on Friday—1211—does the government support the position of OHSC that wage increases in hospitals must not exceed 6.5 per cent and may reach that level only in extreme cases?

The commission, in an endeavour to maintain a reasonable increase in the costs of operating the hospital insurance programme for 1969, has indicated to hospitals that efforts should be made to keep the basic increases in salaries and wages to approximately 6.5 per cent. It was recognized that this increase would be over and above anniversary increases which would represent an additional upward adjustment averaging two per cent.

While it is necessary for the commission to give guidelines for fiscal planning, it is recognized that collective bargaining and agreements arising therefrom are the responsibility of the boards of governors of the individual hospitals, and it is anticipated that they will continue to work out the most equitable arrangement they can with their employees. It naturally follows, Mr. Speaker, that the government does support the commission in its method of operating the programme.

Mr. I. Deans (Wentworth): Mr. Speaker, may I enquire of the Minister how the government rationalizes that position with the position it took in regard to the doctors' increases?

Hon. Mr. Dymond: Mr. Speaker, I might point out that the doctors' increases are 9.7 per cent over a period of 2 years.

Mr. Deans: Mr. Speaker, if I might just enquire, the Minister is aware, of course, that the employees in the hospitals are at the lowest end of the health care services?

Mr. Speaker: The hon. member asks questions and does not state facts. Now is he making a question of that?

Mr. Deans: I am asking if the Minister is aware.

Mr. Speaker: The hon. Minister of Highways.

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I have the answer to a question—No. 1198—asked me by the hon. member for Timiskaming (Mr. Jackson).

1. The patrol crew is to be moved from Kennabeek.

2. As hon. members know The Department of Highways has been making an intensive evaluation of all maintenance operations with a view to providing the travelling public with the most efficient operation consistent with established levels of service. This review includes studies of current work methods, materials and staffing arrangements.

3. All regular staff employees at Kennabeek will be offered jobs with the department.

4. The move has not yet been carried out and in any event, would not result in any substantial difference to the established level of service.

5. The roads in Kennabeek area will be adequately serviced from the patrol yards at

Elk Lake, Englehart and the Tri-Town yards. Kennabeek is 19 miles from the Elk Lake yard, which is not considered excessive to provide an adequate level of service.

I have the answer to No. 1199 asked by the hon.—

Mr. Speaker: Perhaps, before the hon. Minister goes on with that answer he might at least receive a supplementary question.

Mr. D. Jackson (Timiskaming): Will the Minister accept a supplementary question?

Well, first of all, what about the irregular staff—that is, the part-time staff—will they be offered work or will they just be laid off?

Second, the Minister says that they will have adequate service on the roads there. Are they going to upgrade the service? Are they going to change the present situation?

Hon. Mr. Gomme: Mr. Speaker, the type of staff that the hon. member speaks about would normally be laid off in the spring of the year, so I cannot answer what would be done with them in the fall.

We are quite sure that we can give proper service from these other yards.

I have the answer to No. 1199 asked by the hon. member for Sudbury East (Mr. Martel).

One, we do not propose to carry out any capital construction on Highways 64 and 535 during the current fiscal year.

I may say, however, that since 1960, we have done a considerable amount of work on both roads and further works are now being engineered.

Highway 64 is being reconstructed between Highway 69 and Noelville, a distance of 14 miles. Sections totalling 13 miles have been rebuilt between Noelville and Verner. We have, therefore, rebuilt more than one-half of the 48-mile road between Highway 69 and Highway 17 in the past eight years.

Also, in 1960 we had rebuilt sections of Highway 535 totalling more than 10 miles between Noelville and St. Charles. About seven miles of that road remains to be built.

I am aware that children are transported to schools at Noelville from points north via Highway 535, just as I know that the roads need further improvement to provide a first-class ride for school buses and other vehicular traffic.

As I have already noted, The Department of Highways have rebuilt a considerable percentage of the roads in question during the past eight years. The remaining sections will be taken care of as our current five-year programme is implemented.

Pre-contract engineering is continuing on the various projects.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, could I ask the Minister one question?

What was the starting date of this last five-year programme that he mentioned, so that we can have some indication, not specifically, but some time limit as to when we can expect these roads to be improved?

Hon. Mr. Gomme: We are talking about the five-year programme from now on, five years, Mr. Speaker.

Hon. Mr. Dymond: Mr. Speaker, before the orders of the day, the hon. member for Sandwich-Riverside (Mr. Burr) asked a supplementary question on Thursday regarding the amount of compensation paid in respect of damage to—or alleged damage to—crops, etc. in the Haldimand county area.

As of September 25, 1968, the arbitration award total for the crop year 1967 was $72,833.35.

Mr. Speaker: Orders of the day.

Clerk of the House: The 42nd order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2002.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, perhaps it would be as well, before we get into this vote, if you were to have some consensus arrived at as to whether you will follow the nine items listed first or the other divisions that follow beginning on page 153?

Mr. Chairman: I would like to say that the estimates are in a transitional stage of a different method of presentation over previous years.

I think in some cases it is almost impossible to deal with them item by item. For example, in vote 2001 the members will note there are about 12 different programmes by activities. It would almost have been impossible to deal with each of those programmes in order. By the same token, the total salaries under item 1 are spread over

each of those programmes. So certain difficulty was encountered.

In vote 2002 I note that there are three programme divisions here—three breakdowns—and perhaps we could deal with vote 2002 under the programmes of activity as set forth on page 153 and 154. This might facilitate some orderly discussion as far as this particular vote is concerned.

Mr. Nixon: Agreed!

Mr. Chairman: It seems to me we are going to have to deal with each departmental estimate and each vote as we come to it, and decide which is the most efficient way of dealing generally with the total vote.

If this is agreeable to the committee, we will proceed with vote 2002 then on a basis of the programmes as set forth in the estimate book.

Mr. Nixon: You mean beginning with provincial allowances and benefits?

Mr. Chairman: Right!

Mr. S. Lewis (Scarborough West): Before this, Mr. Chairman, may I ask whether homemakers and nurses services fall within this vote or in some subsequent vote?

Mr. Chairman: I believe that the second item of vote 2002, municipal allowances and assistance, mentions the subsidies on homemakers and nurses services.

Mr. Lewis: The other thing, Mr. Chairman, was a subject such as the field worker services in the province which would cut across these votes. Where would the Minister most appropriately like them discussed?

Mr. Chairman: I would expect provincial allowances.

Mr. Lewis: Provincial allowances?

Mr. Chairman: Provincial allowances!

If that is all agreeable to the committee then we will proced with vote 2002, provincial allowances and benefits. The hon. leader of the Opposition.

Mr. Nixon: Mr. Chairman, there are a number of things associated with the first section of this vote that I want to raise and to ask the Minister specifically some questions. Perhaps if I might ask him one or two to begin with, it would help me to proceed with the information that I am interested in.

First, does the Minister have a formal procedure for auditing the payments from provincial allowances and benefits, when the funds are paid to those in receipt of the allowances? He has a staff which goes out around the province in connection with the municipal welfare offices which advise the Minister as to the extension of these allowances.

I wonder how expensive this sort of an audit, this sort of an information section, would be? The group that has this responsibility has to have a good deal of professional background but I am particularly concerned with the Minister's efforts to increase their numbers.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, in vote 2001 there was a programme activity relating to audit services within the department and the provincial payments are audited by the provincial auditor.

Mr. Nixon: I am thinking particularly of the expanding need for those working for the Minister and for his advisors who, when they go about the province, have to deal with those in need of these welfare programmes. It seems to me that while those who are presently employed by the department are very able—any that I have had to deal with as the individual member for Brant have been very effective and co-operative—there seems to be a considerable delay unless we get a special expediting order from the Minister's office himself in dealing with some of these particular investigations.

Now some of the community colleges have introduced programmes whereby those students, perhaps at the Grade 12 level or even lower level of education, have had an opportunity to take instruction on a fairly new basis, without the professional background that is surely necessary for supervisory control and supervisory responsibility. But I got the feeling that the Minister is very unsure of himself in moving into this field, in actually getting people with a standard of education perhaps less professional than he would like.

In my view we could make good use of these young students. Some of them, I suppose, have one of the serious drawbacks that they might, if this were to be carried to extreme, be in a position of dealing with individual citizens while they themselves would be perhaps too young; some of them younger than 18, many of them younger than 20.

But is there a programme to involve these graduates of community college courses in the regular work of the department?

Hon. Mr. Yaremko: Mr. Chairman, again, this item could have properly been discussed in a great deal of detail in vote 2001 which had as an activity programme, training and staff development. As I indicated, it is that programme activity which now encompasses all that we are doing by way of in-service and extra service, training, preparation and upgrading. The department has, in the past year, initiated very extensive programmes in this regard.

With regard to the students, our work with the various universities to which we make grants has enabled participation of this kind of thing that the hon. leader of the Opposition has referred to. Indeed, I think at least one, if not two, of the demonstration projects are geared along these lines where one group is taking strictly the academic courses and another group is participating in the field service work. We will then be in a position to evaluate after some period of time the maturity of these two groups.

Now, there is much be be done in that regard but in respect to our own in-service programme which is an indication of the thing that we are doing, I have before me the training schedule which took place in February and was repeated on March 10. I would just like to read the schedule. They are the kind of things we were accustomed to when we went to school. This was phase one, and there is an introduction of family benefits, family benefits regulation forms, field observations, weekly reports and expense accounts, human needs in social services, departmental and regional structures and field services. And then we have films, "The Eye of the Beholder," and discussions on films. Items such as clients' dependency and disability, discussion of cases, assignment, use of community resources, legal aid assessment, interviewing techniques and personnel policies. We are trying in these courses to cover the whole approach to the activities of the department.

I may say that it has taken me over two years to become aware of all the intricacies of this very complex programme that we have in the department. I am confident myself that everybody needs to know all aspects of the department's programme in order to be able to have the kind of delivery of service we want.

Mr. Nixon: In this particular section of the vote, there is $4.7 million for salaries. I would presume that would pay for the services of the people who might be hired with the kind of background that I am talking about. I wonder if the Minister can tell me what plans he has to acquire the services of graduates from the community colleges in courses that would normally lead to work in his department, or parallel fields. Those young people who are taking the two-year courses in social work.

Hon. Mr. Yaremko: With respect to the students, the department initiated, under the advice of the training advisory committee, programmes with both the graduate of schools of social work, the undergraduate programme and training within the colleges of applied arts and technology.

We started a number of courses across the board and the programme has been, to my mind, especially successful in those programmes where we anticipated the need at the end and then programmes were designed to meet that need. That has not been done in all cases and each agency, both at the municipal level and the charitable institutions, set their own standards for the type of personnel they wish to take on staff. There is a tendency to insist on the top degree courses but we are in the process now of working out a scheme across the province in which those who have been trained at all levels will be able to participate at their level within the delivery of services.

Mr. Nixon: Will the Minister assure the House that at least a portion of the graduates in the community college programme will be taken on by the provincial government and not left to compete for the fewer jobs at the other levels?

Hon. Mr. Yaremko: As we ask other agencies, the municipalities and private institutions, to take this on, I think we will also be setting the pace in trying to bring within our services this type of personnel. Now whether they will fit, whether the training they obtain at various levels will fit them for our work, for the kind of work that we are encountering, remains to be seen.

Mr. Nixon: Mr. Chairman, one of the most serious complaints of the policy on the introduction of the community colleges was in fact something that might be borne out by what the Minister has just said; that the training perhaps may not fit for modern requirements, particularly as he sees it in his department; that in some cases it will, but it may not.

Now there has always been the fear that those people who would enter any particular programme at the community college level, might find themselves facing a dead end situation where they are taking training pre-

paring them for nothing. I think there is a heavy responsibility with the department and the advisors in the department that this is not the case.

In fact, these young people who decide to prepare themselves for something less than the full professional level for work in social service, would do so with a clear understanding that in the field where there is such a great and growing need for committed personnel that they are undertaking a training which will, in fact, lead them into a full career in this connection. I trust the Minister can give us that assurance.

Hon. Mr. Yaremko: Yes, we are very much aware of this problem, which of course our own action has brought into being as we have attempted to supply workers in the social work field. They, of course, cover a broad spectrum, and I think it is really necessary that there be a clear understanding by the student of the level of training, to be able to have him correlate the level of training that he is receiving and seeking to the kind of employment he will obtain.

In the field of social work, the lines are blurred across the whole field of work. I think that young people who graduate from the colleges could not expect, for example, to participate in the work that somebody with his master's degree has to have in order to obtain the employment within the social work field.

We are going to explore this further with The Department of University Affairs to see that that does not happen within that level.

Mr. Nixon: I know there are a number of questions to be asked and I have several specific ones that might fit into the discussion later, but there is always the explanation—I feel it has been required for too long from this Minister—as to why the funds under this particular vote have to be divided into the categories that we still see there.

I know that the Minister has explained on many previous occasions why it is necessary that we in Ontario still have a categorized approach to pensions and assistance, and still we feel that with the advent of The Canada Assistance Act and its acceptance across the nation, and certainly by the government of Ontario, that this basis and this separation that we still see in the vote that is before us should be something that we would look forward to eliminating.

Perhaps the Minister might have something to say about why it is still necessary to vote the funds in this particular way.

Hon. Mr. Yaremko: This, Mr. Chairman, is actually what is taking place at a very rapid rate. For example, the assistance in accordance with The Old Age Assistance Act is now at $20,000, and that has been reduced by $1,294,000. That group of recipients has been transferred to old age security and has almost been completely eliminated.

The blind persons' allowances is reduced this year by $141,000, which indicates a reduction in that category and then there is almost the same amount for disabled persons reduced by $820,000 to $955,000. So those two groups have been, in terms of dollars in any event, almost sliced in half within the course of one year and they will be phased out over a period of time.

Mr. Nixon: What time is that, could you tell us?

Hon. Mr. Yaremko: The old age assistance is really finished now. The other two will take an indefinite period because, of course, some of the blind and the disabled are very young and will continue to receive this assistance so long as they qualify. What we have attempted to do in maintaining this is to make sure we are not in the position of taking away anything from anybody by a transferrence.

Mr. Nixon: Would it be possible to reassess the situation with regard to the individuals concerned with these decreasing amounts, and re-establish their payments on a broader basis associated with their needs rather than their specific disabilities?

Hon. Mr. Yaremko: We do that in order to be able to—if I may use the term—upgrade them. But we hesitate to do anything that by a transference will take away from them. One of the great tasks is to make regulations flexible. The regulations are still there and if you automatically transfer somebody then the regulation that he comes under reduces the amount of assistance available. That is our concern, that this transference does not do that.

Mr. Nixon: Well, the regulations are under your direct control and are not dictated by the government at Ottawa, is that not so? You can make them as flexible as you choose?

Hon. Mr. Yaremko: The categorical ones used to be. The categorical ones were a joint federal-provincial working out of regulations. I think we submitted them and they had to approve them. I am advised it was federal regulations.

Under The Family Benefits Act they are our own regulations. Of course when we pass a regulation they are regulations which are applicable across the province to everybody.

Mr. Nixon: This makes it hard for me to understand why you feel that the inflexibility in your own regulations would not permit you to transfer people from a categorical pension to one over which you have complete control. Surely it would be to the advantage of those concerned if the need were the basic assessment rather than just the disability.

Mind you, I am well aware of both sides of that particular argument.

Now I want to make an argument which perhaps is associated with flexibility in the assessment of need, but might be construed as an argument for categories. I have had some experience recently, and the Minister is aware of this, with people who have become blind under very tragic circumstances. Their needs have not been assessed by the department as those requiring any public assistance.

The result has been that in these particular cases these has been tremendous family hardship associated with the numbers of dollars available for carrying on a proper life and rearing a family. It has been my feeling for a long time that blindness is one special kind of disability, and while I hate to talk about a category, I feel that the department does not assess this disability in terms of its need in a way that is progressive or really is designed to allow these people to continue their lives with some semblance of dignity.

I have brought to the Minister's attention these cases where the wife concerned has been able, in fact, has been forced to go out from the family and get some kind of minimal employment. The fact that she is able to do this is reason for the government, and for this department, not to assess their need high enough to give them sufficient payments, in my view, to make it a reasonable situation.

I think that if a person becomes completely blind there should be a consideration of the whole family; the need for the mother to maintain a position as the homemaker, and for the father to maintain some dignity associated with this. There surely is a good reason for the government, in the flexibility and the regulations which it has under the agreement with the government of Canada, to take a much broader view of what constitutes need under these circumstances.

I am not calling for the continuance of a categorical pension, but simply for the recognition of the social needs associated with a problem of this type.

Hon. Mr. Yaremko: I may say that I am not unsympathetic to the problem. I am very sympathetic, and in the case of the blind and the disabled, at the time The Family Benefits Act was passed, we did make some additional allowance by way of a transportation allowance which other recipients do not receive.

I am aware of the fact that in conjunction with our nursery regulations we were able to work out more generous, if I may use that phrase, regulations which were applicable. Although I cannot make any commitment, I think that the proposition that the leader of the Opposition has put forward has a lot of sympathy on all sides of the House.

Mr. Nixon: It has a lot of sympathy, and I know it has been raised in the past. I think Mr. Bryden, the former member for Woodbine, raised this, four or five years ago. It seems to me that the Minister's predecessor's reaction was somewhat similar.

I want to take this just one step further. In assessing the need under these circumstances, is it customary for the investigator to indicate that the wife could very well go out on a daily basis and work, since the husband is blind and could do the baby-sitting?

This seems to be such a peculiar way to approach it. In some of these cases that I am concerned with—and I suppose they tend to group around Brantford, where the School for the Blind is—this seems to be one of the attitudes that is expressed by the representatives of the department that I find unconscionable.

Hon. Mr. Yaremko: I would not like to think that this kind of explicit language or direction is being used. It may be that, not being able to bring the person within that grouping where they might be entitled to sufficient assistance, some sort of a suggestion on this line may have been made. I do not know. But that is not our policy to tell wives to go out and work in order that their husbands not be in receipt of allowances.

Of course, if the wife does go out, it is abundantly clear that her income is taken into consideration in the determination. I recall dealing with those cases that the hon. member mentioned. But I don't recall whether the assets available to the families were part of the problem there.

Mr. Nixon: Finishing up the part of what I want to find out from the vote, Mr. Chair-

man, the other point, is that when those in receipt of assistance do attempt to improve their situation with some part-time employment, if this is possible through one member of the family, the reduction in the payment is associated with how much they bring in and it attempts to kill off any feelings of initiative there might be.

I know that the Minister has taken a few tentative steps to change that, that the amount of payment in most of these circumstances is not reduced by exactly the same amount as that which is brought in from some outside source. But it is still a problem. The approach to welfare assistance this government puts forward, does tend to remove the initiative from those who deserve some assistance.

Perhaps the confidence that they can fall back on a minimum standard—and certainly it is a low minimum—is removed when they are thrust into the community and do some small bit for themselves. But the initiative is removed when the payment from the government is reduced by – perhaps not an identical amount – but an amount that is associated with what they can do for themselves.

Is the Minister satisfied that the present system is adequate in this regard? Or is he still looking for a better solution to this particular problem?

Hon. Mr. Yaremko: Well, the present situation is clear—the recipient is entitled to the first $24, plus $12 for each additional dependent. And 75 per cent of any sum over that is shown as income and debited against his allowance. Those provisions, which are the most generous in Canada—and probably in most jurisdictions on the continent—still do not satisfy me personally, because I am committed to the belief of incentive and the initiative of assisting those who can be independent to do so. In the long run, it is better for the receipient himself, and the taxpayer too.

It is a two-fold benefit. It is tied in with such matters as subsidization of income. The other side of the coin is that somebody gets a job. Then where does the transition come—from being a recipient of a maintenance allowance, but earning additional income, or being one who is earning insufficient income which is being supplemented?

This is something we are going to talk about and hear about in greater context in the years ahead. This may be tied in with a guaranteed annual income, or various aspects of it, I do not know. It is definitely tied in, for example, to the work of the Minister of Labour (Mr. Bales) in the minimum wage field. It is tied in with what the Minister of Trade and Development (Mr. Randall) is trying to do—creating jobs in areas and industry in certain marginal areas. Where industry would have a very low break-even point.

I assure the hon. leader of the Opposition it is a very complex problem. But if our future accent is going to be—as I want it—on rehabilitation, this incentive and initiative is the very guts of the matter.

Mr. Chairman: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Chairman, the point I wanted to raise flows rather directly from what we have just been discussing. To my mind, one of the most disturbing features of our current way of handling benefits is the incredible bureaucratic red tape that can emerge in so many cases. Periodically – well that is the wrong phrase—quite persistently, cases come to my attention, and I know they come to all members'.

I want to bring one case to the Minister's attention. I use the detail of it to illustrate the problem, because it seems to me that there is a solution which is obvious even in his handling of this case. I wonder whether in future instances some of the complexities and pettinesses of bureaucratic red tape cannot be eliminated altogether?

Last September, I received a letter from a nurse in the city of Toronto—the Minister smiles, perhaps he is familiar with this case—who had been registered with the Elite Nurses Registry.

This registry had received a call from a doctor seeking a nurse for one of his patients, and the nurse had responded. Unfortunately, she discovered only later that the patient was a Family Benefit Act recipient, and no one had taken the trouble to check with the department to find out whether they were prepared to pay for private nursing.

Of course, the nurse did not know that this patient was a benefit recipient. It was really none of her business. She had been called by a doctor—or the registry had been called by a doctor—and she went in response.

She worked for two and a half days during August and she tried to collect the $42.50 which was her pay for the services rendered. The patient could not pay it out of the benefits, and the family benefits assistance refused to pay because the service had not been authorized. There was our nice little impasse.

On September 11, this nurse wrote to me and told me that she had visited the sixth floor of the Hepburn building and was seen by someone who had told her that a Mr. Bassage knew about her case and would be in touch with her. He finally called her and suggested that she should get in touch with "welfare".

This she did and was advised that they do not pay nurses' fees. She phoned Mr. Bassage again—who by this time had contacted the doctor—and was told that the doctor had been advised that requests for nurses must be in writing and since he had not done so in this case the nurse was out of luck. Thus, we have stage 2 in the impasse.

This nurse happens to be 61 years of age, is living on social security benefits from Britain, which are less and less value because of devaluation. She is semi-retired and does nursing to supplement her rather inadequate income, and the $42.50 was of considerable consequence to her.

So she wrote to the Minister on September 15. Five weeks later the Minister replied, October 22, and I quote from his reply:

> Officials of my department have reviewed this matter. This appears to be a legal problem existing between a creditor and a recipient of family benefits. To the best of my knowledge, there is nothing in our legislation that will permit my department to pay this account.

There was a magnificently bureaucratic reply to the problem. It was a "legal" problem and to the best of his knowledge nobody knew the solution to it.

On December 13, however, the nurse was visited by someone from the department. Apparently the mills of the gods were grinding despite the Minister's inability to deal with it.

Hon. Mr. Yaremko: No, I assure the hon. member not "despite" but "because of" the Minister. When I signed that letter, I was just as aware of its contents as the hon. member was.

Mr. MacDonald: I would say to the Minister then he should not present himself almost as a caricature of the bureaucrat by saying that this is a legal problem and my department is a bit "buffaloed" about how we can solve it. If he was going to persist and solve it, at least give the woman some hope in saying that he was persisting.

However, let me go on with the story; it has rather amusing overtones. On December 13, she was visited by someone from the department whose parting shot was, "You may or may not be paid". Two weeks after that visit, she had a phone call asking her whether she would accept payment at two month intervals. This complex problem, you know, demanded a very delicate solution—payment on two month intervals.

The woman wrote and said that she was so pleased to think that she was getting something that she told them they could take a year. And the next day she got two cheques, one made out for November 29, which incidentally was two weeks before this visit, for $20; and the other one for November 30 for $20, and her comment in the letter to us at our office was, "How dotty can you get?" This was $40, minus the $2.50, because the full bill was $42.50. However, said she, "I am happy the whole thing is behind me", and she was going to forget it.

However, I was rather intrigued at this point as to how the bureaucracy was operating, so I wrote again to the Minister on December 17 and asked him why his department felt obliged to pay only $40 for $42.50 of services. Five weeks later—the Minister seems always to reply at five-week intervals it is rather persistent throughout this story—on January 23, I had a reply from the Minister who apparently was as puzzled as I was. His officials were checking with the Toronto welfare department because his department could not locate any record of the two payments of $20; neither could the Metro Toronto welfare department, and he would appreciate it if we could supply him with a bit more information.

I wrote to him and I quoted whole paragraphs from the nurse's letter to me to assist him in trying to sort this out. On February 13, I received a final letter from the nurse which read: "Well, as Alice in Wonderland said: 'Curiouser and curiouser'." After she had received these two cheques she got a letter advising her that Scarborough would pay her. Now this really puzzled her since her patient lived in the Broadview and Carlaw area and therefore came under the east end office. But on February 13 she received an additional cheque for $2.50 and she went on to give us the details with regard to the signing officers and the bank it was made out on. So she wrote *finis* to the whole thing and was quite happy.

On March 4 a letter from the Minister advised us that the payments to the nurse were made—and, Mr. Chairman, I draw this to your attention—"in accordance with the supplementary aid programme under The

General Welfare Assistance Act by Metropolitan Toronto." And that she had been paid the remainder of $2.50.

Now, I repeat, Mr. Chairman, I suspect that you personally have had this kind of thing to deal with on occasion. I have met many members in the House who have admitted this. If the Minister is correct in his earlier statement on family benefits allowances—and I trust it is the same with The General Welfare Assistance Act—that the regulations come under the Minister, they can therefore be made as flexible as the Minister wants. That is point one.

Secondly, if there is what is known as a supplementary aid programme—and I would be rather curious if the Minister would explain exactly what that is—but if there is a supplementary aid programme which is a means by which you can supplement a regular benefit when this kind of situation comes up, why in heaven's name, either in this instance if the Minister knew it, or in future instances, can you not immediately cut through all the red tape? Why not say if it is only $40 and the person has provided a service, that there has been a misunderstanding along the way, the correct authorization was not given, but dip into this supplementary aid and not go through this tedious, costly, frustrating procedure which ultimately may result in satisfaction and sometimes does not even do that.

It is a double-barrelled question: If the regulations are under the Minister and are flexible, and if you have this supplementary aid, then, you can dip into, why cannot it be used to deal with these anomalies that may rise in the best of administrative procedures? Ours is not the best and therefore they arise quite frequently.

Hon. Mr. Yaremko: Mr. Chairman, the supplementary allowance, that $20 which is payable, is available to the municipalities to pay. They can pay up to $20 of the supplementary aid and then we, in turn, subsidize that to a tune of 80 per cent. The municipality pays it and we subsidize it to 80 per cent. I think that $20 can be the amount which can be exercised with good judgment and flexibility by the municipal administrator to look after this kind of case.

I may say to the hon. member that when I saw that last letter and glanced through the old correspondence, I could get up and make exactly the same speech. I do not disagree with a word he says.

Mr. MacDonald: Mr. Chairman, if I may make a final comment. I am a bit appalled that the supplementary payment is this $20, which requires the municipal welfare officer to make the decision and make the payment and then claim from the government an 80 per cent share. It was my hope that this was a sort of little nestegg the Minister might have to avoid all the grief in coping with the bureaucratic red tape when you get hung up on legal points. I now understand where the $20 cheques came from.

Hon. Mr. Yaremko: I have no such nestegg.

Mr. MacDonald: I now understand where the $20 cheques came from. But the remaining $2.50—and I will just satisfy my curiosity—where did that come from?

Hon. Mr. Yaremko: The same source. It can be any amount up to $20.

Mr. MacDonald: Fine! The Minister is really on his toes today.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, on Wednesday, April 9, the member for Essex South (Mr. Paterson), the member for Essex-Kent (Mr. Ruston), and the member for Sandwich-Riverside (Mr. Burr), and myself met with a group of ladies in Sandwich West township to discuss problems that they have had with the social and family services. One of the prime problems is the lack of communication and the lack of information concerning programmes available and assistance made available to them. The ladies made mention that some of them would have liked to have taken retraining but they are always a little bit afraid that if they go into a retraining or re-education programme, their benefits are going to be reduced to the point where it is of no financial advantage or they could not make ends meet.

I think that it is incumbent upon the fieldworker in the area to keep in close contact with the individuals receiving these various benefits, to keep informing them all the time. There seems to be no communication. They have no idea as to their rights under social and family services or rights that they could enjoy from this department.

For example, they had no idea of homemaker services and some of the mothers here could possibly have gone out to work, provided the homemaker services were available to them. They made a specific complaint that

on March 31, the heat allowance was cut down automatically, regardless of the type of weather after that. They found it most difficult to understand the reasoning behind all of this.

They likewise made mention that Hydro and gas rates have increased, yet their allowances did not increase in the same proportion and they found difficulty making ends meet. They had to depend on charity when it comes to eyeglasses for a youngster. One of the comments made by the ladies really struck me as being most unusual—and this was from a fieldworker interviewing the lady and making the comment, "how much money have you in your purse today?"

This certainly, Mr. Chairman, is unbecoming to a fieldworker under any circumstance to practically want to pry into the lady's purse to find out if she happens to have 10, 12 or 15 cents left over from a mother's allowance or any other type of benefit that she received from the department.

There should be some type of pamphlet available for this type of individual, or for these individuals, so that they could be made aware of programmes and assistance. For example, they had no idea that legal aid would have been available to them.

These are just a few of the examples that I am citing. They cited a lot more. They made mention that there were no transportation allowances if they come from the suburbs, in relation to an individual living in the city. Transportation, with them living in the suburb means the use of a taxi, because it is the only way they could possibly get into the city to do anything that they may have to do.

One of the other comments made was that they would have liked to have taken on university students as boarders for the short period of time, but there was the fear in their minds that as soon as they take them on, that their benefits would decrease.

Mind you, Mr. Chairman, the Minister made mention of the benefits that they were still entitled to, and that is the first $24 that they would earn. They could keep this plus the $12 for each additional child that they did have.

But this is not known to them, and because of the lack of communication, they find themselves not being able eventually to get back into the world of work. They figure they have to stay on one of these categorical programmes until the time their children have grown up.

One of the other points I would like to bring up at this time, Mr. Chairman, is that several years ago I made mention where two members of a family were on an assistance programme and when one of the two died their income was immediately cut in two. I mentioned that possibly there would be some type of a staging programme rather than cut off the income from the deceased individual. Why not cut it off on a staged programme? Instead of cutting it off at $75 the first month cut it off to $60 the second month, possibly to $45 the third, $30 the fourth, $15 and then, over some specific period of time eliminate the complete benefit that the couple obtained, rather than cut both of them off or cut one of them off immediately.

In other words, having received $150 a month, on the day after the individual was deceased, the benefits dropped to $75. This made a real hardship to the family. There were enough difficulties trying to get by on the $150 a month for the two people, and having it cut down to the $75 made it extremely embarrassing.

Could the Minister reply on some of the various suggestions and questions that I have made in my comments?

Hon. Mr. Yaremko: Of course, the significant portion about the initiative, in the sense of the remarks that I gave to the hon. leader of the Opposition in general apply; and in particular I think more often to mothers. My own experience has been that that is where the drive to go to work is probably more prevalent among the recipients than in any other particular group.

I would like to think that our field workers do counsel the recipients, and that there is a communication. Perhaps the communication is not as constant as it should be because the recipients of one of our programmes are generally considered to be long-term cases and they are taken on and it is accepted that they will be around in the usual course for a while.

But as our emphasis is placed more and more on counselling and rehabilitation, I would have thought that those remarks that you are referring to—some of them—would be out of order. The caseworker is working with a recipient, first of all to make known the full range of our programmes, most of which are geared to the rehabilitation programme; and secondly to actively participate in the rehabilitation programme under the individual circumstances as they might apply.

As to the rates of allowance, of course, those are matters of general policy and will be under review, and all those aspects touched upon by the hon. member will be a matter of consideration at that time.

Mr. B. Newman: Thank you, Mr. Chairman. It really did strike all four of us who were present at the meeting very strangely when we had heard this comment made: "How much money have you in your purse today?"

Now, this is going way too far, Mr. Chairman—

Hon. Mr. Yaremko: May I ask, were any of our workers invited to the meeting? Were they present?

Mr. B. Newman: I cannot answer that for the Minister, Mr. Chairman—

Hon. Mr. Yaremko: How many ladies were present?

Mr. B. Newman: Oh, about 18, I think. There were four members from the Essex county there and it was a very useful meeting because we were interested in being of assistance to them, and they were interested in relaying their problems and difficulties to us.

They had no idea of the appeal board that we had discussed at some length over the last three or four days, and we made sure that they knew of this procedure that they could follow.

May I ask the Minister at this time, Mr. Chairman, in arranging the allowances, is the increase in hydro and gas rates taken into consideration at all? The community has raised the hydro rates recently. Your rates have not increased proportionately.

Hon. Mr. Yaremko: No, our rates were established as a flat rate. They have not been increased.

Mr. B. Newman: May I suggest then to the Minister that any time the utility rates increase, that a proportionate increase be made in benefits to the individuals because they have to pay that. It simply means they are depriving themselves of something when their allowances are not increased as a result of utility increases.

May I ask the Minister what does the mother do for eyeglasses for a youngster when she is on mothers' allowance?

Hon. Mr. Yaremko: That can be dealt with through supplementary aid through the municipality.

Mr. B. Newman: Then they would apply to the local municipal welfare officer and obtain that special assistance? Well, why would that not come directly under your programme, Mr. Chairman? Why should it have to go through two different programmes? Why could not one field worker who is there know that this is needed and simply take care of the difficulty right then and there by communicating with the welfare officer if that is what is required?

Hon. Mr. Yaremko: That is a good point. There are other aspects in this. Twenty dollars are available. As I indicated earlier to the leader of the NDP, it is the supplementary aid which covers a very wide spectrum of need which is available, and it may be that in a reconsideration of our own programme we can shift this in order to avoid the type of thing that the hon. member has spoken of.

Mr. B. Newman: This mother complained quite vigorously about this and mentioned the fact that she had to go to the Lions Club in town. Certainly it is not right that she would have to go to a service organization to obtain glasses for a youngster when it should have been available as one of the requisites from social benefits.

As I mentioned earlier the information obtained by the recipient of assistance from the government is not sufficient. The field worker does not give them enough information. This is one of the big complaints that the ladies made to us at this meeting. I know the Minister has these pamphlets now that are available and could be passed on to the people receiving these benefits, and I will take full advantage of that in passing it on to those who are in my own constituency.

We were meeting at this time, Mr. Chairman, with individuals from the county rather than from the municipality of the city of Windsor.

May I ask of the Minister at this time if there is transportation allowance in the welfare area benefit programmes here?

Hon. Mr. Yaremko: Transportation allowance is only available, as I indicated earlier, to those who are disabled or blind. They get an additional $10 a month.

Mr. B. Newman: Mr. Chairman, do you not think there should be some transportation allowance to just the general individual receiving social benefits from your department? How do they get into the downtown area? How do they get to school if necessary?

Hon. Mr. Yaremko: In our pre-added budget there is an item with relationship to personal requirements as part of the pre-added budget and, of course, it is up to the individual to manage his own money to do whatever he wishes to do. There may be people, and I know them, who would never want to go—if I may use the expression—to downtown Windsor or downtown Toronto. They may wish to do something else and they have this personal requirement.

Mr. B. Newman: Mr. Chairman, I could not agree more with you that there are some people, but there are a lot of people—and I can mention a specific category of individuals in my own community—that is, the senior citizens. They have the advantage of the senior citizens centre in the downtown area.

I receive letter after letter from them stating that they would like to join a choral group of their senior citizens, and other miscellaneous groups; visit the centre two days a week, but it means 25 cents transportation charge each way, or 30 cents. That is $1.20 a week and, Mr. Chairman, to these people on these various assistance programmes, $1.20 for the course of a week, or $5 a month is an awful lot of money. There should be some type of assistance for transportation—maybe it should be a pass from your department given to senior citizens for their transportation. Maybe there should be some negotiation between your department and the transportation commission where tickets could be provided. But, there should be some type of transportation allowance available to the senior citizens. After all, their days are numbered—

Interjections by hon. members.

Mr. B. Newman: I think their remaining days on the face of God's earth should at least be spent in some type of dignity and they should be given the opportunity of these few pleasures. They are not asking for much when they ask bus fare allowances or a subsidy. If The Department of Social and Family Services provided the municipality with some type of subsidy to allow senior citizens to use the transportation system, even if it is only on the off-hour period, rather than the rush period, it would be a tremendous help to them. They would be able to live these—at least enjoy what is left of life in some type of dignity and with maybe a little bit of pleasure. May I ask the Minister if there are any rent subsidies available to senior citizens receiving old age security? In my own community rents have skyrocketed to the point where 50 per cent of the income of a lot of senior citizens goes solely to accommodation and at $109 a month—with a couple $218 a month—paying $109 a month rental alone makes it most, most difficult. Are there rent subsidies available at all to senior citizens?

Hon. Mr. Yaremko: There is that $20 supplementary assistance allowance which is also available for that kind of a supplement for old age security.

Mr. B. Newman: Only a $20 a month subsidy, is that right, Mr. Chairman? Now supposing the individual cannot get by on the $20—it is not sufficient—will the department come along and increase that amount?

Hon. Mr. Yaremko: We have no provision.

Mr. B. Newman: In other words that senior citizen at roughly—I will use $220 a month—a couple paying $100 or $125 a month are in a most, most difficult position because all they can get now from your department is an additional $20 a month. Am I right?

Hon. Mr. Yaremko: It is $20 per month per person, that is $40 from the municipality which we, of course, subsidize to that extent.

Mr. B. Newman: All right, well that is a little better than I had originally thought. I thought it was only $20 a month per family or per unit, now it is $40. That does make it a little easier, Mr. Chairman. Whether that is sufficient for them I cannot reply. I doubt it is in all cases because I can cite an example of a mother with three children who lived in the one home originally at $80 per month. Rents were increased to $105, then to $125 and as of the 1st of March they went up to $160 a month—a mother on mothers' allowance with three children. There was some individual gouging her to the extent of $160 a month. I think her total allowance was $260. Now in that case there would be more allowances would there not? Your department would assume the complete responsibility of rental. Am I right, Mr. Chairman?

Hon. Mr. Yaremko: Our rates are $75 unheated and $85 heated, with an additional rate of $5 per person beyond two persons raising that maximum.

Mr. B. Newman: $85 a month plus the $5 per person in there—let us say approximately $100 a month. Now that mother pays $160 a month rental. Find another accommodation for her in the community at a better

rental and she would be more than pleased to take it, Mr. Chairman. But, if she cannot find it she must come along and pay the $160 a month and deprive herself and her children of what little sustenance the $100 that remains can provide them. Surely the complete cost of rental, in cases like this, should be absorbed by your department.

There should not be a limit. I can understand a limit, if rentals were readily available, but when they are not available at all, Mr. Chairman, the individual has to take what they can find in the community. It is not fair at all, in fact, it is unjust to require a mother with three children to attempt to live on approximately $100 a month, even though she gets a scant $260 a month. I would suggest to you, that you seriously consider absorbing the complete cost of the rent for anyone receiving any type of assistance from your department. It makes it practically impossible for them to live. Would the Minister consider such a thing, Mr. Chairman?

Hon. Mr. Yaremko: I think one of the answers, Mr. Chairman, also lies in the work that the hon. Minister for Trade and Development will be doing in providing subsidized accommodation. There is more than one answer to this when there is the kind of accommodation that he is providing for some people. But, of course, there is much to be done yet in providing the kind of accommodation which will inure both to the benefit of the taxpayer and the recipient.

Mr. B. Newman: Mr. Chairman, that is absolutely true, he is attempting to do it, but he has not done it. He has built homes by headline, but we do not have the accommodations. We in the city of Windsor are very fortunate because we probably have had a fairly goodly share of homes built in Ontario, but then again, when you limit the recipients, the number of one parent families in these homes to 20 per cent of the homes available, what do you do when you have 25 to 30 per cent of the people wishing to find accommodation?

There are always a certain number who cannot get accommodation. And as I said, earlier, if housing was readily available in the community, there would be no problem at all. But because of the acute shortage of housing, why punish the widow with three children? Certainly your department should absorb the complete cost of rental in an instance like this—and there are a lot of cases like this in the community, Mr. Chairman.

I hope and pray that you come along and absorb it, because there is no reason why any individual should pay more than 25 per cent of their income for housing. Anything over 25 per cent on any individual in any type of an aid programme should be absorbed by some department of government—and in this instance it should be absorbed by your department. Anyone paying more than 25 per cent of their total allowance for rental is paying beyond their means for accommodation.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, if I might just go back to this question of the transportation allowance. The Minister has said that there is a sum of something like $20 available which the recipient can use to get downtown and get transportation when they want it. I would like to raise some problems that we have in the northwest part of Metro, that is in Rexdale, which are quite similar to problems raised by the hon. member for Windsor-Walkerville.

On Kipling Avenue, in the vicinity of Albion Road—which is quite some distance from the centre and older part of Toronto—we have the Robert J. Smith home for the aged. It is in a very nice building and which is very well run. We also have the Kipling home for the aged. One of the problems that is brought to me, quite often, Mr. Chairman, is the fact that we have old age pensioners living in these homes who have difficulty in getting down to the centre of the city.

They have a great deal of difficulty in affording to go and visit their sons and daughters and relatives on weekends. My attention was drawn to an article in the *Star* last week. It was datelined Metro and is on one of the front pages. It was talking about Metro being asked to buy rides for pensioners. The article, says, Mr. Chairman:

> The Toronto Transit Commission could reduce fares for old age pensioners without losing money if Metro bought large quantities of tickets for them, a TTC commissioner said yesterday. Douglas Hamilton said: "For example, for every $75,000 worth of tickets Metro bought, they could actually receive about $100,000 worth in regular tickets."
>
> Metro could then resell the tickets to the pensioners at any price it wished, or give them away, Hamilton says. Metro has proposed discussions with the TTC with the possibility of reduced fares for pensioners during off hours.

Mr. Chairman, I would like to ask the Minister if it is possible for some sort of grant

to be made so that these old age pensioners who live in the Kipling and Robert J. Smith homes for the aged, and also in other parts of Rexdale, in far parts of Metro and in all cities in Ontario—if some grant could not be made in the larger centres where there is public transportation, so that they could buy tickets and resell them to old age pensioners. Then you would not have the problem of an old age pensioner, particularly a female one, having to prove her age. And you would not have any of the difficulties that are raised when this question comes up.

I remember when I was young they used to have a little mark on the pole as you stepped in. If you were under that, you got in for a children's fee. That is one way of differentiating a child from an older person. However when you start to ask the age of an old age pensioner, and various things like that, there are many difficulties.

I wonder, Mr. Chairman, would the Minister consider some sort of grants to the larger municipalities where there is this public transportation, so that these centres could buy tickets and either give them or resell them at a reduced rate, to pensioners?

Hon. Mr. Yaremko: Mr. Chairman, we are already in touch with Metro Toronto with regards to this type of programme. It started out when the hon. member for Windsor-Walkerville was talking in terms of the whole spectrum of recipients. That is a major problem now. We have delineated, with relationship to senior citizens, those living in homes for the aged and comparable places, and those living in the community.

There are many aspects of it. I do not want to anticipate a discussion, but we will get a lot more emphasis on people living within the community as opposed to living within the homes for the aged. That is still another aspect of the transportation problem which, I assure the hon. member, will receive consideration.

Mr. Braithwaite: Mr. Chairman, does the Minister mean to say that somebody in his department is participating in these discussions that are going on now between the TTC and Metro?

Hon. Mr. Yaremko: We are in participation in discussions with the welfare administrator of Metro.

Mr. Braithwaite: Therefore, there is some possibility that old age pensioners might get some relief with reference to transportation, particularly in Metro?

Hon. Mr. Yaremko: We are exploring the matter, Mr. Chairman.

Mr. Braithwaite: Is the Minister prepared to say that there is some possibility of these explorations bearing fruit?

Hon. Mr. Yaremko: It would be premature to say at this point, Mr. Chairman.

Mr. Braithwaite: Thank you, Mr. Chairman. Now I would like to turn to another point that was raised by the member for Windsor-Walkerville—or perhaps it was by the hon. leader of our party. This question of what instructions are given to caseworkers and field workers when they go out on a particular case.

I am sure the Minister is familiar with this case—I am not going to go into detail here. But I do have a case in my own riding —and I am sure this is something that occurs in many ridings. The applicant is told that there must be someone in the family who could look after young children while they go out to work.

In this particular case we have an unmarried mother, Mr. Chairman, who made application for mother's allowance. A Mrs. Nicholson was her case worker—I am sure the Minister will recall the case. When Mrs. Nicholson first came to see this young lady everything looked fine. The baby, by the way, was very sickly. It had to go into the Sick Children's Hospital for more than one operation and the girl was told that she would receive mother's allowance.

She did not hear anything for some months. On the second visit she spoke to this Mrs. Nicholson who, meanwhile, had gone back to headquarters. Apparently the attitude of Mrs. Nicholson had changed after she discussed this case with her superior because, I will quote from the letter I have from the young lady in question, Mr. Chairman:

> The interview was completed so I waited until mid-January 1969. When I had heard nothing I gave Mrs. Nicholson a call. She was completely different towards me at this time. She said I should work; that my sister could baby-sit for me. My sister is only nine years old and certainly not capable of such responsibility.
>
> She also said: "What is the matter with your mother? She could baby-sit for you." As I had already told her at the time of the interview my mother and father have been very good to me, but my mother made it very clear right from the day I told her I planned on keeping my child,

that she was not going to baby-sit for me as she had had her day bringing up children. The conversation ended and I was no further ahead.

Now, Mr. Chairman, this is the very point that was brought up earlier, as I said. First of all, we find a social worker who tries to do her best and promises what the law allows. She goes and she gets instructions from her superiors and she comes back and she says no: "Somebody in your household has to look after your child and you go out to work, sick child or not."

What I would like to ask the Minister is whether there are any instructions given by senior officials in his department to case workers and field workers in this regard? Are they instructed to tell various social workers that they must tell the recipient to get someone in their family to look after their children so that they must go out to work? This child had just been born a few months, and was sickly. Mr. Chairman, this is why it is a very important matter.

Hon. Mr. Yaremko: Mr. Chairman, the problem must be one of communications because the social worker was within the ambit of her employment when she goes to one of these persons that they counsel, and that they explore the avenues.

In trying to find out the best way of advising the young mother, maybe a very natural question before the suggestion is made for seeking employment is to enquire whether there is available this type of thing. It would be a very natural thing to enquire whether there is a mother available; whether there is a sister available; what facilities are available to look after the child.

If there are no facilities available for the child, then it may be that quite properly the social worker would then not have made a suggestion of gainful employment which would put the young mother in a far better position perhaps than relying for income on The Family Benefits Act.

I do not think that there are any hard and fast rules. It may be that the young mother misinterpreted, but you can see that in trying to give advice to a person, one must of necessity, check back on information upon which a decision as to advice could be made.

Mr. Braithwaite: This is quite true, Mr. Chairman, except that as I mentioned, we were not talking about the first interview. We were talking about the second interview. The information with reference to the views the girl's mother had been given to the social worker during the first visit.

I might say I had a meeting just before Christmas with a group of workers from the St. Vincent de Paul Society in Rexdale, and they brought out the very same thing to me. They gave me many, many cases. I am not going to go into all of them here, but they did point out this very same thing. There is a breakdown in communications. What I am particularly concerned about, Mr. Chairman, is whether the Minister specifically can tell us that there are no such instructions—no such general instructions—made by the higher levels, within his department.

Hon. Mr. Yaremko: I do not know. Perhaps the hon. member could delineate what instructions he is talking about, the specific type. I may say that if you have any of the cases, be they one, be they many, I would be pleased to know the details of them so that we can use them, not only to solve the particular problem, but if it cannot be solved to learn from it as we learned a great deal from the one specific instance that the member for York South brought forward earlier. I would be pleased to deal with them. But if he would delineate the instructions—

Mr. Braithwaite: Well—

Hon. Mr. Yaremko: The hon. member did not say what took place in the first interview.

Mr. Braithwaite: Then I will read the letter, Mr. Chairman. I was not going to go into all the cases. I thought what I was talking about was quite clear, namely, the fact that whenever we have an individual applying for help—I should not say whenever, but quite often—there is some such attempt by the department, or by the worker for the department, which may or may not be in accordance with the wishes of that particular social worker.

The point is that the person who is the recipient is told that someone in his or her family can look after their dependants so that that person can go out to work.

I am not against an individual who is a recipient going out to work if it is possible. The point I am making, Mr. Chairman, is that here we have a young lady, only a teenager in this particular case, who had pressure being put on her to go out to work when she made it quite clear that the baby was sick. The baby had two or three operations.

I am going to read the whole letter, Mr. Chairman:

> The interview was completed, so I waited until Wednesday, January, 1969, when I had heard nothing, I gave Mrs. Nicholson a call. She was completely different towards me—

We are speaking now, Mr. Chairman, about the second page—we do have the first page. I am sorry, I have it all here. I will start from the first. This is a letter addressed to me, Mr. Chairman:

> I am writing this letter in need of your help. On March 8, 1968, I had a daughter Kim out of wedlock. I went back to work at the end of April taking my baby to a babysitter.
>
> On May 13 I rushed her to the hospital and it was found that she was born with a double urinary system. May 30 she had her first operation at Sick Children's Hospital done by Dr. "X". When she was released from hospital I left my job to care for her myself. My family doctor advised me to go to welfare department to apply for mother's allowance.
>
> I went July 11, 1968 and spoke with Miss Bennett there and was told my application would be sent right in. By August I was in need of financial help and received my first welfare cheque August 16, 1968. In September my application for mother's allowance came to my home address in error so I forwarded it on to the proper address.
>
> My daughter was in hospital again for the second operation in October when Mrs. Nicholson from mother's allowance came to interview me, at which time she said: "It should be no problem putting this through for you, you should be receiving your cheque by the end of December or first of January."
>
> Also, at this time, she told me to take full advantage of my drug card for welfare as it was more difficult when I got it on mother's allowance. She told me not to pay my Ontario hospital premiums any more as they would take care of it for me.
>
> As of February 28, 1969, my Ontario hospital has run out. I have tried to keep it up, but as she said not to worry, I didn't. From past experience with my baby's hospitalization, I know it costs close to $65 a day to have her at Sick Children's Hospital. It frightens me to think of it, as she could have another operation as it hasn't all been completed as yet.
>
> The interview was completed so I waited until mid-January 1969. When I heard nothing I gave Mrs. Nicholson a call. She was completely different towards me at this time.

This is the second interview, Mr. Chairman.

> She said I could work—that my sister could baby-sit for me. My sister is only nine years old and certainly not capable of such responsibility.
>
> She also said: "What is the matter with your mother? She could baby-sit for you." As I had already told her at the time of the interview my mother and father have been very good to me, but my mother made it very clear right from the day I told her I planned to keep my child that she was not going to baby-sit for me as she had had her days bringing up children. The conversation ended and I was no further ahead.
>
> On February 17, 1969, Mrs. Nicholson called me. She had received a letter and wanted to know what my plans were as far as going back to work. I told her things were indefinite. She said I would hear one way or the other within two weeks. Again at this time she asked: "What is the matter with your mother, why can't she look after your baby?"
>
> After waiting for two weeks and receiving nothing, I proceeded to call her again on March 3, 1969. She seemed surprised that I should be calling. She had not heard anything so there was no reason I should hear anything from her. She told me of all the other people that were worse off than myself, saying I should see them, people with grade two education. She said she has two children and she works five days a week and takes them to a babysitter. I asked if her children were healthy, he answer was, "Yes, I try to keep my children healthy." I believe there is a personality clash between Mrs. Nicholson and myself but do not know what to do about it. She also said what was my mother's attitude? "Does she feel because she pays taxes that you should be accepted for mother's allowance?" I got in touch with the federal member of Parliament after my last conversation with Mrs. Nicholson and he felt that you would be the person who could help me. I sincerely hope that you will contact me if you can help.

That is when I wrote to the Minister, Mr. Chairman. From the letter it is quite clear that the department, through the worker, has been telling this young lady with a sick

baby—a very sick baby—that she must get somebody to babysit, somebody to look after the dependant while she goes out to work.

All I am trying to find out, Mr. Chairman, is are there specific instructions given by this department to case-workers to find out from different recipients, no matter what the case may be, "Do you have someone to look after your children so you can go out to work?"

As I said, I am not at all in favour of people sitting at home if they do not have to, but in this particular case—and I am sure there are many other cases like this—it seems rather strange that the social worker should turn against the recipient because the worker has gone back to headquarters and received different instructions. This is the sort of thing that I am bringing before the Minister. I would like to hear his comment.

Hon. Mr. Yaremko: I do not think that any member would try to coerce or compel a recipient or bring out circumstances that would make them go to work. I can envisage where a counsellor might be asking questions to find out all the background in order to be able to give advice under the circumstances.

You see, at one end you have complaints that social workers are saying to people, "Stay at home, you will be better off on welfare than working". I try to check out all those instances. Then you have the other extreme where it is alleged that somebody is being forced to work under those circumstances, with a sick baby. Under those circumstances I cannot conceive of the situation. I would be very happy to review the file. But no such instructions of the kind I understand the hon. member to indicate are given to our social workers to take that kind of an attitude.

Mr. Braithwaite: I am indeed glad to hear that, Mr. Chairman. I might say that this young lady did receive mother's allowance in due course.

One thing that comes to my mind before I proceed, Mr. Chairman, could the Minister tell me is there much difference in the allowance this young lady or anybody would get under the mother's allowance as opposed to straight welfare?

Hon. Mr. Yaremko: We have brought the general welfare assistance pretty well in line with our family benefits. There is flexibility at the municipal level within the question of utilities to bring theirs up to our level. For all practical purposes, this is our intent, to bring all of the programmes into line so that under one set of circumstances a person would get the same benefits whether they be under one programme, under the municipal programme or under the provincial programme.

Mr. Braithwaite: I asked that, Mr. Chairman, because it took this young lady about eight months, something like that, to get benefits under The Family Benefits Act. I am wondering is there any retroactive clause, or provision if there is a difference. She seems to feel there was a difference. She called me the other day and wanted to know whether there would be any possibility of getting some or any money. I do not know. I am just asking the Minister; is there any provision for retroactive payments? There is a big difference in her case.

Hon. Mr. Yaremko: I do not think there would be where the recipient was receiving municipal assistance. That programme would continue until the time we took over and then there would be a switch to our programme. If all members will bear in mind this very simple yardstick that the general welfare assistance is really more or less applicable to short-term cases. I know eight months may not be a short term, but they are usually people who are coming on and going off municipal rolls. Under The Family Benefits Act, once they come on, there is a likelihood that they are to be considered as those who will be on for an appreciable period of time until we are able to bring about a change of circumstances which will enable them to get off everybody's rolls.

Mr. Braithwaite: Mr. Chairman, I would like to ask the Minister if there is any provision in this particular vote for money in connection with old age homes. As I said, we have the Robert J. Smith home for the aged, we have Scarlett Woods residences for the aged. We have several in my particular riding. I am sure there are old age homes in all of the ridings. In many of these, we find the pensioners living sometimes a single person in a room; sometimes a couple. What they are particularly concerned about, Mr. Chairman, is that they might get sick, at night. This has been brought to my attention, quite often.

Hon. Mr. Yaremko: May I just make a suggestion? May we leave that until we come to the activity, residential care and services?

Mr. Braithwaite: All I want to ask, Mr. Chairman, is this—is there any provision for

money to pay for a full-time doctor, particularly in the evenings, or a nurse to be available in any home in the evenings? This is all I want to know. Are there any moneys available in this grant for that sort of thing? This is to pay the salary of a full-time doctor or a full-time nurse in off-hours at the Robert J. Smith and other homes for the aged.

Hon. Mr. Yaremko: Every home for the aged has a continuous medical facility available to them on a 24-hour basis. It is available at all times.

Mr. Braithwaite: It is available but is there any provision for these people, particularly a nurse, to live in at night-time? Medical help is available but quite often it is by phone. These medical people do not live in. That is the point I am asking about. It might cost a little more, but could there not be provision, particularly in the Robert J. Smith home in Rexdale for a resident doctor and nurse 24 hours?

Hon. Mr. Yaremko: In homes for the aged there is a nursing staff continuously on duty right within the home. They may or may not live in but they are available there continuously and one can walk into a home for the aged and see the type of nursing service available. Now if you are talking about medical services, that is doctors, I do not know of any specific resident doctors as such, but each home for the aged is required to provide medical assistance. The doctor who is retained by the home for the aged is to render whatever service is called for or else the home for the aged has at its disposal the opportunity of switching doctors to get one who will render the kind of service which is necessary for the servicing of the home.

Mr. Braithwaite: I am certainly glad to hear that, Mr. Chairman, because as I said this has been brought to my attention. I am speaking about the evening and early morning hours. This is a fear that the old people have – that something might happen – that they would not be able to get medical help or a nurse at night or in the early morning hours.

Now I have one last thing I wanted to talk about, Mr. Chairman. Perhaps the Minister might tell me if this is the proper time to bring it up. He talked about the services and the counselling available from his people to recipients of welfare. In particular, I want to bring up at this time, Mr. Chairman, the fact that in the Thistletown housing project in Rexdale—in my particular riding—we do have an experiment. This experiment is causing quite a lot of upset and dissension in the neighbourhood. I want to read, Mr. Chairman—

Mr. Chairman: Does this come under provincial allowances under this particular programme? We are dealing with the provincial allowances and benefits.

Mr. Braithwaite: This is what I wanted to ask the Minister—if this is the time for it. It is to do with the counselling provided by his people. If it is not the right vote, tell me.

Mr. Chairman: Well I think it probably should have come under vote 2001.

Hon. Mr. Yaremko: No, it would come under vote 2003—family service counselling.

Mr. Braithwaite: All right, that is fine. Thank you.

Mr. Chairman: Provincial allowance and benefits—the member for Sudbury East was trying to get the floor.

Mr. E. W. Martel (Sudbury East): Mr. Chairman, before I proceed I would ask the Minister; when was the last time the various allowances and benefits to recipients were reviewed and an increase made? Am I right in assuming that it has been two years since the levels have been raised?

Hon. Mr. Yaremko: Back in April of 1967.

Mr. Martel: Well, Mr. Chairman, through you to the Minister, I listened the other night when the Minister advised us that he had sufficient funds for his programmes. I really cannot buy that. I do not think anyone in this House including the Minister can either, because if we have not had a raise in two years and if the cost of living index has gone up six or seven points, and if rents have increased the way they have in the past two years, how can the Minister honestly say he has enough money to run his department when the people with the increased cost of living, the increased rental, just do not have enough? Does the Minister really—I would like to put it to him—does the Minister agree that the people are receiving a sufficient amount of money today to live properly?

Hon. Mr. Yaremko: Mr. Chairman, I am aware of the fact that the cost of living index has risen and this is a factor which should be taken into consideration in relationship to our review of the regulations setting out the various kind of allowances.

Mr. Martel: I am glad to hear the Minister make this statement but these people are hungry today, Mr. Chairman. These people are using much of their income to pay rent, money that is supposed to be allocated for food is being used to pay the rent and there is not enough. I would like to cite a case of a family of eight children. The father suffered a stroke and will never work again. These children in the past few years have got a little older and the cost of living has gone up. The amount of food that these people require is much greater and they are expected to live on the same amount today that they were living on two years ago with the increased cost of living. I ask the Minister how can we expect these people to live today, or how can we expect them to live with the tremendous rent increases last year and the budget staying the same? There has to be an immediate change, Mr. Chairman, and therefore, I cannot agree with what you said the other night, that you had an adequate amount of money for your department, because you do not.

The only reason you have it is that these people are starving, or they are going without new clothes, or they are going to the Salvation Army, that is where I had to send this woman and her family to. I had to send her to the Catholic Women's League in Sudbury because they do not have enough money, Mr. Chairman. This situation has got to change and it has got to change now. I would like the Minister's reaction—some kind of indication—as to when we can expect a complete review and when we can expect a raise in the amount that the recipients are receiving at the present time to meet the cost of living today.

Hon. Mr. Yaremko: I have told the hon. member that the matter is under review.

Mr. Martel: They cannot eat review, Mr. Chairman. Unfortunately they cannot eat that. I have heard more about reviews in the last—

An hon. member: Not many calories in that review.

Mr. Martel: Yes, as my colleague says, there are not very many calories in that review. This is not sufficient, Mr. Chairman. These people are hungry; they are using their food allowance for rent. How can the Minister sit there and say it is going to be reviewed, it is under consideration, and all this nonsense, when the Minister has not got enough money and is not asking the Treasury Board for more money until next year?

This is why, of course, the Minister did not want to advise the House that his department took a slashing in the $400 million that was cut according to the Treasurer (Mr. MacNaughton). It is easy to have enough if you leave the people on the same amount year after year regardless of what is going on. If we go back two years, we are in dire trouble as these people are, but it is all under review and it is nice to know. I am sure it is going to be very comforting to the people to know that it is under review. It is a very comforting factor to those people who keep tightening up the belt one more notch, Mr. Chairman, as they try to cut off the pangs of hunger.

Hon. Mr. Yaremko: I have indicated, of course, Mr. Chairman, time and time again, that there is available at the municipal level this $20 supplement. If, in the meantime, the circumstances of the family have changed to that degree they turn to the municipality for the supplement and we will then in turn subsidize—this province will subsidize to the amount of 80 per cent, but, apart from that being presently available—and available for the past period—we are cognizant of the fact that there is an increase in the cost of living and that these allowances should come under review. I think it is meet and proper that it be done.

Mr. Martel: Then I must agree with the two members that spoke ahead of me—they do not know, they do no know it is available, and I am not sure then, that all of your staff is aware that this additional assistance is available.

I would like to ask the Minister if there is a maximum allowable, regardless of the number of children in a family. In other words, is there some cut-off point that if you have X number of children, let us say beyond eight, that you still receive the same amount as though you only had eight children?

Hon. Mr. Yaremko: The maximum is $300 plus $10 for every beneficiary over four.

Mr. Martel: One last point which relates to something the Minister said earlier about the number of people who are going to get into government housing. Is it a fact that there is a rule of thumb which says that 10 per cent is the cut-off point for recipients who will be allowed into government housing? Did I make myself clear?

Hon. Mr. Yaremko: I know of no such rule or regulation. That would have to be answered by the Minister of Trade and Development.

I think there is, or has gone into practice the fact that you do not group everybody in the same category together. You try to get the beneficiaries of various benefit allowances into the community as a whole, the philosophy is changing.

Rather than having everybody living in one area and the various problems highlighted that arise out of those circumstances, to have them taken into the community as a whole.

I think that the efforts of the hon. Minister of Trade and Development in this regard are directed to getting everybody into the metropolitan area as a whole, so that they become part of the community. I think myself that there is a very healthy attitude to this. Whether this has brought in some rule of thumb such as that, I do not know.

Mr. Chairman: The hon. member for Windsor-Walkerville is trying to get the floor.

Mr. B. Newman: Earlier in the debates I had made mention of transportation allowances to general recipients, and I likewise made mention of allowances to senior citizens. Now, the Minister commented that in the city of Toronto they were discussing with the TTC some type of scheme that may, well, will you clarify exactly what—

Hon. Mr. Yaremko: We have been in communication with the Metro welfare office.

Mr. B. Newman: May I suggest to the Minister then that he likewise be in communication then, with the welfare offices in other municipalities throughout the length and breadth of Ontario, so that they, likewise, may benefit by anything that may finally be arrived at in the city of Toronto, because the transportation needs of the senior citizens are the same in practically all of the metro areas, throughout the length and breadth of Ontario.

I know in my own community, the senior citizens have been pressing for years now for transportation allowances, or reduced fares, or some method by which they could use the local transportation system. To date, they have not been successful. I have made a series of suggestions concerning this. That was, subsidies by your department, the consideration of the use of school buses that were not being used at certain hours of the day that could, facilitate the transportation of senior citizens. But we have got to come along, Mr. Chairman, and provide some type of assistance to senior citizens in this respect, in addition to taking care of our other citizens.

This time, I am specifically mentioning the senior citizen aspect of it. I hope the Minister will consider my suggestion that welfare officers in centres other than Toronto also will make contacts in an attempt to obtain some transportation relief for the senior citizen.

One of the comments that I seem to hear throughout the discussion this afternoon is the lack of communication between the field worker and the recipient of some type of benefits from this department. I doubt if anyone in my community knows this $20 that would be available to the person receiving social and family services benefits.

I think the field worker should make it specifically known to individuals—just as he would make known to them an appeal board —that there is this $20 that is available per adult, this extra $20 from the municipality. Many individuals on social and family services benefits would take advantage of this if this were known to them.

May I ask the Minister at this point, why is there a three-month waiting period before an individual can receive mother's allowance?

Hon. Mr. Yaremko: Generally, there is no such period. There is in certain specific situations.

Mr. B. Newman: This was one of the points that was brought out at a meeting we had with the ladies receiving benefits. And why the three-month waiting period for anyone applying for mother's allowance—they seemed to think it was general. I am glad to hear the Minister assure us that it is not, and I would hope there would be no waiting period whatsoever. Need should be the prime judge as to whether the individual should be receiving mother's allowance, or any type of social and family service benefits.

Will the Minister clarify this now that he has consulted with his staff?

Hon. Mr. Yaremko: As I said, there are certain specific situations. I think in the question of desertion there is a three-month waiting period before the mother will be taken on family benefits. But of course she has available to her, in the interval, the application of General Welfare Assistance. We have to have some period of time in which to determine whether this is an out and out desertion or what the circumstances are. I think that is the reasoning behind that.

Then the question of the unmarried mother with a three-month baby. There is a period of time in which the decision would be made with respect to what will occur in that particular family—whether the child will stay with the mother, or whether the child will not stay with the mother. The Family Benefits Act will depend on the results of those circumstances.

Mr. B. Newman: I am right, then, in stating that there is no three-month waiting period, that you attempt to expedite the individual cases as quickly as possible, under the circumstances?

Hon. Mr. Yaremko: Other than in these specific situations that I have outlined.

Mr. B. Newman: I am glad to hear that. Mr. Chairman, if I may ask of the Minister, why are the heat allowances cut off on March 31?

Hon. Mr. Yaremko: Actually, the heat allowances are not cut off at the end of March. We have built in to the programme an allowance for heat. We estimate the amount of money for heat, and then that amount is sent out over a period of seven months in order to have the amounts spread over an equal time. The recipient is advised.

Mrs. M. Renwick (Scarborough Centre): What happens when you are cold in the eighth month? Last May was cold!

Hon. Mr. Yaremko: The recipient is advised and I have a copy of the letter which is sent out. They say, and this is a sample letter which I asked for:

> In view of your budgetary requirements, we are permitted to provide you with a monthly allowance of $290.30 effective November 1, 1968. This amount includes a fuel allowance of $20.30 which you will receive during the winter months, September to March inclusive.

Mr. B. Newman: Well it is cut off, Mr. Chairman.

Hon. Mr. Yaremko: No, it is not cut off. I have asked that this letter be reconsidered in the light of saying:

> In view of your budgetary requirements we are permitted to provide you with a monthly allowance of $270, effective November 1, 1968. This amount will be increased from the months of September to March by an allowance of $20.30 for fuel.

I am assured by the feed-back of the social workers that the kind of letter that is sent out is more readily understood by more of the recipients than the kind of a letter that I have suggested. So until I am convinced otherwise, this is the letter which goes out to the recipients, where they know that there is an allowance of seven times $20.30, which will be paid to them during those months, and they must budget accordingly.

Mr. B. Newman: Mr. Chairman, this is just the point I am trying to make. You tell them that from September to March they are going to get $20 a month heat allowance. The Minister does not turn the heat off in his home on March 31.

Hon. Mr. Yaremko: I do not turn it on in September, either.

Mr. B. Newman: So the Minister is not being realistic at all.

Hon. Mr. Yaremko: The hon. member is suggesting that perhaps what we should do is instead of making $20.30 payable over seven months, we should reduce the amount, say, to $15 and pay it over eight months, or reduce it further and—

Mr. B. Newman: I am not suggesting it at all. I am suggesting that you pick up the fuel bill. If they have a sick member in the family and have to have to keep the home at a few degrees higher than you and I would normally keep it, you are penalizing them. You are likewise coming along and, as of March 31, you are cutting them right off, according to your letter.

This is one of the complaints, as I had said earlier, these ladies make mention of. If you are wrong, let us straighten that out with them and let it be known by the individual receiving social and family services benefits that they are not going to be cut off on March 31.

You will say that you do not want to cut it off, but you only provide them with funds to accommodate them to that period of time, and that seven months at $20 a month, $140 they are pretty lucky. Mr. Chairman, the hon. Minister is lucky if he can heat a home for $140 a month. You have to be living in a one-room home, probably with six inches of insulation on all six sides, to be able to heat it for $140 a month at the price of fuel today.

So, Mr. Chairman, the Minister's $140 is not realistic at all.

Hon. Mr. Yaremko: I may say, just for the hon. member's information, that if there is a sick person in the home there is a provision that the fuel allowance may be increased by 20 per cent. We do have that flexibility and the amount—

Mr. B. Newman: Is that 20 per cent for the whole period or is it for the month?

Hon. Mr. Yaremko: For the whole period, up to 20 per cent for the whole period. The amounts are not as the hon. member calculated, but they are $203 in southern Ontario and $275 in northern Ontario. The payments in northern Ontario are spread over from August to April; they are spread over nine months. It is just a question of, administratively, to take a figure for fuel allowance and then distributing it over an equal period of time. Now I may say that to send a fuel allowance, say, in July or in a 12-month period would not be feasible because it is human nature; you get the money, you are going to spend it. I think that all of us are subject to that kind of situation.

Mr. B. Newman: Mr. Chairman, when I made mention of $140, I was using your figures because you said $20 a month for seven months.

Hon. Mr. Yaremko: This was an example. You use a six-room home, I take it, as an example.

Mr. B. Newman: I am not using—

Hon. Mr. Yaremko: The amounts are not rigid. They are flexible depending upon the size of the accommodation and the kind of accommodation.

Mr. B. Newman: I was not using any six-room home or any size of a home. I was simply using the fact that you made mention of seven months at $20 a month, so I said $140, which is completely unrealistic.

Hon. Mr. Yaremko: In this—

Mr. B. Newman: Your new figures, Mr. Chairman—

Hon. Mr. Yaremko: In this specific instance—

Mr. B. Newman: New figures, Mr. Chairman, that you made mention of later on are a little more realistic. I do not know how realistic they are in all instances because, generally, the individual receiving social and family service benefits does not have the type of accommodation that you and I have. It is not as well insulated; their home may be smaller than yours and mine, but their fuel bills could be in a lot of instances higher than yours and mine.

Mr. Chairman: Has the hon. Minister any further comments to the hon. member for Windsor-Walkerville?

The hon. member for Ottawa Centre has been trying to get the floor.

Mr. H. MacKenzie (Ottawa Centre): Mr. Chairman, I have recently had a letter from a constituent of mine who complains that she is doing some part-time work. Because of this, she is losing her allowances from the department and she seems to think unjustly so. She said some things about the department's field workers which are hardly complimentary but I think I will take that up with the department first and check it out.

As a matter of interest I worked out just what the situation would be if a person did work part-time. I assumed that, in this case, the allowance would be $300 a month normally; it would be a mother with three children, which is the case I speak of. If she earns $100 a month, she is allowed to earn, according to the Minister's figures $60 a month, which means that she is earning $40 over the allowance and we will reduce that $40 by 75 per cent, which is $30. The next thing we have to look to is the cost of earning this $100 a month on part-time work. I have assumed that her transportation would be $10 a month; I believe it is realistic. I am assuming that her clothes and noon-hour help for her children would amount to $20 a month, which I think is realistic when you think of the clothes that a woman has to wear to work as compared to what she can wear around the house. A total cost of $30 a month to earn this $100 a month.

If we go back to her allowance of $300 a month, we deduct the 75 per cent of the $40 over her allowance, we arrive at $270; less her expenses of earning $100 at $30, making $240, plus her net earnings of $70, we find that she has for her own use, $310 a month. Now she started off with an allowance of $300 a month. She ends up, after she gets through all this, having $310 a month. This is for part-time working to the tune of $100 a month.

If you take the same basis and assume a mother with three children is working full-time and earning $200 a month, go through your $60 and 75 per cent reduction; assuming the same cost—transportation, $10 a month and clothes and noon-hour help to look after the children, that sort of thing, $20 a month,

for a total of $30. I will go back again and start at her allowance of $300 a month less the 75 per cent amounting to $105. Working this through, you find out that she is going to have available $335 a month. Now $335 a month for working full-time—she had given up her home, given up looking after her children except in the evenings, whereas her allowance originally was $300 a month.

Mr. Chairman, I ask the Minister if he thinks this is a proper assistance programme when a mother has two choices—not work and draw an allowance of $300 a month or work full-time and draw $335 a month? I am inclined to think that it is a complete destruction of incentive and I would hope that the Minister would give us some assurance that he is going to pursue this a little further and try to devise incentive programmes for these people.

Hon. Mr. Yaremko: Mr. Chairman, I want to suggest to the hon. member for Ottawa Centre that he enlist support from the hon. member for Hamilton West (Mrs. Pritchard) with whom I have had discussion in the last couple of years about the fact that, with the working mother above all, the income tax provisions should have some understanding for the fact that a mother, in order to earn income, must make certain expenditures, just as a businessman going to earn a profit has to incur certain expenses. To receive an income, in this one particular instance of the working mother, is where the incentive should come. The incentive – we cannot build those kind of incentives into our programme—

An hon. member: Why not?

Hon. Mr. Yaremko: Because the income tax is a general programme and I think it should be made available in this instance to everybody. If the woman wishes to work and incurs certain expenditures, transportation or related, it may be even in some cases that a specific type of clothing could be a special kind of exemption. I think that in the long run this is where the solution lies.

Mr. MacKenzie: Mr. Chairman, I think the—

Hon. Mr. Yaremko: Of course, this mother, when she is on our welfare programme, would pay no income tax if she goes out and earns income then she is subject to the payment of income tax. I think that this combination is completely wrong.

Mr. MacKenzie: Mr. Chairman, I think the Minister has stated this point well. I think it is a very sound point of view. I hardly think, though, Mr. Chairman, that the part-time worker, the mother earning $100 a month, is going to pay income tax, so the income tax department cannot affect this category that I speak of. I spoke of a mother earning $100 a month; her allowance is maybe $300 a month and she ends up with $310 a month. It is conceivable, Mr. Chairman, that if the field workers would look a little more closely at the net earnings of these people rather than their gross earnings, I am just wondering if perhaps the Minister can find some area in there where he can alleviate the situation just a little bit?

Hon. Mr. Yaremko: I misunderstood the hon. member. I was thinking of the terms of rehabilitation where you get to a situation where a person becomes completely self-supporting by working. When you touch upon the area you have, we are right back to the incentives and initiative that was discussed by the leader of the Opposition and myself. Supplementing incomes; this is a much more complex area. I think in the total structure of things, to enable the women to become completely self-supporting the income tax provisions will be a very important factor in that.

Interjections by hon. members.

Hon. Mr. Yaremko: No, I explained to the hon. member that when it comes to supplementing, he is quite correct. I was thinking of an instance where it is a choice of being on welfare or getting a total income.

Mr. MacKenzie: I suppose, Mr. Chairman—

Hon. Mr. Yaremko: I have already explained to the leader of the Opposition and the member for Windsor-Walkerville what we were doing.

Mr. MacKenzie: I suppose, Mr. Chairman, the point I am trying to zero in on is the case of a mother with three children who works part-time and earns $100 a month and still ends up on the end of the month with only $10 more than she would normally get under allowances.

Hon. Mr. Yaremko: I am sorry, the figures which the hon. member was using were directed to my attention. Of the $100 additional income earned under those circumstances, I am advised that $70 would be exempt.

Mr. MacKenzie: That is quite correct, sir, and these are the figures I used—the $70. As you work through it—and I would be happy to work the mathematics through with the

Minister—a mother earning $100 a month will come out with $10 more at the end of the month, after you deduct these expenses. There does not seem to be much incentive there.

Mr. Chairman: The hon. member for Sandwich-Riverside has been trying to speak.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, to follow up this point about the working mother. At this meeting to which the member for Windsor-Walkerville (Mr. B. Newman) referred, there was one widow present who had never applied for any assistance. She had brought up her children, six, I believe it was, without any help. They are by now teen-agers and she has expressed doubts whether she has done the right thing.

I wonder whether the Minister has any policy? Is the widowed mother's place in the home and should she, as a duty, refuse employment? Or should she, despite the fact that one parent has already been lost to the family, deprive the children of a good part of the other parent's time, in order to retain some contact with society—or, to put it another way, in order to retain a certain amount of her dignity. Has the department any philosophy on this matter?

Hon. Mr. Yaremko: Yes, the philosophy is that each case has to be examined and the best practical solution for that individual situation be reached. The theory the member has propounded has been propounded by former members of his party. It is a barefoot theory which, of course, I never subscribe to at any time myself.

It depends upon the individual circumstances, what is best for the family unit when you have a situation of the mother with the sick child which was referred to by one of the hon. members. It is what is best for the family unit—and I invariably take the position myself, it is what is best for the children.

Mr. Burr: Returning to this matter of the three-month delay, which many people assume exists. I should like to outline briefly a case and then ask some questions relevant to it.

About April 1 last year, a lady whom we shall call Mrs. Smith lost her husband through an accident. By the time she recovered from the shock, she applied in June for help on the mother's allowance. She was told at that time it would be September 1 before any help would come through.

This was three months, June, July, August. There is the three-month theory cropping up again. And all these ladies at the meeting we held were under the impression that there was a three-month period. Mrs. Smith's husband was killed in an accident. There is no question of desertion, no problems of any kind that would require a delay.

It was not until March 20 or thereabouts that this lady got in touch with me when she was down to her last $7. Although she had some money coming from the Canada Pension widow's allowance, it was not due until the end of the month, so she had $7 to carry her through the remaining ten days of March.

I got in touch with this department immediately and perhaps the same day or the day after they called back and said that this pension would begin as of March 1 and that a cheque would go out. This meant that Mr. Smith was killed at the beginning of April, 1968, and the family benefit began on March 1, 1969, almost 11 months.

When I told the Social and Family Services worker a few of the details and hardships, such as the number of her children, the $4 a week bus fare for some of the children to go to school, the $100 mortgage and several other details that I do not wish to mention because they might give away the identity of Mrs. Smith, the department reconsidered and after about a week, I believe, called me to say that the benefit would be retrocative to December 1.

December, January, February, that was a three-month extension. It was explained to me, as I understood it, that this was the maximum amount of retroactivity permissible by the law or the regulations.

So we now have Mrs. Smith receiving the family benefit starting almost eight months after her husband's death. And the only excuse I have been able to get so far from the department is that some paper or other had not been completed. Now, Mrs. Smith was visited and telephoned on about five different occasions after her application and each time she thought that the matter was settled and that she would be receiving her cheque.

There was one other suggested reason, that Mrs. Smith had some money left over after the funeral from a small insurance policy. But without reviewing her financial affairs, I can assure you that the debts that she had to incur far exceeded any residue from this small insurance policy that was left after the funeral.

Now, one of my points is, Mr. Chairman, why could not an applicant for family bene-

fits or mother's allowance, whatever it should be called, receive a certain payment, perhaps two-thirds or three-quarters or maybe the amount that she would get under some welfare payment, within the month of her application? Adjustments be made retroactive to the time of the application when it was finally processed and approved. Why could that not be done?

The hardships endured by Mrs. Smith in providing food and shelter for her family have certainly made me aware of this shortcoming of the procedure. I wish I could give you the various unhappy details of what this family went through in those eight months.

This was a lady who did not want to have anything to do with welfare. She had her pride, she had her dignity, and she held out as long as she possibly could until she was down to $7 with ten days to go. My one question is, why could this payment not be made temporary and adjustments made later; and secondly, why cannot it be made retroactive, if not to the time of the death of the husband, at least to the time of her application?

Hon. Mr. Yaremko: Mr. Chairman, in respect of the first question, of course there is always the problem of assuring that there will be eligibility under the programme. We are always confronted with that aspect. The only alternative would be to grant to everybody who applies, and when somebody turns out not to be eligible to charge that as an administrative item. I do not know what would be involved in terms of dollars and cents in this regard.

With respect to the retroactivity under the circumstances, I would really appreciate it if the hon. member would give me the specific case later on, privately. I will check into it. Again I would say, we would use the case, not at this stage to try and cure anything, but to see what we can learn from it in order to apply our learning to other cases which may be arising in the future.

Mr. Burr: Thank you. I think I have a few points left over from this meeting that the member for Windsor-Walkerville referred to. He covered most of the difficulties.

One aspect, however, had to do with inspectors or field workers. I think the ladies called them inspectors because there was a certain amount of, not hostility, but a certain amount of annoyance at some of the activities of what I will call the inspectors. The fact that they would come in and open the refrigerator; ask how much was in the purse; and want to see the bank book gave the ladies the impression that some of the inspectors got a kick out of investigating, out of their position of—

An hon. member: Power!

Mr. Burr: Power, I suppose is the word, thank you for the suggestion. They gave various examples. One man made a special rural trip just to ask one widow whether she had got her basic shelter rebate, a matter that he could have checked out either by phone or by letter. It would have taken a couple of days but he made this—

An hon. member: He made some mileage out of it.

Mr. Burr: —this hour's trip or this two hours' trip. My cynical friend here suggests that he may get some mileage for doing so. I was aware of that possibility, too, and I think the widow was aware of the possibility.

Another one had a call, a man came back to enquire about a $1 item that he had forgotten to ask about previously.

Why must the inspectors keep checking on the bank accounts? Is not the cost that is involved in this constant checking more than overbalanced by the futility of it? Suppose a widow did receive a windfall and became ineligible, could there not be an annual application form that had to be filled out that would permit any of these windfalls to come to light? It seems to me that the cost of this constant supervision far outweighs any slight saving in overpayment. Perhaps the Minister would comment on that.

Hon. Mr. Yaremko. The hon. member calls them inspectors. I think we should call them counsellors, because that is what I think they should be. They have to, of course, elicit information, first of all, to determine eligibility. One of the terms of the Canada Assistance Plan is that we do become aware of their assets, and I am very fully aware of the very painful situation which arises where somebody does obtain additional income, does not disclose it in due course, and subsequently that fact emerges. Then a very painful situation for both parties emerges as we attempt to make the reductions, or repayment, in order to carry out the regulations.

As I say, my attitude is whether they all are or not, it is a matter in the whole field of everybody trying to do their best job, but I prefer them to be counsellors, trying to carry out their job with the greatest of understanding and sympathy for the circumstances

in which the particular person who is turning for help finds himself.

Mr. Burr: This is exactly what some of the ladies were asking for. They would appreciate more counselling and less of this supervision. They felt also, I think—I am not sure whether the member for Windsor-Walkerville went into this—that they would appreciate some little handbook that would give them a clear picture of what they were entitled to do, what emergency measures are open to them.

If this information about what I shall call windfalls, if the procedure to be followed in the event of some windfall were in this little manual, then the danger, if it is a danger, of some overpayment that has to be painfully recovered later would be, if not obviated, at least greatly reduced.

In the matter of emergency, I am not quite sure whether I caught the explanation of the Minister. What happens to a recipient of a mother's allowance when some emergency such as plumbing, or sewers, or leaking roof —something that costs $100 or $200—something of this kind, happens? How is that dealt with? Is that dealt with through the welfare or through the mother allowance branch?

Hon. Mr. Yaremko: It comes under the shelter allowance provisions. Into the shelter allowance are built all of these requirements. Shelter not only covers rent, it covers mortgage, both the principal and interest payments, and repairs, and kindred items.

Mr. Burr: Well, then, it would be covered by your field worker or your inspector. Does the dental allowance extend to children over 16, if they are still at school?

Hon. Mr. Yaremko: Yes, it does.

Mr. Burr: Well, there were some other details, but I shall ask just one more question on this. One of the widows complained that her husband was dying of an injury which might be compensated for later by the Workmen's Compensation Board, and she wanted to have a lawyer to work on this case. But legal aid was refused, presumably because she had $250 cash in the bank.

Now $250 cash in the bank of a woman whose husband is dying is nothing. Was legal aid refused because a lawyer was not necessary for a Workmen's Compensation Board case, or what would be the explanation there?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Chairman, in view of the hour and the private member's hour coming, I move the committee rise and report.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

THE WORKMEN'S COMPENSATION ACT

Mr. D. Jackson (Timiskaming) moves second reading of Bill 51, An Act to amend The Workmen's Compensation Act.

Mr. Jackson: Mr. Speaker, I hope you forgive me and if I go through this debate, I heat up a little bit and my temper seems to be getting the best of me. It is something I feel very serious about, something that has bothered me, and it has bothered members of my party, and I am quite sure the Opposition party for quite a while. I have serious reservations about the Tory party.

Mr. Speaker, The Workmen's Compensation Act was supposed to be model legislation. My idea of a model legislation was to be ideal legislation. However, maybe at one time it was model legislation but over the last years it has become an extremely poor example of even poor legislation.

Even when Mr. McGillivray wrote his report, he did not use our legislation and upgrade it. He used legislation of other provinces as an example to compare our legislation and tried to work out a system that would be the same across the provinces. What he failed to take into consideration, Mr. Speaker, was the fact that most of the other provinces model their legislation on the basis of Ontario legislation. So they take out a few things; now we go back and we take out a few more. Ontario, instead of progressing is regressing and going backwards into the 18th century, farther than they have before.

Under The Workmen's Compensation Act, the worker gives up his right to sue. Under civil law and the right to sue, he would have some chance of receiving a reasonable income under temporary, partial disability. However, under The Workmen's Compensation Act,

the situation arises where he can be cut to 50 per cent or 25 per cent of his income—or should I say 25 per cent of 75 per cent of his income—so that he receives an income that is totally insufficient to meet his needs.

Mr. Speaker temporary, partial disability can be of many different types. It can be a broken finger it can be strains, sprains, many different things. But the most common—and the one I think we run into most in our work here—is spinal injuries. The most serious thing is spinal injuries. Next are bad fractures—broken legs, broken arms that refuse to heal.

Mr. Speaker, this type of injury is most common—not amongst the higher learned person who sits behind a desk or who carries out a very, very simple task. It is most prevalent amongst miners who work hard underground. It is most prevalent amongst construction workers and amongst bush workers who have a high heavy work content.

These people, Mr. Speaker, have low education levels. Most of them have, at the very most, Grade 8. I would venture to say that many of the miners do not have grade eight because they were immigrants. They came to this country with low education from the old country and they find themselves going into the mines without an education level that is sufficient—and in many cases, without the ability to speak English to a sufficient level.

Well, Mr. Speaker, I would just like to read an article here. It is by Dr. A. W. White and his qualifications are quite impressive—MB, BSc., FRCS (Canada) FRCS (Edinburgh). He says:

> Low back pain caused by or precipitated by industrial accidents, often minor and not otherwise noticed, accounts annually for about 12,000 claims accepted by the Workmen's Compensation Board, Ontario.

Well, Mr. Speaker, it says "accepted by the workmen's compensation board" and I think most of the Opposition agree that there are many, many that are not accepted by the workmen's compensation board. He goes on to say:

> Only about 10 per cent are disabled longer than six weeks, but in these the disability is likely to be very prolonged, and in spite of treatment by orthodox methods during this time and often for a much longer time, a disabling degree of pain tends to continue, with little or no improvement.

Mr. Speaker, the workmen's compensation board does not accept pain as a compensable injury. They claim that they are only responsible for that part of the injury that actually has physically disabled or physically incapacitated workers.

It is my contention, Mr. Speaker, and the contention of Dr. White, that a degree of pain can be disabling—that it can be of such intensity that a man is physically incapable of working.

I would like to go on, Mr. Speaker, and just read parts of a letter I have here. It is a letter from a lawyer to the compensation board and it says:

> Mr. B. advises us that his employer was unable to provide him with suitable work, and that medical reports purport to show that he is no longer totally disabled. Mr. B. assures us, however, that he has not yet recovered from his injuries.
>
> Considering the type of work for which Mr. B. is qualified, the writer suggests that he is totally disabled. Due to his qualifications, Mr. B. has been unable to find himself a secondary type of employment. Your assistance in this respect would be greatly appreciated.

Mr. Speaker, that letter was written on October 2, 1967. That man today is still not working. His doctor claims that, because of lack of sleep due to pain, because of the actual pain which prevents him from sitting more than 15 or 20 minutes, which prevents him from standing in one spot for more than 15 or 20 minutes—because of that pain he is totally disabled.

However, the compensation board claims he is 25 per cent disabled and they pay on that level. The man, receives $78 a month. He has three children to support. Now, Mr. Speaker, the level of income for that man is a starvation level. He has one choice and one choice only—to go on public welfare.

It is my contention, Mr. Speaker, that the workmen's compensation board is obliged to supply to him 100 per cent total compensation payments until he is ready to go back to work. As Dr. White says: "A disabling degree of pain tends to continue, with little or no improvement."

Mr. Speaker, that degree of pain can be so intense that a man is physically incapable of doing any type of work. However, that is not the contention of the workmen's compensation board. I have here a letter from the workmen's compensation board concerning the same case:

> According to medical evidence, Mr. B. is still disabled because of the injuries

resulting from the accident, but he is able to perform modified work.

It may be that his employer has no suitable work for him and he is unable to find suitable work on his own. This, of course, would be an employment problem over which we have no jurisdiction.

This might be true, Mr. Speaker—that they are not responsible for supplying a man with a job. But prior to his accident this man was working every day. It is beyond my grasp how the compensation board can accept 25 per cent responsibility when this man worked every day without missing a day's work up until the day of the accident. From that day on he has not worked one day.

To go on, Mr. Speaker, with another letter on the same case:

Mr. B. is only partially disabled because of his accident and there is no reason why he cannot perform modified work.

Well, anyone who is familiar with the employment situation in the province of Ontario and in the Dominion of Canada must realize that there just are not jobs available in modified work fields for a man who has no education above Grade 8 at the very most. For a man who has never done anything but heavy manual labour, there just are no job opportunities.

In another letter, Mr. Speaker, from the board to the same gentleman, it says he was discharged on that day with the suggestion that he receive a brace and physiotherapy. While he was in the hospital he did receive full compensation benefits. However, upon review of reports following discharge, payments again revert to that of temporary partial 50 per cent disability. He has been cut to 50 per cent since then. Mr. Speaker, how can a man be in the hospital and, on the day of his discharge, he is cut to 50 per cent; he is ready to go back to work. I just cannot comprehend it.

From the report of the board in 1967, 4,490 were admitted to the rehabilitation centre on the basis of temporary partial disability; 2,582 were discharged as available for work, but what is lacking in the report is how many were able to find work. I think that if I were to gather up all of the compensation cases from this group in this House tonight, I would find that less than 20 per cent of them found work, because we have the cases from the other 80 per cent that were unable to find work of a modified nature.

The report goes on to say that 676 were referred for field service. I have had a lot to do with the field service. The rehabilitation officer calls a man in; he talks to him for a little while; suggests that he go out and register with Canada Manpower; says that he should get out and look for work. That is the end of the rehabilitation and the field service. He is told that he has to work; he goes to the welfare officer, the welfare officer says well, if you are getting workmen's compensation, we cannot help you. When he does get help, he has to sign over his compensation payments for several months, that if he does receive anything extra he has to pay it back.

I suggest that it is not a case of whether a man is physically fit to perform modified work. It is a case that because of his accident, and directly because of his accident, he is physically incapable of doing the job that he was on. Because of his low level of education and his physical condition, he is physically incapable of performing any job and his compensation benefits should be maintained at the 100 per cent level, until at least work is found for that man. I could go farther than that, Mr. Speaker; I could say until work is found, until suitable work is found for that man and until he actually goes back to work and is able to earn a reasonable living allowance.

Should he not be able to earn that reasonable living allowance, the compensation board should make it up. It is in the Act that they supposedly do, and I can show you from my own records that they do not in many cases. Before his accident he was earning a living and providing for himself. After his accident, he is getting 25 per cent depending on public welfare to make up the difference. This brings in something else; that for allowing this, by allowing public welfare to pick up the bill for the compensation board, we are shifting the burden from the companies that should be paying the cost to the public purse, an area which should not support the cost of compensation.

I stood in this House about two weeks ago and spoke on a resolution from the Liberal Party. I was against it because I said that the company should not pay the public's bills. But here is a situation where general welfare picks up the bill for the workmen's compensation board and I say to you that it has done so for far, far too long and should be changed. It is all too easy for an employer, who does not want a man and does not want to subsidize his wages by putting him on light work and keeping his wages coming, to say there

is no work available and throw it back to the compensation board. It is all too easy for the compensation board to say 'it is not our responsibility; we are only responsible for the amount of physical incapacity the man has'; and throw it off on the public purse so that you and I pick up the bills rather than the corporations who are directly responsible for compensating that man for his injuries received.

Mr. Speaker, in winding up, I can only say that a serious injustice is being done to the man on compensation and a serious injustice is being done to the general public by making us pick up the bills. I say that it is time that the Acts were changed so that the companies would be responsible for providing for that man until he is rehabilitated and able to go back to work and earn a decent living so that he can provide for his family as any working man wants to do.

Mr. L. C. Henderson (Lambton): Mr. Speaker, once again the hon. members from the side opposite have taken up the torch and risen to the aid of just about everything. They sing a sad song, a tired song, a song built by the NDP, moulded by them to further pull the wool over the eyes of the honest people of this province.

I am sure that the people of this province are getting as tired as I am of hearing that sad old song, a sickening ditty. Here we have in front of us the answers to all the ills, the righting of all the evils; self-appointed experts in all the fields who, by virtue of the fact that they are NDP, see more, know more, and do more than any other people on this earth. This demand as is being called for in Bill 51, is not new. It is in fact older than the hills and I wonder if not much older than the NDP.

The demand for this type of compensation for temporary partial disability and for temporary total disability has been before every commissioner—not only in this province but in the whole of Canada—every commissioner, Mr. Speaker, who has ever had to consider workmen's compensation legislation.

As a result of studies into the area, many reports have been made and each report has contained a lengthy review of the principle which all agree precludes awarding full compensation throughout to the temporarily partially disabled workers.

The very same issue was again studied by the Hon. Mr. Justice McGillivray who published his report of the Royal commission in the matter of Workmen's Compensation Act in 1967, and who, after intensive research and study, had to come to the conclusion that in view of the facts before him, he was not prepared to make any recommendation for any change in section 41 of The Workmen's Compensation Act.

Yet the hon. member for Timiskaming (Mr. Jackson) wants us to believe that he is more capable and as a result of his research we should jump at the chance to change this Act which has been functioning extremely well all this time.

To this I can only say, that will be the dark day.

At the present time, Mr. Speaker, many, though not all, injured workmen are compensated for some time following an accident upon a total disability basis. When at a later date the attending physician or other medical authority certifies the workman as partially recovered and fit to do light work, it is the general practice of the board to reduce full compensation payments by about 50 per cent. In a certain number of cases compensation payments may be reduced by 25 per cent. The 50 per cent figure is adopted and continued in most cases to avoid the necessity of varying the award from time to time according to whether the disability was, let us say, 60 per cent, or 70 per cent, or 10 per cent.

This practice is considered to be a rough compliance with the terms of the section which restricts compensation to 75 per cent of the difference between what a man was earning and what he earns or is physically capable of earning.

Now, Mr. Speaker, this provision has been cause for some concern. And I do not argue that it has not been. There are instances where men are not or were not able to find partial employment and, as a consequence, must seek help under the unemployment insurance scheme or, in some cases, from local sources.

In some industries, particularly the larger ones where there is a large variety of jobs, it is possible to put the men in the category I have mentioned to work. However, we do find that if a man is re-employed with no wage loss, and the employer indicates a loss in the value of services, temporary partial disability payments based on value of services are paid to the employer.

So we must assume that there is at least an incentive for industry to rehire these unfortunate people.

Still, I do not doubt, Mr. Speaker, that there are some unable to find the work necessary to supplement the compensation payments.

To reach some answers, however, all one has to do is to go back to the principle of the existing Act. And that principle is that every workman must receive, at the expense of the employer, compensation for the degree of disability suffered.

However, bear in mind the warning given by Mr. Justice McGillivray:

> The concept cannot be stretched to require an employer to insure that every injured employee will find re-employment.

And that is exactly what the hon. member for Timiskaming would have us do—go contrary to all beliefs and principles. I wonder if he possibly has some personal friend in mind.

No, Mr. Speaker, I cannot and will not support this bill. I want a clear conscience—I want to be able to sleep tonight. And I am sure that no member of my government would consider supporting such an abortive motion.

Mr. Speaker: The hon. member for Timiskaming has a point of order.

Mr. Jackson: Mr. Speaker, I feel that every man in the province of Ontario is my personal friend.

Mr. Speaker: The hon. member has no point of order. The hon. member for Lambton will continue.

Mr. Henderson: Thank you, Mr. Speaker.

Mr. D. C. MacDonald (York South): Is it in order that the hon. member get up and cast motives and suggest that what the hon. member for Timiskaming has said is to the benefit of personal friends?

Mr. Speaker: I do not take that meaning out of that. I think that the hon. member has stated as he read that the hon. member may be acting for a personal friend, and if that is so, that is his right and privilege and certainly not imputing any motive.

I would hope that every member of this House would act for their constituents, their personal friends, and for the people of Ontario in the best possible manner, and that would be my view of what the hon. member for Timiskaming has said and my view of what the hon. member for Lambton has said.

Mr. Henderson: Thank you, Mr. Speaker. I can only state that the hon. member did not mention any particular names; which is the reason why I brought it to light.

I must repeat myself, Mr. Speaker: I cannot and will not support this bill. I want a clear conscience. I want to sleep tonight, and I am sure that no member of my government would consider supporting such an abortive motion.

Interjections by hon. members.

Mr. G. Ben (Humber): Mr. Speaker, this is starting to degenerate into sort of a comedy act. I was struck by the sort of silly remark by—if the hon. member will forgive and listen to what I have to say—the hon. member for Scarborough West (Mr. Lewis) when he asked the last speaker, the hon. member for Lambton: "What are you talking about?"

I believe that if the hon. member for Lambton knew what he was talking about he would have told you. And furthermore, I think that a good number of members in this House have completely misunderstood the motives of the hon. member for Lambton in rising.

They take the attitude that perhaps he is just against the little man. I assure you, Mr. Speaker, it is not so. He has been moved by the hon. gentleman who comes here from Vancouver sometimes, and felt that if he put on this performance it might qualify him with the Canada Council for a grant as the "legislative fool".

Mr. Speaker, in rising to support the hon. member for Timiskaming, the only regret that this speaker would have is that perhaps the proposed amendment did not go quite far enough.

There are a lot of people in this House who still look upon The Workmen's Compensation Act as a form of welfare. There are a lot of them, and I regret that perhaps this attitude prevails in some of the remarks made by the member for Timiskaming, that it is the company that pay for this.

It may be the company that handles the cash in passing it to the workmen's compensation board, but I suggest it is the workmen who earn the money to enable the company to pass it to the workmen's compensation board. In essence, what the workman is doing is buying disability insurance, and if he is disabled all he is asking is that his insurers give him the credits that he has accumulated towards his disability.

He is not asking for charity, nor does he receive charity when he receives workmen's compensation, except in the minds of this government. So Mr. Speaker, we have to

look at it in its true light—that the workman is entitled to be compensated for his disability.

When I said that this proposed amendment does not go far enough, it is because it talks about temporary total disability and temporary partial disability. Too often, Mr. Speaker, what is temporary total disability or temporary partial disability, or permanent partial disability in some people is permanent total disability in others.

Mr. G. Bukator (Niagara Falls): The hon. member has hit the nail right on the head!

Mr. Ben: I think that the hon. member for Timiskaming sort of mentioned that in one sense. For example, Mr. Speaker, if you take a labourer who works with a pick and a shovel, all he has to offer to his employer in some circumstances is a willingness, a strong back and a good eye to dig a straight trench.

When he loses an arm, or gets a back injury, he is not temporarily disabled, he not just partially disabled, he is permanently disabled because there is nothing that he can do without that missing limb or with that defective back.

It is silly, in fact it is stupid, for the workmen's compensation board to say to that man: "Look, we are giving you permanent partial disability of $5 or something, now you go get yourself a light job." What kind of a light job? And where is he going to get this light job?

That man is completely unemployable due to a permanent disability, a permanent total disability or total permanent disability. Something must be done about these people, and the only way you can do it is to give them a complete and comprehensive retraining.

At one time, if a person they call a blue-collared worker, was injured and was partially permanently disabled, there usually was some type of a job in a similar trade where he could get some employment. But now, aside from certain types of work—I have mentioned one of them—the people who we refer to as blue-collar (a) are not wearing blue collars any more, they are wearing white shirts. It is the professional class who are wearing the blue collars, and, (b) they are highly skilled in their particular calling, skill they acquire either through training, or through a long period on the job at that particular task, or a combination of both.

So that if a person in that category is disabled, Mr. Speaker, he must first after he gets over his temporary total disability and falls into the class called temporary partial disability, he must first start training for another calling and since his disability is due to his employment, as the hon. member for Timiskaming and this party wish to bring about, he should be receiving total disability allowances until such time as he is completely trained.

But even then, Mr. Speaker, he has still got a disability to the degree that, even if he goes to work, he will not receive the same remuneration, even with his partial disability, at his new job that he may have been receiving at his old, because at his old he had more skill which he acquired through experience that he has not yet acquired in his new job.

So there should still be some allowance until such time as he has obtained the same income level at his new job which with his disability payments would give him the same total income as he had under his old job. I did not, when I started, Mr. Speaker—

Mr. Speaker: The hon. member started at 5.25 p.m.

Mr. Ben: Thank you. So, Mr. Speaker, I reiterate, that we in this party support this amendment. We would like to see it go further but as was mentioned when the hon. member for Niagara Falls (Mr. Bukator), had a resolution, with this government you are lucky if you get anything. Therefore, if you have half a loaf thrown to you, take it and give blessing to the Almighty that you are getting something from them.

We feel it is about time that cognizance was given to the fact that it is the worker who pays for the workmen's compensation and not the company. I do wish that the hon. leader of the New Democratic Party would stop saying that it is the company that pays for these things. The workmen pay for them and they are entitled to get compensation for their premiums.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I wish to compliment the hon. member for Timiskaming for introducing this bill which, if acted upon, will clear up an obvious case of injustice and mistreatment of injured workmen in this province.

Every weekend I have about a dozen compensation complaints brought to me for representation. A great many of these are puzzled and angry workmen whose compensation benefits have been reduced by 50 per cent and sometimes further reduced to 25 per cent. Their compensation has been cut in half because they have begun to recover to the

extent that the compenstion board has judged them to be fit for light work.

They protest vigorously at the kind of treatment they are getting from the board and it is not unusual for a host of epithets to be used by them to designate the compensation board. The truth of the matter is that the board people are acting in accordance with The Workmen's Compensation Act passed by this Legislature. They are perfectly within their rights in acting as they do.

The guilty party that should be receiving the brunt of the aggrieved workmen's attack and epithets is this Conservative government that has been sitting in the seats of the mighty in this province for more than 25 years. They are the guilty ones. Responsibility lies in their hands. And we have heard their antediluvian attitude expressed today by the hon. member for Lambton.

It is a shocking, deplorable, degrading practice to cut the injured workman's compensation benefits back to 50 per cent and tell him he is available for light work when no such work is available for him. So many of these men have injured backs and still have sufficient pain and disability to make anything but the lightest work impossible. Many of them have little education as my colleague has pointed out, and have earned a good and honourable living by the labour of their hands and the sweat of their brow.

They have known nothing but hard labour all their lives and are not trained for light, highly-skilled work. Then they are injured on the job and so when they are cut back in their benefit they go back to the employer who politely or otherwise tells them that they have no light duty work available and to come back when they are able to go back to their old job.

This is the way it is in the mining and lumbering industries of the north, in which there are no light duty jobs. His benefits, when totalled, are only 75 per cent of his total income; and now he must get by on 50 per cent or sometimes even 25 per cent of this 75 per cent compensation.

What is he to do? He still has his commitments to his family to meet. If he is like most citizens of this province, he has payments to one kind of an institution or another. He is staggered by his responsibilities which before he regularly met, but now he cannot discharge.

Is he to lose all he has worked so hard to achieve on top of the personal pain, suffering and anxiety that he has undergone and is undergoing from his injury? And now he has this financial burden to crush him. It is like kicking a man when he is down. It is inhuman and unjust treatment. Oh, it is not all that bad, you may say. He can always go and draw unemployment insurance benefits or, if he is not eligible for these, he can go to the welfare office. What is wrong with this?

I will tell you what is wrong with it. The public purse is forced to carry a load that is not rightly theirs to carry. The workman receives a legitimate injury in his employment and he is still disabled to the degree that he cannot go back to do his work and nothing else is readily or reasonably available to him.

So the industry is quite skilfully passing the buck to the public domain, rather than accepting the responsibility that rightfully and morally belongs to it, to look after the injured workmen until suitable work is reasonably available.

Another thing wrong with the practice of forcing injured workmen to go on general welfare assistance is that it tends to demoralize many who have prided themselves on their ability to meet their responsibilities in times past. Now, because of a genuine injury which is improving, they have to go to the welfare, however inadequate it may be, to feed and clothe their children.

Many people will use up all their savings and struggle to the last degree against such a fate, but because of this cutback in benefits, which lasts for a period of time, they are forced to succumb and accept welfare—a fate they had hoped forever to avoid.

This kind of mistreating and demeaning treatment of injured workmen who have their benefits cut back to 50 per cent without work being reasonably available is an offence to my Christian conscience, however, undeveloped it may be.

Yet this practice is fostered and tolerated by the industries and Conservative government of this province. Industry reneges and avoids her legitimate and full responsibility to the injured by section 41 of The Workmen's Compensation Act because the Conservative government permits and encourages her to do so by upholding and keeping this statute on the law books of this province.

A government should encourage and force industry and big business to meet their legitimate responsibilities—not help them to escape them.

It is an interesting, yet disturbing phenomenon to note time and again how this Tory government protects the rich, the mighty, the

powerful at the expense of the poor, the maimed, the downtrodden. They protect the big fellow when he is kicking the little fellow in the teeth.

We are seeing it in the social and family services. In this debate we are observing it in just one aspect of The Workmen's Compensation Act. I can assure you, Mr. Speaker, that other sections of this same Compensation Act—such as the low amount of partial disability pensions which were set up some years ago—are just as discriminatory and unjust as section 41.

We pretend to be a Christian culture. We, in this Legislature, bow our heads in prayers every day and ask God's help and then we sit back in a kind of pious, self-righteous, self-satisfaction and mouth words like, "Province of Opportunity" and "A Place to Stand and A Place to Grow." At the same time, as glaring abuses of the people are perpetrated under the laws of this province such as Section 41 of the Compensation Act. "Jesus said, inasmuch as we have done it unto one of the least of these my brethren, ye have done it unto me".

Mr. Speaker, my conscience is greatly disturbed by The Workmen's Compensation Act in section 41 as it is now written. An obvious injustice that causes untold and unjustified hardship to many injured citizens of this province, can be rectified by adopting the amendment as set out by my colleague from Timiskaming. I call upon you all to support this bill and see that the injured workman gets one hundred per cent benefits, until he is reasonably able to go back and earn his livelihood.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, in rising to support this amendment I am struck by the fact that the problem here is not a matter that the board is not doing anything about it is a matter of law. It is the amendment to The Workmen's Compensation Act that is required to allow the board to be able to give the proper and adequate compensation that is necessary for a workman who is injured to live in decency.

When we look at McGillivray report at page 13, it goes into the question of section 41 and completely rejects the concept that the workman should obtain compensation until he finds work or partial compensation until he finds work.

As the section stands now, a workman who earns $100 a week is cut down to $37.50 a week if his compensation is cut by 50 per cent. That is 50 per cent of 75 per cent of $100. If it is cut any lower, Mr. Speaker, a workman is in the position where he cannot possibly get sufficient funds in order to maintain himself and his family.

Some years ago, Mr. Speaker, the New York Legislature empowered Mr. Joseph Callahan to look into the workmen's compensation laws of the state of New York and this is what he said about the workmen's compensation:

> I use the province of Ontario because Ontario has received wide acclaim for the progressive nature of its workmen's compensation system.

This was in 1957. However, McGillivray, in his investigations in 1966, went to other jurisdictions to study our compensation laws, and in effect went to jurisdictions whose laws were not as good as ours in order to compare our laws.

Now when you consider section 41 he said:

> The concept cannot be stretched to require an employer to ensure that every injured employee will find re-employment.

But he lost the concept right there. It was not a question that the workman was looking for work, it was a question that the workmen be paid proper compensation until he finds work, and therein lies the crux of the whole matter, Mr. Speaker. All this amendment requires, or insists upon, is that if you are going to cut a man's permanent disability to a partial disability, because you say he has the possibility of finding work, you should wait until he finds work to cut the disability, that is only logical.

Why throw a man on to the streets with $37.50 in support of his wife and children. This is injustice, it is injustice, and you know, when we consider these laws in this Legislature, we should consider the justice of the matter. It is justice according to the law but sometimes it should be the law according to justice.

Mr. MacDonald: Any relation between law and justice is purely coincidental.

Mr. De Monte: Right. What we are doing —what my friend is doing—in moving this amendment, is merely saying, "let the man find work," the ascertain what he can earn in that light work, and then you calculate his pension. You put the horse before the cart, not the cart before the horse.

I have had many of these cases, Mr. Speaker, many of them, and I think they are the most difficult cases for a member of this House to handle. A man comes in and he says, "They are paying me $20 a week and

every time I sit down or bend down my back hurts, and you call the workmen's compensation and they do try, Mr. Speaker.

It is the law that is wrong, not the board. They say: "I am sorry Mr. De Monte that is the law. Some doctor said he was fit for work." I say to them: "Good heavens, the man cannot even sit in a chair." He says: "Well that is too bad."

The doctor says he can go to work, and the board invariably follows the doctor's report; which it must.

The whole crux of the argument is that if we were to allow him to find work and then ascertain his loss of wages because of the difference, then we could properly ascertain what that workman should be paid.

Before I close, Mr. Speaker, I would like to mention the reactionary response from the member for Lambton (Mr. Henderson) and I would submit with respect that this is the response of this Conservative government to a very crucial social issue. What I would like to say is while that is what the government thinks about men who are maimed in constructing our great industrial enterprise, then that government does not deserve to sit where it is. The member for Lambton was inarticulate, unknowledgeable, and reactionary, Mr. Speaker.

There is one other thing, Mr. Speaker, that the section as it now stands causes, that is further appeals in that legalistic tribunal system they have on this board. A poor man says: "I am only making $37.50 a week," and he comes to me and he asks what are my rights. I say: "Well, I guess you have to appeal to the appeals tribunal, and if you lose there you go further up, and if you lose there you go further up until you reach the full board."

There is one other concept that we might remember. How about the men who do win their appeal? How about the 70 per cent that are found on appeal to have a legitimate claim and their pension has been cut? What do they do in the six or eight months' interval between the time that their pension is cut, even on a partial basis, to the time that they win their appeal? What do these men do?

Do we send them over to the unemployment insurance? Do we send them over to the welfare department? Where do we send them? And in most cases both of them say: "We cannot handle this, because you are on workmen's compensation." And some of them say: "All right, we will pay you welfare, but as soon as you get your compensation you pay us back." It is a degrading experience for a workman to go through, Mr. Speaker.

There is only one thing I might mention before closing. Who defines what is light work? Does the doctor define it? Do you tell a labourer that lifting a brick instead of a block is light work? Do you tell a ditch-digger that instead of digging a ditch he digs a garden and that is light work?

Where do you draw the line, Mr. Speaker, or where do the medical authorities draw the line? Where does the Act draw the line? I know why the workmen's compensation board draws the line because it is required to draw the line by law.

Let us start thinking in terms of human values, Mr. Speaker, and not in terms of dollar values. When we do that we will amend this Act the way it should be amended.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, I want to, first of all, make a comment on the remarks from the member for Lambton. I suspect very much that he went out to make a press release on that speech that he just made and I hope that it gets pretty wide coverage in this province, because I want to suggest that he just blasted another hole in the sinking Tory ship with that speech.

It was a typical Tory speech, anyway, where he wanted to maintain the *status quo*. He said that this compensation has been operating well in this province for a great number of years and we ought not to change it. This is typical of the Tories. They want to maintain the *status quo* at all times. Do not change anything, even though it is necessary in terms of human values.

I want to say, also, that our friend from Lambton said that this bill that was presented by my colleague was pulling the wool over the eyes of the public and he said this was typical New Democratic Party propaganda. I want to say that the government stands guilty in this regard because of their lack of participation in this debate. I think that they should have been putting forward their position in terms of finding an alternative to this sorrowful need that is prevalent in this province. At least they could have done that but obviously they did not participate to that extent.

Mr. F. Young (Yorkview): They could have done with some better speech writers too.

Mr. Pilkey: The whole philosophy, as I understand compensation, was to compensate a worker for loss of earnings. That is what it was all about, but somehow this concept

or philosophy got changed around, and I do not know where. It got changed around so that the worker got compensated on the basis of the degree of disability. This is wrong. The workman should be compensated on the basis of the loss of the earnings if he is injured. The degree of disability is not relevant in that kind of a situation.

I know that a number of workers have ben classified as temporary disability cases and their pension is reduced to 50 per cent and in many cases, 25 per cent. They then become eligible for light work. They go to the company and they say, "I am available now for light work; I cannot work on the job that I had formerly but I am now available for light work."

The company, in most cases, say they have not got a light job for you, and you will have to go home until you are 100 per cent capable of coming back and performing your normal operation. Then, they find themselves in a very precarious position. The worker could find himself getting a 25 per cent temporary partial disability award for months. He depletes his savings; any that he might have accumulated goes by the board and then he is a welfare case.

I want to make another observation—the member for Lambton said that he could go down and get a UIC benefit. Let me tell you that many of these workers would not qualify for an unemployment insurance benefit because they are not available for work, and the only place that they can really go to is to general welfare.

Mr. MacDonald: That statement was based on profound ignorance of the facts.

Mr. Pilkey: And so we find that a worker who was maintaining a decent standard of living is reduced to a welfare level. I think that this House understands because of the many cases my colleagues have raised as to what people have to live on on general welfare. Nevertheless, here is a worker who was maintaining a decent standard of living because of his employment, who finds himself being subsidized through general welfare.

I want to say to this House that this proposition is degrading the dignity of the man and it is an injustice that should not be tolerated by the government. We have just got to find the vehicle and the avenues that help these people to maintain the same standard of living that they had previous to the injury. It is not just good enough to say that the employers in this province should not be saddled with this cost. What we need to do is have a compassionate government that is going to sit down and find a solution to this basic need of people who are injured on the job. I urge this government to sit down and attempt to find that solution.

My colleague has brought forward a proposition that should be entertained and should be implemented by this government if they are going to do the job that is necessary. I want to conclude by saying that this crying need has been going on for a great number of years. I do not think it is good enough for this government to say that the workmen's compensation plan that they have in the province of Ontario is one of the best in the country and therefore it does not need any changes. This is an obvious place where there is a need for change, and the time is now.

Mr. Speaker: The private members' hour is now concluded.

It being 6.00 of the clock p.m., the House took recess.

No. 90



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, April 21, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, April 21, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3345

Motion to adjourn, Mr. Welch, agreed to 3374

LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 21, 1969

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(*Continued*)

On vote 2002.

Mr. Chairman: Provincial allowances and benefits; the hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, before the recess I had just asked the Minister a question which may have been out of his field. I do not know whether he had any answer that he wished to give me.

Hon. J. Yaremko (Minister of Social and Family Services): I just caught the tail end of the question when we recessed at 5 o'clock.

Mr. Burr: I think it was a little outside the Minister's field so I shall skip that one; but the husband of the lady in question had been injured and eventually died. Because there might be an award under the workmen's compensation board her application for widow's or mother's allowance was refused. Now why could an advance not be paid in a case of this kind, with the understanding that if there was an award to be made a claim against the award would be perfectly in order instead of having the woman wait months for her application to be considered?

Hon. Mr. Yaremko: Actually the idea has basic merits and I think a good many things can be done by agreement. Of course the catch is when one of the parties to an agreement falls down. Supposing eligibility does not come about and then payment has been made and the question comes up of repayment? Now I know there are exceptional cases, but they are very difficult to fit into the rules.

But I think that basically there is some merit for this flexibility. How we achieve it will be a difficult problem.

Mr. Burr: Well I take it that the Minister will work on the problem.

Now I would like to refer back to the case of Mrs. Smith.

I told you that she applied in June and was told that it would be September 1 before any cheque could be expected. There again was the three-month period. I have checked on that and my facts were were not quite correct. She applied at the end of April, but nobody went to see her until June and they then wrote out the application, in June. So according to the letter of the law her application went in in June; that was the written application as filled out, but she had actually got in touch with the department at the end of April.

So here we have a lady whose husband died at the beginning of April, she made application at the end of April and, as I told you before, it was almost the end of March of the following year before the award was made. Now is this idea of a three-month period—we have learned there is nothing in the Act that says this—is it just that it takes so long to process these applications that three months becomes more or less accepted as the shortest time in which it can be done?

Hon. Mr. Yaremko: Actually three months is not the average time, it is less than that. There is no such rule in the instance the member gives and the time should have been shorter than that.

However, as I say, in dealing with many thousands of applications there will be these individual cases. I have tried to see whether we can adopt some system where there is an objective judgment, the administrative end has not been carried out by the department as quickly as it could have been—sometimes there is a change of social worker or some other type of thing where the applicant is really in the clear—that we should lean backwards to see that we meet the requirements of the applicant just as if everything had been carried out one, two, three—in a very expeditious order.

I guess we are always learning, as we did from the example that the leader of the NDP gave this afternoon of what can occur in this business of administration of individual cases.

Mr. Burr: The idea of some kind of a handbook or manual has been mentioned by one or two speakers. Has the Minister indicated any consideration for that, Mr. Chairman?

Hon. Mr. Yaremko: There is a manual for our field workers under The Family Benefits Act.

Mr. Burr: That is for the field workers, but is there any manual to which the recipients have any access?

Hon. Mr. Yaremko: No, there is none. The present manual is a very large compendium. But I think there is merit in this approach and we will explore it. Just as we have these general pamphlets we will develop, in simple language, a pamphlet for each individual programme, which might be given to the applicant or recipient relating to the specific programme, with all related items of service tied in on the basic item.

For example I have this pamphlet "Social Services in Ontario," which covers the whole spectrum of service. We might develop one relating to circumstances of the lady you mentioned, indicating what type of social service would be available in the broad package deal for those who fall within that class.

Mr. M. Makarchuk (Brantford): Mr. Chairman, earlier in the session I mentioned a new scheme that has been developed in some states in the United States whereby the welfare recipients set their own level of requirements. In other words, they fill out a form specifying their needs—their rent, their food, their clothing and so on—they hand this in and they are paid accordingly. Apparently it is working out, despite the great apprehensions that this may bring on a considerable amount of abuse; which really is not so.

I understand that about every tenth form or application is checked—the same as an individual's income tax is checked, the welfare recipients work on the same basis.

I was wondering if the Minister or his department is contemplating using this method, or perhaps even experimenting with it, to see if it might not be a more useful method of administering welfare. It would certainly cut out a great deal of expense in terms of administration; in terms of inspectors or your field workers and so on, and other people involved who have to go around and administer this welfare.

Also in terms of the individual who is seeking welfare and their self respect; he or she will not have to go through the indignity of having to more or less undergo treatment at the hands of, not necessarily the best field workers or the best welfare officials. This type of thing can be eliminated.

I was just wondering if the Minister or his department is looking into this matter now.

Hon. Mr. Yaremko: Yes, we will follow that experiment. It is going on, I believe, in New Jersey.

Any programme of this kind, any approach of this kind, of course, would have to be developed at the national level, because so long as the Canada Assistance Plan is in force and we have this partnership, anything along this line would have to be developed at the national level. One of the federal-provincial task forces will be checking into this.

We have had some slight experience in this field. With our old age recipients we have, in regard to applications for medical and hospital assistance, been sending out a form which they complete and we issue that additional assistance based on their application. So we have made an initial start in this field.

One of the things that I am very interested in too is an examination of our figures just to see how much the administration costs are. What proportion they are in relationship to the actual dollars placed in the hands of the recipients? I think that would be a very interesting figure to know.

Mr. Makarchuk: Mr. Chairman, just to follow that up, your department is spending I see about $244 million, I believe—

Mr. S. Lewis (Scarborough West): $264 million!

Mr. Makarchuk: Right, $264 million; and the figures you gave us a while ago indicated that there were about 110,000 people on welfare in the province of Ontario, so just a matter of rough division would indicate that if you gave each and every one of them $2,000 you could save yourself about $64 million, and I am sure take care of the welfare problem very fast.

The other point I want to bring up, Mr. Chairman, is that this afternoon the Minister was talking about the $20 supplement that is available to people who are receiving mothers' allowance. Just this evening I got a very urgent call from a woman who has just arrived out of hospital and who has no food at home. She has three children. She went to get her $20 supplement and she was

told by the welfare administrator in this case that she is not entitled to this $20 supplement because she is on mothers' allowance. I just wonder if there could be some clarification?

I will send the name and address of this woman over to your people and I hope that possibly by tomorrow she will be able to get her supplement, as you say they are entitled to it.

Mr. Lewis: The letter should begin. The member for Brantford has shown a kindly interest in your well being!

Mr. Chairman: The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Chairman, just on the point the member for Brantford raised in regard to the $20 supplement that the Minister says will cover extra cost of rent —I think he said dentures, drugs, there are a lot of things contained in that. Each municipality has a different method of administering this programme and as a result the person may live in one municipality and qualify for assistance, if a married couple is involved, of up to $40.00 a month. They may live in an adjoining municipality and under the same circumstances qualify for no assistance at all. I think you are aware of the incidence of disparities between communities which administer this programme. I would suggest to you that perhaps it should be taken over by the province and administered in the same manner right across the province.

I would ask you then, what type of control do you have on the administration of this programme and do you review periodically the methods of administration used by the individual municipalities?

Hon. Mr. Yaremko: Mr. Chairman, this is one of those grey areas. We could very easily discuss this under municipal allowances and assistances because this is, in a way, a municipal allowance and we will have quite a thorough discussion on that particular item when we come to it.

I think one of the great challenges will be to get a comprehensive and a simplified, equitable system right across the province in all municipalities with regard to these additional benefits, which are payable at the municipal level but which is picked up by an 80 per cent subsidization, generally at the provincial level.

When there is a greater understanding at the municipal level that they are administering these particular items but not really picking up the tab for them, we will probably get a more uniform, and I am hopeful at the same time a more equitable, handling of this particular assistance.

Mr. R. S. Smith: I would like to ask the Minister: They have been administering these for years at municipal levels, for the past few years anyway, and there are still major discrepancies between municipalities; I would like to ask him what is being done to alleviate the problem and to provide equal benefits for all the people across the province regardless of which municipality you live in? If you pay 80 per cent of the cost you certainly have a responsibility to see that it is administered properly?

Hon. Mr. Yaremko: We had better leave this for the next programme under this particular vote; it is a municipal matter and we are dealing with provincial allowances at the present time.

Mr. R. S. Smith: You are following them 1, 2, 3, 4?

Hon. Mr. Yaremko: We are following the three programmes of activity at the top of page 153, provincial allowances and benefits; when we deal with that we will move on to the municipal allowances.

Mr. R. S. Smith: Well, I have a question in this area: What type of agreement does the department have with the Ontario Housing Corporation in regard to rents that are paid by recipients of social and family benefits?

Hon. Mr. Yaremko: We pay the maximum allowance.

Mr. R. S. Smith: Would you pay the maximum allowance to the recipient? And what does he pay to Ontario Housing Corporation?

Hon. Mr. Yaremko: That amount!

Mr. R. S. Smith: You said this afternoon that the maximum was $85 if the unit is heated, is that correct?

So this is the maximum amount that any family on family benefits is paying to Ontario Housing Corporation?

Hon. Mr. Yaremko: Yes, those are the figures. I am advised that those are the figures.

Mr. R. S. Smith: Pardon?

Hon. Mr. Yaremko: Those are the figures payable to Ontario Housing Corporation on behalf of welfare recipients.

Mr. R. S. Smith: The $85 a month is the maximum.

Hon. Mr. Yaremko: It is $85 per heated, $75 unheated.

Mr. R. S. Smith: Well, the Ontario Housing Corporation in North Bay is charging some people who are under your programmes in excess of $120 per month. I have drawn this to the attention of the Ontario Housing Corporation and to some people within your department. This has been going on since last September and there has been nothing done since then.

Hon. Mr. Yaremko: I wish you had communicated with me and I would have been aware of the fact. I will check into that matter.

Mr. R. S. Smith: Mr. Chairman, with regard to family benefits, a married couple is allowed to have $1,500 in assets. As I understand it if they prepaid their funeral expenses, this was then deducted from the amount of assets which they had. I noticed of late that the prepaid funeral expenses are now included within their assets and can preclude them from receiving benefits. Is this a change in the regulations or the policy?

Hon. Mr. Yaremko: It is considered part of the assets of a family.

Mr. R. S. Smith: Well it did not used to be.

Hon. Mr. Yaremko: That is our present policy. When this change came about, if there is a change, I cannot say.

Mr. R. S. Smith: Well there must have been a change within the last year, because a year ago I had some people come to me and it was arranged through the social and family services office that if they prepaid their funeral expenses then they would be eligible for an allowance. Now there must have been a change within the last few months.

Hon. Mr. Yaremko: This again is where I will have to ask for the specific instances, and then we can check them out.

Mr. R. S. Smith: Well I have a specific instance right here; and I cannot understand, it must be a change in the policy or in the regulations. It has been done the other way all along, and I think your people would be able to tell you, and then this one here brings it to date, they have changed the method by which they assess a person's assets. I think this is a fundamental thing.

Hon. Mr. Yaremko: I will check into that, but so far as the information I have is concerned, this is the policy and has been the policy. Now if there was some exception that occurred, it may have been just an inadvertent exception, it might have been an error on the part of someone.

But if we had a policy of prepayment of this type of thing we could have assets prepaid in many ways and it is a determination of what assets are under the circumstances.

Mr. R. S. Smith: This was that the only way that they could get rid of this extra money without going out and spending it on a holiday or something like that—to go and prepay their funeral expenses. I had at least three people who did this and then qualified because they had put their money into a prepaid funeral. I think that if you ask the funeral directors across the province they will tell you that they do this regularly for these older people so that they can qualify.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, speaking of specific instances I think this is the proper vote to which I should speak on legal aid.

Hon. Mr. Yaremko: In some respects; legal aid is a matter in which we have an overlapping jurisdiction between the Attorney General and this department.

Mr. Stokes: Precisely.

Hon. Mr. Yaremko: Perhaps you might relate the facts and then we can see what vote it applies to.

Mr. Stokes: This is the case of a young married woman with three children. The husband deserts; the woman asks the assistance of the courts in order to locate the husband so that he can live up to his obligations to the wife and family. The courts are not able to locate the deserting husband. The woman goes to family court asks for assistance—some kind of allowance to look after the children and herself and ends up in frustration and the court tells her that they will not give her any assistance. She is not entitled to it; that it is the responsibility of the husband, who she cannot find and they will not help her to find.

As a result she became so frustrated she said: "Well I cannot look after them myself and if you will not help me look after them,

there is nothing left". She walked out of the courtroom and left the children there. She was subsequently charged with neglect or desertion or some such charge and was convicted. She was sent to Mercer Reformatory for three months as a result of this conviction, and spent three months there.

Eventually she went back and rejoined her family and took employment. She was able to get employment that netted her something like $1,200 a year. By this time they did see fit to give her some subsistance for looking after the children and she made further efforts to locate the husband so that he could look after her responsibilities. She asked the assistance of the court again to assist her in this, but all to no avail. She struck up a relationship with another young man who assisted her to pay off some of the bills that had occurred in the interim, and started contributing towards the upkeep of the family.

She applied, or I applied on her behalf, for legal aid assistance, so that she could get a divorce from her deserting husband. I applied directly to your department and to the director of legal aid for the district of Thunder Bay. The director of legal aid said that it was the responsibility of The Department of Social and Family Services to make a recommendation based on the income of the wife. I gathered all this information for them. It was subsequently sent to your department to make a recommendation, and in due course, along came the reply, "This woman is not entitled to legal aid because of the level of income that she enjoyed during the previous calendar year", and it was something like $1,200, as a waitress.

I contacted the director of the legal aid division of your department again, and he thought we had a pretty good case and that there should not be too much trouble in getting some sort of assistance in this particular case. I contacted the director for legal aid for Thunder Bay again, and asked if he had got a further recommendation from the director of that branch in your department and he said that this was being awaited and in due course a decision would be made. I received a letter about two weeks ago saying that the case had been reviewed and in their opinion she still would not qualify for legal aid, and it was the responsibility of the other partner of what turned out to be a common law arrangement to assist her in getting the necessary divorce.

I would like to know, Mr. Chairman, from the Minister, if, in fact, your department makes the recommendation to the director of legal aid, why do you not give some indication either to the person involved or to the person who makes application on their behalf, of the criteria you use. Certainly I would not think that an income of $1,200 a year would keep the family together plus the necessary resources to go out and hire a lawyer to get a divorce from a deserting husband.

By any standard you would want to use, could you, in all sincerity say that that level of income would be sufficient to get the necessary counsel for a divorce. I would like some indication from the Minister, what is the criteria for recommending legal aid to the director. Certainly, if it is not any more liberal than that, I would think it is just an exercise in futility for any of these people to make application for such assistance.

I think if you ask some of your staff, they will remember this case well, and I would like an indication from the Minister that cases like this will get the attention that they merit under such circumstances, because, if you are going to make this programme meaningful, and if you are going to rehabilitate and assist these families to get back on their feet when they are the victims of deserting fathers. Certainly it is incumbent upon the Minister and his department to see that the kind of programme is set up that is going to contribute materially towards the rehabilitation of such families. And I would like the Minister to give me that assurance, that, either he has such a programme, or he will institute one.

Hon. Mr. Yaremko: Again I would appreciate from the hon. member the name of the case—

Mr. Stokes: I have already acquainted your department with the facts.

Hon. Mr. Yaremko: If it is in the department, I am asking the hon. member to send me a note reminding me of the specifics, so I may check that through because my own opinion is that the facts as the member has outlined, and the type of divorce proceedings that might be instituted, are those which are directed towards rehabilitation and setting up a new family unit. I myself would be inclined to lean backwards in order to bring that rehabilitation about in order that the family unit be re-established and started from scratch. Because the family and society both have a lot to gain with this type of thing, instead of permitting the situation as in the past. But I would like to check that one out again.

Mr. Chairman: The hon. member for Parkdale.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, this past year I have looked in vain for a change in policy of the government in its giving of allowances to disabled persons. I have often said that the policy of the provincial government when it comes particularly to helping disabled persons, is to encourage them to live in sin. I know I have used this example before, but the Minister has asked some of the members when they have been speaking about particular policies, to give an example. And this one I give to the Minister. I know this is one of several, and the situation is this: if a man is disabled, completely disabled, and he is single he will receive an allowance from the government, I believe about $75 per month.

If that man is fortunate enough, in this case where his girl friend married him—this man I have in mind had a very serious accident, he was completely disabled, received an allowance, but his girl friend married him. Because she had a job and she made a very small amount of money, he was automatically cut off from receiving any allowance from this government.

Now, if that man and woman had just lived together under common-law, he would have received the grant. But once they married the grant was cut off. I have looked in vain for any change in policy. I would like to continue on this matter, Mr. Chairman—but could the Minister tell me is this basically still the policy?

Hon. Mr. Yaremko: Mr. Chairman, we still take into consideration the income of the family. The family benefits programme is based on need and related, not to the needs of individuals, but to the needs of the family. In conjunction with that, of course, the family income is taken into consideration; and this was really the great step forward in the institution of the family benefits programme, because, by and large, the treatment of families as units and the needs of families as units ensured the benefit of a very substantial number of people.

But what the hon. member is leading up to is a reversion to the universal type of pension or maintenance available to everybody, regardless of income. I mean, you either have one or the other.

Mr. Trotter: Oh, no, Mr. Chairman, what has happened is entirely the opposite as far as the family benefit. Again I emphasize, under such a case they could live common-law, disregarding any morals or anything else, and can get grants from the government. There is no family benefit about it.

On two or three occasions, in the hope that the policy had been changed, I have brought this matter up with members of the staff of the department. But these are the regulations, and this is the situation, and you can quote family benefits until you are blue in the face; but in essence you are discouraging the family unit in the province, particularly in the case of a disabled person.

Now, you might to some extent blame the federal government. I have been told that the federal government lays down the guidelines in these cases. Well, if this is so, the federal government is wrong, and there is certainly no harm in the provincial government stepping in to help these disabled people where, and if necessary. There is no doubt that under the old age assistance you have started to save a lot of money.

Because of the federal government stepping in on old age security, thousands of cases that the provincial government once had to pay for are now covered by federal legislation. So certainly there is a tremendous amount of money in this field available if you had the will to use it.

And while the Minister was mentioning family benefits, Mr. Chairman, it is rather hard to understand the policy of the government when you look back at the public accounts ending March, 1968, and we bear in mind that this House voted for the assistance, in accordance with The Family Benefits Act, over $88 million—and over $9 million was unspent. Now, I am not asking this government to go out on a spending spree, but certainly I know enough of this province, and the needs of the lower income groups, that that $9 million could be well spent.

Whether you are treating disabled persons under disabled allowances, or under family benefits, as the Minister now suggests, I would certainly like to know why a disabled man gets married—marries a girl who is making approximately, I think a take-home pay of $33 a week—is cut off. It is certainly hard to understand.

The Minister, I am afraid, is blind to the needs of this province, and its general policy is callous. In essence, you encourage people to live in sin.

Mr. J. Renwick (Riverdale): Mr. Chairman, I just want to support the member for Parkdale. I have personal knowledge of cases

such as that, and I, too, have waited, as the member for Parkdale has, for an answer.

I cannot understand myself, the particular case I have in mind. The lady, who was working, was earning a reasonable income, but at a minimal level. She took care of a man who was totally disabled and they decided to get married—and got married. Unwittingly, they found their income was immediately very substantially cut down. It worked a very real hardship on the persons concerned, let alone the point the member for Parkdale raised.

Mr. Trotter: I was wondering, Mr. Chairman—I hate to see this problem go unanswered year after year. Has the Minister given any consideration to changing this ridiculous policy of the government? I know his predecessor liked to blame the federal government.

Well, I do not care if it is the federal government's fault or this Minister's fault. It is certainly the fault of government, and a great many individuals are suffering. It is important to the individual. It is not going to mean a tremendous amount to the budget. It would easily be buried in that $9 million plus that was voted for under family benefits—and has not been spent.

Has the Minister any intention of giving this policy any serious consideration as to where some improvement can be made?

Hon. Mr. Yaremko: Of course, you cannot just treat this one type of situation. It is part and parcel of the basis of the whole programme. The Family Benefits Act is based on need and you take the budgetary requirements of the family unit and consider the income, then you bring to bear the assistance in that role.

It is exactly the same situation if there is a couple very happily married, either one year or 20 years, and then the husband becomes disabled within the meaning of the definition as used now.

If the wife is working and earning an income, that income is taken into consideration in relation to establishing the needs of the family unit. So that in your view if you had a situation where you had a disability, and then a marriage, it would be treated differently from the situation where you have a marriage, and then a disability.

And then, if you treat that differently you get into the question of other types of situations where other needs have to be met. The answer will lie in a reassessment, in due course, of the establishment of what income is the proper one to be taken into account in assessing the needs of the family unit.

Mr. Trotter: Well, nothing has been done. Mr. Chairman. The hon. Minister is just unloading conversation because he is simply not coming to grips with the problem. I think this government, particularly this department, stands indicted.

The fact is that you are simply not coming to grips with needs of this type of individual. Now we could go into other cases, and I am not going to recite a great number of cases that I know of and all members know of. But it is really an indication of your general policy, and you are just letting it drift.

I think the Minister should show some leadership in this particular situation. I am one of those people that would much rather see the leadership in such matters as this come from the province and not have everything centred in Ottawa. But the difficulty is, when you get down to policies such as we have before us, that any benefits that have been forthcoming have really been inspired from Ottawa. Whether it has been a Liberal or a Conservative government in Ottawa, the leadership has come from there—and it is a fruitless situation for this Minister. I know your predecessor was laying the blame on Ottawa for certain policies in welfare. Yet you go to conferences in Ottawa and say that this province does not have enough say in this field of government into which the federal government is enroaching.

But the Minister must certainly anticipate that any inspiration of any improvements are going to have to come from Ottawa because it is certainly not coming from the province of Ontario and particularly from this Conservative administration. I can only asume, Mr. Chairman, from what I have heard the Minister say, that he intends to do the same as they did last year and the year before in this matter of disabled allowances. That is, to do absolutely nothing.

Mr. Chairman: Anything further under provincial allowances. The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, during the opening speech I made when these estimates were started on April 1, I made reference to the former critic of this party, Mr. Horace Racine, and the fact that for two years running he had asked the Minister about what he referred to as "success insurance". What he was referring to, Mr. Chairman, was the plan that is in use in some states south of here, where

the hard-core of the unemployed are taken on by industry. Industry is given some incentives to hire these people and to train them, because any losses are guaranteed by the government.

The Minister has not spoken about this. In the U.S. at the very moment—in many of the northern cities—we find many people who, because of the lack of education and for many other reasons, are considered to be hard-core unemployed. Horace Racine, as I mentioned, and I, have asked about this.

I would like to know if the Minister has any moneys available, or if he has considered setting aside any money in order that we might, here in this province, do something about breaking the vicious circle of generations of welfare recipients.

We find that many of these people, because they cannot get a job, stay on welfare. It becomes a way of life for them and their children and their grandchildren. I know that the Minister considers his department to be forward looking, even though most of us do not agree. However, I would like to know if the Minister has given any regard to this. Has he set any moneys aside for this type of plan? I know that he would have to get together with the hon. Minister of Trade and Development and others, but I do feel that this is something that could be done. Besides the perennial question of the guaranteed income that we raise, I think this is one way he could do something about reducing the number of hard-core unemployed people who stay on welfare throughout their life. Industry will not hire them and nothing is being done to make it easier for industries to hire these people.

If it can be done and is being done in the U.S.A. with cases which I am certain are much more difficult than the Minister has here in Ontario—and if it is succeeding, as I understand it is—then I do not know why the Minister himself cannot try something like this. I would like to hear the Minister's view on this plan.

Hon. Mr. Yaremko: We have several things that are going on. We have, within our rehabilitative services programme, quite an excellent programme relating to those who are physically handicapped. With some of them we have done a tremendous amount in this field in the last two years in particular.

We use sheltered workshops and grants made available both directly to the workshops and assistance to those who are assisting in the programmes. Again, we will be entering into a joint effort with the federal government in those activities which are called "Work Activity Programmes" to try to develop some sort of scheme whereby incentives and initiative will be instituted to get people back to work.

This is a problem which many municipalities have felt very keenly at the local level. They have brought forward these propositions to somehow try to get the able bodied—employable in some way—to provide for themselves in an independent way. I was very interested in seeing a programme, which I have checked into, called the JOBS programme.

The initials, JOBS, stands for something in the federal U.S. economic opportunity programmes, I believe. I saw a two-page advertisement of this programme in the United States and I will be checking that out. Rehabilitation is a key factor, one which I find that the public at large is very much in support of. We intend to pursue this to the utmost degree.

Mr. Braithwaite: Mr. Chairman, I would like to point out, first of all, that I am not talking about jobs such as road building. I am talking about jobs in industry.

Hon. Mr. Yaremko: I am not talking about jobs. The jobs programme is JOBS—I forget what the initials stand for—but they are related to getting people back to work. I may say that I have had the impression, and it has been verified, that the success of that particular programme has yet to be evaluated.

I thought for a minute, a week or so ago, that some of the western provinces were adopting this. I asked about it, and was advised that they had not. They were doing what we were; that was to check on some sort of evaluation of the success of that programme.

Mr. Braithwaite: Mr. Chairman, if I might just add a few words to what the Minister has said. I think that if he would check on some of the comments that have been made during these debates in the last few years, he will see that we, on this side, have put forward quite a few ideas. If they had been followed up two or three years ago, we would now have some research figures.

I do feel that this is one area that, inasmuch as we are talking about so many millions of dollars spent by this department, the Minister would have been the first to pick up any idea that could help break this vicious circle that we have, the cycle of the

hard core unemployed, would be welcome. I say, I am glad to see that he is interested in JOBS.

However, as I mentioned, the hon. member from Ottawa East, Horace Racine, brought this to the Minister's attention more than once. We have never heard the Minister speak about it before tonight. It is a shame. The only point I would like to ask the Minister now, Mr. Chairman, is: does he feel that these discussions he is having with the federal government will soon bear fruit?

I do not know why this government cannot take some initiative on its own. It should start some projects even if they are only pilot projects to see just what can be done with the hard core unemployed. I do not think the government should seek refuge behind the federal government every time something is brought up that is different and new.

We have the Minister of Trade and Industry, who is always talking about Ontario, the Province of Opportunity. I think in a way, he is right. If this is so, and if Ontario is a leader, we should take the initiative to see what can be done with this type of project. I do hope that the Minister can tell us how soon he expects things to start happening.

Hon. Mr. Yaremko: Mr. Chairman, all our programmes are ongoing, we are always seeking new ways of doing things. I may say that by and large our arrangements in this particular field with Ottawa have been very beneficial and very fruitful to both sides. Our relationship in developing new programmes is an excellent one, and there are ten provinces.

Each province contributes its experience and its problems to the heap and then out of that are evolved excellent programmes. That was the very initiation of the Canada Assistance Plan in which the leadership provided by the former Minister, and the department as a whole in the discussions, brought this to fruition. This work activity programme is just an ongoing aspect of this. We are in partnership, and so long as we are in partnership, wherever it is felt that there is mutual advantage—and I think there is in this development—we will pursue those lines.

Mr. Braithwaite: The Minister is telling us, then, that we do not have to worry about any feet being dragged. As far as this type of work programme is concerned, the Minister is 100 per cent behind it, is this correct?

Hon. Mr. Yaremko: The first speech I ever made was completely based on prevention and rehabilitation. It was the very first one I made, and I was convinced of that before I came into the department, I was convinced then, and I am still convinced now, that the emphasis, the continuing emphasis, the solution to the problem, is in rehabilitation and prevention.

I may say that I am reminded of the "j-o-b" programme that I referred to. They are the initials of "Just One Break." I recall vividly that so often the difference between being independent and self-reliant and not, is Just One Break. We are going to figure some way and means that we will be able to provide that "Just One Break" through our own auspices.

Mr. Braithwaite: Well, might I suggest, Mr. Chairman, to the Minister that if he looks into this question of the negative income tax he might be able to give the poor of this province just one break. As for his comments on prevention and so on, that he referred to in his first speech, I wonder what has happened. Is the Minister telling us that he has such a high powered, high level of administrators that he is unable to get them to do what he has in mind? Or just what is the problem?

If this is what the Minister came into this Ministry with, I should have thought that by this time, he would have done more with reference to prevention. I thought perhaps we might have had more done in that area, but if this is what the Minister tells us, he still has not told me when we can expect some sort of programme like "J-O-B-S" right here in Ontario. He has not been specific.

Mr. Trotter: Mr. Chairman, I know that in the estimate, where assistance in accordance with the Old Age Assistance Act, we are voting on $20,000. In the year ending March of 1968 for old age assistance, this government spent approximately $2,250,000—a tremendous change. Is this difference accredited entirely to the Old Age Security Fund that the federal government has?

Hon. Mr. Yaremko: This is the transference —last of the transference from the Old Age Assistance to Old Age Security.

Mr. Trotter: Here is a situation where, because of a change in the federal policy, it has meant a tremendous saving to the provincial government, and it is regrettable that it is not more evident that these provincial funds that are available are not used for

family and social work. I know that the costs go up each year, but at the same time—and again I can use as an example the need for assistance for people who are disabled or who are blind—the welfare payments or the subsistance payment—and that is all they are, subsistance payments to the blind—are far too low.

Surely some of this saving, instead of this being thrown back into the consolidated revenue fund, could easily have been used for various items under this vote. I must say to the Minister, that his Treasury Board, the Treasury Board of this government certainly takes very little interest in the people in the lower income groups of this province. I think that the Minister should be urged to more forcibly express the needs of these people. When you see an item where the Provincial Treasury saves money, as a result of what it spent federally, and see again another item where again for the year ending 1968 we vote for over $88 million for the family benefits and find over $9 million unspent, the department certainly is not taking advantage of the opportunities that it has, despite the fact that funds are actually voted by this House.

Mr. Chairman: The hon, member for High Park.

Mr. M. Shulman (High Park): I notice there is $955,000 voted here in accordance with the Disabled Persons Allowance Act. We have for some years been pressing, of course, that disabled persons in chronic hospitals receive an allowance. The Minister has now agreed that this should be so, but this figure obviously is not going to be sufficient. What does the Minister intend to do to get the extra money that will be necessary in accordance with his statement of last month that these people are now to receive an allowance?

Hon. Mr. Yaremko: The money will be there.

Mr. Shulman: You mean that there is sufficient money in that figure?

An hon. member: He said there would be no allowance.

Mr. Shulman: Well, he has changed his mind.

Hon. Mr. Yaremko: We are talking about the $15 comfort allowance. Let me say that is not just for disabled persons, they are an important factor in the field, but it permits payment to individuals in need in chronic hospitals.

Mr. Shulman: The question is that this is something that has been announced since these figures were brought down. Will extra money be voted over and above what was originally set aside?

Hon. Mr. Yaremko: That was approved by the Treasury and, if there are not sufficient funds within the total vote, the Treasury, having made that approval, will make those funds available.

Mr. R. Haggerty (Welland South): Mr. Chairman, some eleven months ago I had discussed the problem with the Minister in this House pertaining to persons who receive welfare while awaiting settlement from the Ontario Motor Vehicle Accident Claim Fund. I passed on a letter to the Minister at that time from a family in Stevensville, Ontario. He was going to look into the matter, but today I have not heard anything on this letter, or anything pertaining to this family. This family finally went to the courts and had a settlement made. I think they received somewhere around $17,000 in settlement. By the time they paid the lawyer—and I am just quoting this off the cuff just now—but I believe the letter said somewhere around $3,500 or $4,000 for the solicitor's fee. Then they had to turn around and pay the county welfare administrator for about two and a half years of welfare benefits; they had to pay Ontario Hospital Services Commission; they had to mortgage their home, put a second mortgage on their home; I think he ended up with about $2,500 in his pocket.

There were other expenses incurred due to the accident and he ended up with serious back trouble—he had an operation on his back which left him disabled. Today this man is perhaps walking the streets looking for a job with little hope of obtaining any employment that would bring his salary up to anywhere near what it was before the accident. Today I have another letter here which I would like to read into the record. I do not like to read too many letters but this is one in particular. This is addressed to me and says:

> Dear Sir:
>
> Two years ago, November 6, 1966, we were involved in an automobile accident with an uninsured motorist.
>
> Through no fault of my own my wife and I were injured severely. Since that time I have not been able to work, have had many operations, including two bone grafts. At the time of the accident I was an average working man and the father of 6

children trying to buy a home. However, since the accident I have been forced onto welfare, lost my home, and am living in a rented and a dumpy shack.

My children have gone through 2 years of hell having a shortage of food and wearing other people's hand-me-down clothes, shoes, and have never been to a dentist the entire time.

I could go on all day, but what good would it do? What I cannot understand is our Ontario government allowing this to go on. Why should my family have to live like this because they allow people to drive without insurance.

I have applied for fathers' allowance and have been turned down because I am not disabled for life. What do I have to do, get killed? I have a broken back, arm, sternum, ribs, chipped ankle bone, and a cartilage removed from my knee. I have lost my job, and will be a long time getting any strength in my arm after the cast is removed and the pin taken out.

I think this particular chap I am talking about was in the hospital here some time in the early part of the year for another reset in his arm—apparently it had not healed properly.

Welfare gives us enough money to exist, and I am not allowed to try to keep myself at odd jobs as welfare only takes away anything I make. For two years now I have been after Manpower to send me to school so that I could find suitable work when I am able to but to no avail. It is too bad I am not an immigrant.

I am informed that I must pay back welfare for all the moneys received; OMSIP, Ontario Hospital also wanted their money back. The truck I was in was paid for, and with a maximum of $35,000, what is left for me? I paid these premiums all my life, and now they want me to pay again. When you are dealing with a government, the average working man has no chance.

Sincerely ——

Perhaps *Hansard* can have the name of the person who wrote me the letter, but this is from Port Colborne, Ontario.

Last year at that time the Minister, in his reply to the first case I mentioned, referring to whether that person should pay back to the welfare administrators of the country, said,

There is nothing in the legislation that requires a municipality to do this. This is very often based on an arrangement which has been made between the municipality and the person at the time and this is followed up on that, but as I said to the hon. member for Sudbury, this is a matter into which I will check completely—this type of assignment recovery as well as other recoveries which I have become aware of.

Now, this is almost a year, Mr. Chairman. I would like to know what action the Minister has taken up to this date. Do people have to pay back welfare in such a claim as this?

Hon. Mr. Yaremko: There was an hon. member over here on my right earlier this afternoon who was putting forward this as a proposition that might be adopted in order to gain flexibility—it has also been advanced by other quarters—and I indicated to him that there is no legal way; it is up to the local administrator if he wants to enter into an arrangement. The other party enters into an arrangement in order to be assisted over a period of time, and the understanding is that, when the recipient is able to, he will then repay the moneys. I may say there is no legal obligation under that arrangement; I do not think that any court of law would enforce that arrangement. However, when there is good faith on the part of both parties, very often we get the kind of flexibility we cannot obtain otherwise.

Mr. Haggerty: Yes, perhaps we should go back to the compensation that the member for Niagara Falls was mentioning a week or so ago. Perhaps we would not be running into this problem. But I do want to ask the Minister again: it might be well that the municipalities request their 20 per cent, but is this the policy of your department and of the federal department to request the other 80 per cent?

Hon. Mr. Yaremko: If there is a recovery, if there is a return, all parties get a proportion of the return back.

Mr. Haggerty: Again, Mr. Chairman, would you say this was justice? In these two particular cases, would you say this was justice?

Mr. Chairman: Shall provincial allowances carry?

Mr. Haggerty: I would still like to pursue this matter a little bit. Perhaps the Irish is coming out in me, but I still would like to have an answer on this. Perhaps a letter could go out to the two different parties involved in this matter and perhaps reinstate their

last year's costs, which they paid to the county, which should be reimbursed on this matter.

In his letter, he mentioned about rehabilitation. Last year—I think it was some time in May—the Minister made an announcement that there was close to eight hundred and some thousand dollars set aside for rehabilitation programmes in the province of Ontario. The member for Etobicoke had mentioned this particular matter, and perhaps I should come back and follow up on what he mentioned. I had referred to the ghettos in many municipalities in this province, where people have been on welfare for years and years, and it seems to run into a trend in the family. Yet I find, from sitting on local welfare committees, that there is a lack of family counselling in this province. We have county administrators, we have staff there, we have regional administrators in St. Catharines—and I find overlapping of services, with no family counselling whatsoever; all that the staff is interested in is a number, a statistic—that is all they are concerned about.

When one reads the report in the paper from the county of Welland and sees the alarming increase of unemployed in the county, one can read into this that there are so many persons who have returned to their wives and so many have received other assistance, but when you look at this problem there is no counselling whatsoever. When you look at the children's aid society in the county of Welland—I am just talking about the county of Welland; perhaps it is not so in other counties throughout the province—I again find overlapping of services and very little counselling. Yet, when you read his report and read about the increase of married mothers, the increase of children who are put into our homes in Welland county, you sit back and wonder and say, "What programme have we in the province of Ontario? What are we doing for these people?"

I know the Minister's department is busy, and he has not the time to check on the administrators within the counties or perhaps to get detailed reports in addition to the statistics. What is lacking in the county of Welland is a marriage counsellor.

The Minister says perhaps I am off my beat in this, but I believe we are dealing with the right item.

Now I would like to ask the Minister, what programme has he actually for rehabilitation in this province? What has he got to get these persons back to employment, get them so that they become self-employed, that they are no longer on the welfare rolls? We have Canada Manpower; it does its share. But what is this department doing, with all its staff throughout the province?

I can remember a case last year—I think the hon. Provincial Secretary has been notified of this case—and I was astonished at the methods in this particular case. The problems these people have to go through were apparent when one walked into the house. The plaster is broken, the walls are practically coming down, the windows are broken, there is no water supply and the children had been out of school for three months last winter. And yet we have a county health unit, we have a truant officer in our area, and nobody gave two hoots for them.

When I was called into this home by a neighbour of mine, we walked into the home and looked it over. You would wonder and say, "Well, just how do we treat our people on welfare?"

We opened the fridge. I believe there was about a half a quart of milk and about a half a loaf of bread for the mother and three children. The father was up north trying to look for a job and apparently he had received a job, or taken a job painting a bridge. But the family had no food, not a bit of money in the house to buy anything.

So I said to myself: "What am I going to do?" I went back home—it was a Friday night—I could not get hold of the county welfare administrator so I called in a friend that worked through the county board of health. She was a nurse and I met her at this place at 11 a.m. Saturday.

She examined these children and found that they needed their tonsils and adenoids removed. They could not hear. The mother needed treatment for cancer and I can remember the nurse asking them: "What type of food do you want?" And she said: "May I look at your stove?" Do you know what they had to cook on? One of these little outdoor camping stoves, the one that you pump up with gas. This is what they had to cook with, in a house.

She said: "What type of groceries would you want?" The only thing they could use, perhaps, was hotdogs or wieners and she said to the children: "Is there anything else that you would like to have?" The little daughter said: "My mother needs powder."

Mr. Chairman: I think you are getting into municipal welfare.

Mr. Haggerty: We are talking about welfare.

Mr. Chairman: You are getting into municipal affairs.

Mr. Haggerty: The daughter said: "My mother needs powder," and the nurse said, "Yes, she does." Of course, she recognized the problem right here. She questioned a little bit further and she had to be in Hamilton, I think it was, for further treatments at the cancer clinic there.

But these are some of the problems that go on. These welfare administrators or social workers that we have employed know all about this, but they do not give a damn.

Somebody had mentioned the old age pension. In my riding, many of my problems are dealing with persons on welfare—and they need assistance. I find out in my area that an American can receive the old age pension in Canada just like that. All they have to show is proof that they have been a resident in Canada for 10 years. Do you know all the proof they have to show? They show that they paid taxes for 10 years in Canada on their cottage and they can receive old age security pension, here in Canada. It is that easy.

Mr. Chairman: Order. The hon. member is out of order. We are dealing with the provincial allowances and benefits.

Mr. Haggerty: Do we not contribute in our provincial programmes to income tax?

Mr. Chairman: I do not see that taxes paid has got anything to do with this.

Mr. Haggerty: Pardon? Do we not deal with provincial income tax here in this province? A portion of this goes to Old Age Security pension?

Mr. Chairman: You have gone so far afield it is difficult to follow what you are talking about.

Mr. Haggerty: But I do raise this point to the Minister and to a number of Ministers over there. It is this easy for our American friends to come over to get old age pensions. One of the problems that we have in this province of Ontario is that we cannot even look after our own people. In other words, our people in Ontario are second-class citizens. I think it is time that the Minister, in all sincerity, take a close look at this and get down to brass tacks. Let us get down to a good programme of counselling our welfare recipients in this province.

Mr. Chairman: The hon. member for High Park.

Mr. Shulman, I would like to ask the Minister why there is a 60 per cent increase in the cost of OMSIP this year, under this vote, from $15,800,000 up to $24,600,000?

Hon. Mr. Yaremko: The details of that will be obtained from the Minister of Health.

Mr. Shulman: Oh no, it is in your estimates.

Hon. Mr. Yaremko: We are, in a way, the financial agents for The Department of Health in this regard.

Mr. Shulman: Well, perhaps as the financial agent who is asking for $24 million you might be willing to explain what you are going to do with the money and why. That is all I am asking you. You cannot pass the buck that easily. We will get to the health Minister's estimates and he will say: Not in my estimates, go ask the Minister of Social and Family Services.

Mr. Lewis: The first specific question, and you collapse.

Hon. Mr. Yaremko: This case belongs to The Department of Health. We are the channel through which the financing is arranged.

Mr. Shulman: Well, are we going to have the assurance of the Minister of Health, who is sitting beside you, that when we come to his estimate we will be able to discuss this? It certainly is not under his estimate, it is under your estimate.

An hon. member: What does he say to that? We want to hear from the Minister of Health.

Mr. Shulman: Inasmuch as the Minister of Health has not come to the help of the Minister of Social and Family Services, I am afraid we are going to have to press you a little further. There is no other spot in the estimates where this can be discussed, so we are going to discuss it now. If you do not have the answers, we will let you lean across to the Minister, who is sitting beside you, and ask him. Perhaps he will whisper in your ear and you will answer for us. Why do you have a 60 per cent increase in this particular amount of money?

Hon. Mr. Yaremko: We were requested by the Minister of Health to provide this amount of money and we, as The Department of

Health's financial agents in respect of this item, have provided the moneys.

Mr. Shulman: Would you not think that the Minister would ask: "Why do you want $9 million more?" Am I to understand the Minister correctly? If he has answered me correctly, I will press him no further because I would be quite satisfied with his answer. You were requested to give this extra $9 million, and without asking why, you said you would give it. If that is correct, I will question no further on it, I promise.

Hon. Mr. Yaremko: That is right.

Mr. Shulman: Thank you very much.

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: On a point of order, on what conceivable basis does the Minister of Social and Family Services trust the information for the Minister of Health. That is basically what one would want to know. Why do you do it?

Hon. Mr. Yaremko: I am advised by the Minister off the record here that it is based on increased utilization.

Mr. Chairman: That will come under the estimates of The Department of Health.

Mr. Braithwaite: Mr. Chairman, if the Minister can secure this amount of money for the Minister of Health so easily, why is it that the children's aid societies—particularly in Metropolitan Toronto—are never given *carte blanche* like this when they ask for a certain amount of money. It just seems strange that the Minister of Social and Family Services would do this for another Minister when he will not do it for societies and other groups that are helping the Minister to administer his own department. It seems very strange.

Hon. Mr. Yaremko: I can assure the hon. member that the Minister of Health does not have *carte blanche.*

Mr. Braithwaite: By saying it is based on increased utilization, what does that mean? Gobbledygook!

Mr. Chairman: Provincial allowances; the hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, I do not intend to let the Minister off the hook quite as easily as it would seem that he is getting. Looking at this item for the OMSIP premiums of a $9 million or 55.2 per cent increase—which the Minister, as my colleagues have said, is handed with not so much as a question as to why there is such an increase—I wonder if it could be, Mr. Chairman, that 50 per cent of this money will be recoverable of course, from the federal government. But I think the Minister has to tell us, is this an expansion, is it more services, and what portion of this is fee increase?

Hon. Mr. Yaremko: These figures are the actual anticipated costs which will be incurred in respect of these recipients. This is an estimated figure, and as the Minister of Health has pointed out, it is based on greater utilization. I am advised that last month it was just under $1.9 million actual cost.

Mrs. M. Renwick: Mr. Chairman, these are premiums then?

Hon. Mr. Yaremko: Actual costs.

Mr. H. Peacock (Windsor West): Mr. Chairman, I wonder if I could continue with this point for a moment? Is there any portion of the increase budgeted as a contingency for an increase in doctors' fees? The Minister said this figure represents the actual total costs that he will remit to OMSIP in payment of doctors' services for recipients.

Hon. Mr. Yaremko: These figures are not made in relationship to that at all, they are based on last year's experience.

Mr. Peacock: The actual 1968-69 cost of providing medical services to recipients?

Hon. Mr. Yaremko: As projected for the forthcoming year.

Mr. Peacock: Does that projection contain no contingency whatever for increases in fees for medical services that went into effect April 1 and which the Minister of Health has—

Hon. Mr. Yaremko: That is correct.

Mr. Peacock: What does the Minister intend to do, Mr. Chairman, with this particular estimate in light of the April 1 increase of almost ten per cent by the doctors? Does he intend to amend it? Does he intend to come back with supplementary estimates? Does he have an amendment now before him to put to this item that we can deal with this moment?

Hon. Mr. Yaremko: We do not have an item before us in this regard. Towards the end of the year it will be seen whether these

funds are sufficient; if not, there will have to be an approach made to Treasury with respect to them.

Mr. Peacock: And that will be accomplished by a Treasury Board order?

Hon. Mr. Yaremko: I would think so.

Mr. Peacock: Mr. Chairman, one more question: What is the increase in enrolment, or the increase in utilization as a result of an increase in enrolment, accounted for in this total of $24.6 million? Does the Minister have the approximate increase in utilization costs?

Hon. Mr. Yaremko: The Minister of Health will have those figures.

Mr. Peacock: Mr. Chairman, the Minister said that his department arrived at the increase for 1969-70 on the basis of actual experience of 1968-69 projected into the coming year.

Hon. Mr. Yaremko: The Department of Health's recommendation to us, the request for us to budget, was based on last year's experience and projected into the forthcoming year. We are the financial agent of The Department of Health in this regard.

Mr. Peacock: I understand that, Mr. Chairman, but there are two factors. One is the probable increase in enrolment of recipients in the Minister's programmes of assistance; the other is a possible, or shall we say, probable increase in utilization of services, both of which would be factors in increasing the total that the Minister would have to provide at the instigation of the Minister of Health. If the Minister of Health has determined the increase in utilization, surely it is the other factor that must be determined by the the Minister of Social and Family Services —the probable increase in enrolment of recipients.

Mr. Chairman: Was the hon. member directing a question or making a statement?

Mr. Peacock: I was asking a question.

Mr. Chairman: I understood it was a question. Does the hon. Minister have any answers to that particular question?

Hon. Mr. Yaremko: I do not have those figures before me, Mr. Chairman.

Mr. Peacock: Mr. Chairman, would it then not be more appropriate that this entire amount appear in the estimates of the Minister of Health where we could discuss the extent of utilization of medical services by recipients of the Minister's benefit programmes? That is one of the most important elements of the support for recipients in the province — the extent to which they are beneficiaries of the medical services paid for by this vote. These are figures that we want to know.

We want to know whether the recipients of the benefit programmes administered by The Department of Social and Family Services compared to the rest of the population. Is that utilization less than the rest of the population? Is it less than it ought to be? Is the utilization by the recipients of these benefit programmes greater than the rest of the population, and, if so, why? Is their general state of health reflected in greater utilization of medical services? We must be able to discuss these matters, Mr. Chairman, and that is why if this Minister, bringing in this estimate, cannot answer these points, it should properly appear in the estimates of the Minister of Health.

Hon. Mr. Yaremko: I refer to the Minister of Health in this regard.

Mr. Peacock: Shall we take it up with the Minister of Health then?

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, I cannot answer in detail the question the hon. member has asked. We provide OMSIP coverage for welfare recipients, and for those in receipt of other social assistance programmes, or in receipt of support under other social assistance programmes, not by way of insuring them and charging The Department of Social and Family Services a premium, but rather by recovering from this department the actual costs of the service. Had I known that this was to come up tonight I might have had more definitive information in response to it. But the department is billed for those services, and apparently, according to Treasury procedures, must ask this Legislature for the moneys to pay these bills.

The item in the hon. Minister's estimates is, as he has already stated, based on experience during the past year and projected, again governed by the experience we have had in the utilization factors by those recipients. I think I can say at this juncture—although I cannot back it up at the present time but I will be prepared to do it when my own estimates are before the House—that the utilization by these groups is, as one can understand, usually higher than by certain other groups. Many of these groups are in this position because of age and infirmity, and

naturally they are higher cost groups, but the increase is based on the utilization experience with these people over the past year.

I really cannot discuss the increased numbers enrolled because I really do not know, but I will be prepared to have all this information when my own estimates come up, provided the Chair permits me to discuss it at that time.

Mr. Peacock: Can the Minister of Health, Mr. Chairman, determine the increase in enrolment for The Department of Social and Family Services?

Hon. Mr. Dymond: No, I really cannot, but I will have those figures.

Mr. Peacock: Does the Minister of Health's department calculate the prospective increase in enrolment?

Hon. Mr. Dymond: Yes, I presume we would. Again, it will be an estimate based on what our experience has been since OMSIP started.

Mr. Peacock: Well, now I just have one other point, Mr. Chairman. The Minister of Health said that the actual cost was paid; by that I assume he speaks of 100 per cent of the doctor's fee for the particular medical service that was provided.

Hon. Mr. Dymond: No, no.

Mr. Peacock: The same 90 per cent that OMSIP pays under its standard contract?

Hon. Mr. Dymond: Yes, whereas, if we were on a premium system, if the hon. Minister were paying a premium for his clients, we would not likely get this amount of money. The insurance programme would have to bear the cost, but because these are totally or partially subsidized, then we bill the hon. Minister for the actual cost, which is paid on the same basis as all others, 90 per cent of the OMA schedule of fees.

Mr. Peacock: Mr. Chairman, one more point. Has the Minister of Health indicated to the Minister of Social and Family Services what additional amounts he will probably need in the light of the almost 10 per cent increase in the OMA schedule of fees.

Hon. Mr. Dymond: No, Mr. Chairman, I have not because when we submitted this bill, or this estimated bill to the hon. Minister of Social and Family Services, we did not know that the fee schedule was going to go up. We did not know that we were going to propose an amendment to the Act raising the fee schedule. As the Minister points out, if we have not got enough money, then we will have to find ways of getting it.

Mr. Peacock: Ninety per cent of the cost of the service will continue to be paid for the recipient of the provincial programmes—just as though the Act that the Minister of Health has before the Legislature, amending the OMSIP Act, applied to these recipients.

Hon. Mr. Dymond: Oh yes, it will.

Mr. Peacock: The same 90 per cent of the cost of medical services that was paid prior to April 1, 1969, will continue to be paid. The 90 per cent will continue to be paid on the new fee schedule after April 1.

Hon. Mr. Dymond: The fees for these recipients are paid on exactly the same basis as the claims for anyone else under the OMSIP programme.

Mr. Chairman: Any further questioning that is necessary in this respect would probably come under The Department of Health. The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, might I ask two or three question, before you defer this under The Department of Health?

Mr. Chairman: Properly, any further discussion on this, as has been explained by both Ministers, should come under The Department of Health.

Mrs. M. Renwick: Mr. Chairman, I do not know whether it is appropriate, but I certainly would like to challenge the fact that this money should not be discussed here and now.

Mr. Chairman: The hon. Minister has clearly indicated that he does not have the details. The hon. Minister of Health has clearly indicated to the committee that he will have more details when the estimates come under his department.

Mrs. M. Renwick: Might I ask two or three questions, for our own clarification then, of what we are going to get the answer on.

Mr. Chairman: The questions may be directed to the hon. Minister of Health, when his estimates come up.

Mrs. M. Renwick: The question I have, Mr. Chairman, is really a question of the Minister of Social and Family Services. It is his system of operation that causes this

vote to appear, and I want to clarify in my own mind—and I am sure the minds of other members—exactly how this system is working. It is obviously not a premium system, Mr. Chairman, and I would like to know why it is not a premium system, which would cost the department less. If it is not a premium system, then what system are we operating?

Do the recipients under this Act carry a regular OMSIP card, which is my understanding? If they are carrying a regular OMSIP card why would that not be provided by the one department—The Department of Social and Family Services—paying the premium to the other department, and the body OMSIP bearing the cost, not the beneficent Department of Social and Family Services?

So, I have a question of the Minister. The recipients under this are covered by OMSIP if they are family benefit recipients—and I believe the Minister will verify that they are not covered—that way if they are general welfare assistance recipients, I would like to know do they carry regular cards, the way everyone else does under OMSIP?

Hon. Mr. Yaremko: The general welfare cases are covered in exactly the same way. We came to the conclusion that paying this way was the best way for us to finance this operation, and it is part of the operation.

Mrs. M. Renwick: Mr. Chairman, when a recipient under The Family Benefits Act goes to a doctor and needs to use OMSIP, how does that recipient identify the fact that she is able to use OMSIP?

Hon. Mr. Dymond: Mr. Chairman, may I answer that question, please. Every person covered by OMSIP, no matter whether they are paying a premium or whether they are partially subsidized, carries exactly the same kind of a certificate. No doubt, the hon. members will recall, sir, that when OMSIP was brought in there was quite a discussion about this. There were those who wanted us to identify those who were in receipt of social assistance, and this we steadfastly have refused to do. Everybody carries exactly the same type of certificate. Nobody knows.

Mr. J. Renwick: You cannot leave that one hanging. We fought for that principle.

Hon. Mr. Dymond: My friend, I thought of this long before you were ever heard of. This is a very firmly rooted principle in my philosophy.

Interjections by hon. members.

Hon. Mr. Dymond: Yes, far before you were born, my friend. Well, I am not quite that old, but pretty nearly. This quite apart, Mr. Chairman, none of us knows whether an OMSIP card carrier is paying full premium, is partially subsidized, or totally subsidized. In many cases the subscribers are identified by their sin-number, although we found that this was not feasible. Now we have established a new type of numbering but this will come up later on. However, there is no way of identifying the subsidized person.

Mrs. M. Renwick: Did the Minister say that all persons under vote 2002 carry OMSIP cards, if they are persons in need, including those under General welfare assistance?

Hon. Mr. Dymond: Yes, that is what I said.

Mrs. M. Renwick: Then could either of the Ministers state why we are not only paying premiums on those cards rather than charging up this department with a 55 per cent increase in costs?

Hon. Mr. Yaremko: Here again, this is a joint programme under the Canada Assistance plan. This is part of the Canada Assistance plan. We make a recovery from Ottawa as to our actual costs in this field.

Mr. Lewis: Oh, now it comes out.

Mrs. M. Renwick: So, Mr. Chairman, really here—

Mr. Lewis: We have to recover it.

Mr. Chairman: The hon. member for Windsor Walkerville was on his feet.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I was just going to make the point that was brought up here. In fact this 24 million dollars—50 per cent of this—will be refunded by the federal authorities. In other words, you benefit to the extent of 12 million dollars in this fashion. Were it to work the other way, where you simply had the welfare recipient pay an OMSIP fee, or you pay an OMSIP fee for the welfare recipient, you would not receive any benefit from the federal authorities at all on this. Were it Medicare you would have the welfare recipient pay — oh, you pay an OMSIP premium for the welfare recipient, so you would not receive any benefit from the federal authorities at all on this.

Interjections by hon. members.

Hon. Mr. Yaremko: We could have chosen other procedures. We chose the actual cost.

Mr. B. Newman: This one made this vote to your benefit to the extent of $12 million in this way, whereas the other way it would have been a total cost because you are not in the federal Medicare scheme. What you are doing is really taking the federal authorities to the extent of $12 million, am I correct or incorrect there?

Hon. Mr. Yaremko: This is a social service being rendered to persons in need.

Mr. B. Newman: Right. Supposing you had simply done as has been suggested, paid the premiums to OMSIP. The premiums to OMSIP would not have been a $24 million item, they would have been substantially lower—I would assume it would be substantially lower. Then what would you have recovered from the federal authorities?

Hon. Mr. Yaremko: Fifty per cent of whatever we spent in that way.

Mr. B. Newman: Fifty per cent of the premiums?

Hon. Mr. Yaremko: Yes.

Mr. B. Newman: Which would have been substantially lower than the $24 million in this case.

Hon. Mr. Yaremko: Not necessarily.

Mr. B. Newman: You are taking the scheme that is to your financial advantage—

Interjections by hon. members.

Mr. B. Newman: —when you had the alternative to go right into Medicare and get the $150 million instead.

Hon. A. Grossman (Minister of Correctional Services): That is a red herring.

Hon. Mr. Dymond: We will not do any better with that than we are doing now.

Mr. B. Newman: Well, we would do better, because we would have better medical services.

Hon. Mr. Dymond: It would take an awful lot.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, thank you for bearing with my questions, and I hope you will recognize their validity.

I would like to ask that the Minister advise the members of the assembly tomorrow the exact number of persons that are covered under this funding. Obviously, once more, they have circumnavigated the need of a medical health scheme, ignoring the national health scheme by putting it into a different department in order to collect the fund, and that shocking movement has made them have to account for it. I think we have to know how many people are covered, whether this 55 per cent increase is more services, more people, or whatever it is. We have got to know, and I think we have got to know under this vote, and under this estimate.

Mr. Lewis: Why does the Minister not tell us about the PSI decision which will be public tomorrow?

Hon. Mr. Yaremko: I think all of these items can be discussed in detail by the Minister of Health, who will come with all the figures and the facts as requested by the hon. member.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, one thing I would associate with this particular vote, and which the hon. Minister perhaps can discuss tonight, is the number of Indians in the province who are in receipt of benefits from the medical services vote of $24.6 million. There is a considerable degree of confusion in this province as to who is eligible, and certainly those Indians who are in receipt of welfare—whether or not they have an OMSIP card—do have at least part of their medical expenses paid as ordinary welfare recipients. It is my understanding that the welfare available to Indians, whether or not they are on reserves, is administered by the provincial authorities. This would surely indicate that some of the Indians, at least, would be in receipt of medical benefits from this vote. I wonder if the Minister can give us any further information as to the numbers in receipt?

Hon. Mr. Yaremko: The Minister of Health, I believe, is getting those figures with respect to this particular aspect.

Mr. Nixon: Well, if we are going to discuss the provincial services available for Indians, one of the most important is certainly health services, and this is a matter that could be discussed, I suppose, in the third vote, where the committee that the Minister chairs, with all responsible Cabinet Ministers involved, would be able to give us the information there. Would that be all right?

Hon. Mr. Yaremko: Actually, general discussions did take place last year during the course of the Indian development branch, which is one specific branch, but I think for the sake of expediting the business of the

House, the discussion ranged pretty far and wide at that time.

Mr. Nixon: I think the Minister will agree that one of the most seriously confused areas of our responsibilities to the Indians of the province is in the provision of medical services—

Hon. Mr. Yaremko: Of what?

Mr. Nixon: Well, the Minister of Social and Family Services is supposed to be the resident expert over there in this matter, and I would hope somewhere in his vote we can sort out the conflicting responsibilities for the provision of these health services.

Mr. Chairman: Is there anything further under provincial allowances?

The hon. member for Windsor West.

Mr. Peacock: Mr. Chairman, I wanted to ask a few questions about the increase in the amount of assistance in accordance with The Family Benefits Act to $103.7 million for 69-70, and perhaps the Minister has answered some questions specifically about the size of the increase. I think I am correct in saying that it is up from $89 million last year, an increase of $14.7 million. Could the Minister say again, in answer to a similar question I asked him under the discussion of the increase in medical services costs, how much of the $14.7-million increase for assistance under The Family Benefits Act will go to increased enrolment? Is all of that increase to cover the allowances to additional recipients in the coming year?

Hon. Mr. Yaremko: Yes, by and large it is to do with the estimated increase in the number who would be on family benefits.

Mr. Peacock: By and large? Virtually all of this? Well it takes me back, Mr. Chairman. The Minister's answer takes me back to the questions of the hon. member for Sudbury East as to whether the Minister had not given any consideration at all to an adjustment of the benefits which are now paid to recipients. These benefits, I understand, are still exactly at the same levels as they were when first introduced under the Act in April, 1967. Am I correct in stating that?

Hon. Mr. Yaremko: Yes.

Mr. Peacock: Well, Mr. Chairman, just a short time ago I took a look at some of the statistics published by the Dominion Bureau of Statistics in Ottawa—the consumer price index to be exact—and I wanted to see what had happened to the purchasing power of the benefits that the Minister is now paying to his clients in this province, under The Family Benefits Act and under the other forms of income maintenance that he is providing. It is rather interesting to see what has happened in that almost exactly two-year period of time since the present benefit levels were established.

The Dominion Bureau of Statistics' consumer price index is broken down in two ways. One, by the component—food, clothing, housing, recreation, transportation, health, costs and so on. This comprises the basket of goods that DBS prices each month to establish the change in prices that a particular type of family is purchasing each month. And it is not at all a family comparable to the one that is likely to be in receipt of benefits from the Minister's department. It is a far more affluent family that is being looked at by the consumer price index, the cost of living index. The second way in which the total consumer price index is broken down is by regional cities, the most important one in this province being the city of Toronto, the metropolitan district of Toronto to be exact.

I wanted to see what had happened to the consumer price index, to the cost of living, in the period of time since April 1967, when the Minister first established the present benefit levels, and how those changes in the cost of living have affected the purchasing power of his clients.

It is a bit of a shock, Mr. Chairman, to find the extent to which the purchasing power of persons completely dependent on this assistance has been eroded in this two-year period. Let us start with food. In terms of $100 of benefits being paid to a family in April 1967, they can now purchase $93.80 each month. They have lost $6.20 each month in purchasing power on that particular component—the food component—of the index. In terms of housing and shelter costs, that family's purchasing power is down by $8.12 since April 1967. They can buy $8.12 less value in shelter today than they could two years ago.

Mrs. M. Renwick: And they have to buy that out of their pre-added budget.

Mr. Peacock: In terms of clothing, they are able to buy only $94.70, or $5.30 less clothing for every $100 they spend on clothing in April 1967.

Throughout the province the total purchasing power of a recipient of the Minister has been reduced by $7.15. A family that is in receipt of a benefit allowance of $100 has $7.15 less in purchasing power with which to provide its basic maintenance. And let me emphasize, Mr. Chairman, the consumer price index is measuring the change in costs of a far, far more affluent family than the recipient we are talking about here tonight.

We must remember that the recipients' pre-added budget is heavily weighted for basic needs such as clothing, food and shelter in a far greater proportion than the weight or proportion given to these same basic needs in the budget of the family whose purchases are being measured for price changes by the Dominion Bureau of Statistics, cost of living index. The weight of this erosion of purchasing power that I am talking about falls far more heavily than these figures can possibly indicate on the families in receipt of provincial assistance. In the city of Toronto, where a large number of the families are located, the price changes have been particularly steep. The purchasing power is down by almost as much as the total for all of the components of the consumer price index.

Well, what conclusion do we come to about the Minister's forethoughts for the well-being of his clients, for the growing inability of his clients to maintain themselves at the level or standard of living he decided they needed and ought to have in April 1967? He has given none whatever, made no allowance whatever, thought of no adjustments that should be undertaken that these families may keep pace with the cost of living in their purchases of these three basic components that go into their budget; and for which there has been such sharp price increases in this past two-year period.

The Minister has budgeted $103.7 million, and that represents an increase that is barely sufficient, he says, to take care of increases in enrolment. There apparently is not a penny in it to take account of the increases in the cost of living that has put these people almost $8.00 behind the standard of living they enjoyed in April of 1967. Not a penny in it!

Now, if the Minister were to budget for a total payout to his recipients that would enable them to catch up at this point with their April 1967 standard of living, he would have to come before us with a request for another $7.9 million. And he has not done it; just another $7.9 million to bring them up to where they were in April 1967, as of this point in time.

Without any regard whatsoever, Mr. Chairman, to additional consideration for the approximate 108,000 families that are in receipt of his benefits, there has been a general increase in the standard of living of those who are able to work for a living in this society.

We have been enjoying increasing standards of living, increasing benefits from the ability of our economy to produce more and more, increasing benefits in terms of comfort, better nutrition, second cars, in boats at the cottage, in cottages themselves, in more appliances, in larger homes—all for those of us who are in the affluent main stream of our society.

Mr. G. Bukator (Niagara Falls): You are not talking about the members in this House, are you?

Mr. Peacock: No, I am not. But the Minister has not thought any more about the extent to which those persons who are not able to participate in the economy of our province might be moved along a little closer to a fuller participation in the new levels of abundance that we do produce, and the new standards of living that those of us who do go out to work and produce wealth in the economy achieve each year. He has made no adjustment either for the erosion of benefits because of the increases in the cost of living, and he has made no adjustment to increase the income of his recipients to take into account the fact that most of us in this society are living a little better each year than we lived the year before.

I suggest to the Minister that he has an obligation to come before us with an additional expenditure of at least $7.9 million, which I estimate is the amount beyond the $103.7 million that he has requested that would be needed to bring his clients up to an April, 1967, standard of living.

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: I assume the Minister has some answers to what has been put to him.

Mr. Chairman: Does the hon. Minister have some answers?

Hon. Mr. Yaremko: I have indicated to the House earlier, prior to the extended remarks of the hon. member, that this was a matter which had given me a good deal of concern, and that the whole matter—

Mr. E. W. Martel (Sudbury East): Not enough concern though—

Hon. Mr. Yaremko: —of the two aspects that the hon. member set forth so well, were under review by the department.

Mr. Lewis: What do you mean under review by the department? Perhaps I could ask a few simple questions?

What distinguishes the Minister's recipients from other mortals in this society? Can he tell us that? I will take my seat and wait to hear. What is it that distinguishes this class of people from all other people in society who are subject to increases in the cost of living? There must be some supernatural quality to these 108,000 beneficiaries. Are we on this side of the House to assume that, Mr. Chairman?

All right—I accept the enigmatic loquaciousness. I wonder, Mr. Chairman, why it is that the increase which has been demarcated by my colleague from Windsor West is not included in this estimate? How is it that these people in the Minister's mind should not be subject to the same privileges as others? Why is it only under review? Why is the $7.9 million not a part of the present estimates? Did he ask for it, and the Treasury Board turned him down? Perhaps I could ask him that. Has the request been made, and were you not able to receive it because of the austerity programme of the government?

Hon. Mr. Yaremko: Mr. Chairman, the hon. member knows that the answer to that will be given in the details of any discussions by the Treasury Board and which will be given by the Treasurer in due course.

Mr. Lewis: Mr. Chairman, I note that there was a very substantial increase in salaries over the same period. If memory serves me, salaries went from $1.3 million to $4.7 million. I am working from memory for last year's estimates—am I right in that? From $1.3 million to $4.7 million? Sorry, $1.5 million to $4.7 million. You were able to find $3.2 million for salaries, but not $8 million for food, clothing and shelter. I want to understand the priorities in the Minister's department. Why did you opt for one and not the other?

You were of course—it is pointed out to me—also able to find $9 million for the doctors but unable to find $8 million which would benefit some 50,000 people under the Family Benefits Act. Why did the Minister choose that particular course of priorities?

Hon. Mr. Yaremko: Salaries, of course, are those negotiated on a government-wide basis, and has to do with relationship to the classification, and the standards set out by the civil service association—and we provide those funds.

Mr. Lewis: I see. So if you expect increased utilization in OMSIP, and you have a unilateral request for fees from the doctors, you provide them as a matter of course. And if people who are sufficiently well off to be part of the organized working class, re negotiate their salaries at an increased level for purchasing power purposes, then you provide that as a matter of course.

But the people for whom you, as Minister, are responsible, you negotiate nothing, absolutely nothing. You have no interest whatsoever in your own recipients. If you are ordered by the Minister of Health to provide a certain sum of money you jump. You provide him an extra $9 million. If a group of civil servants negotiates an increase in salaries you immediately incorporate it in your estimates. But when people need another $8 million to provide the essentials of food, clothing and shelter in order to bridge the gap in purchasing powers between April, 1967 and April, 1969, you do absolutely nothing.

Who do you pretend to represent, Mr. Chairman, through you to the Minister?

Mr. N. Whitney (Prince Edward-Lennox): Who do you represent?

Mr. Lewis: Who fights for these people, if not the Minister? How can the Minister possibly come before the House and ask for approval of his estimates—just to go back to indicate yet another of the incongruities in what this Minister is putting before the Legislature? To re-emphasize what my colleague from Windsor West has said—he comes before the Legislature in April, 1967, and says: This is what I require on the basis of the minimum needs of social welfare recipients, those under The Family Benefits Act and I set up an elaborate programme of regulations as Minister with the most picayune and complex set of criteria on which to base a pre-added budget, which incidentally, Mr. Chairman, is an entirely inflexible set of criteria.

Those statutes do not change over the course of two years, not by one jot, so that the same table of moneys recipients are entitled to has not altered in the two-year

period, but the costs have jumped by $8 million.

Why should the Minister vent his particular antagonisms to the poor in society in this fashion? Why should he be allowed, of all people on the Treasury Board, as the Minister of the Crown supposedly responsible for classes of people with particular needs, to discriminate against them so frivolously? It may be that six cents on the dollar for food, or seven cents on the dollar for shelter, or eight cents on the dollar for clothing, can be absorbed by members of the Legislature or for the organized working class. But his own beneficiaries, how does he think they can absorb it? What other sources of income have they? If it was a minimum in April, 1967, why is it now adequate in May, 1969, when the difference is $8 million.

Mr. Chairman, we come back to the reality that when the Treasurer made his budget cuts for the sake of austerity, it was this Minister who was slashed. It was these programmes which were truncated; people-oriented programmes and services to people were cut by the Treasurer. No other areas, neither highways nor the inanimate areas.

Why does the Minister allow it? Why does the Minister allow himself to be the carpet on which his Cabinet colleagues walk, when they want to make Treasury Board cuts?

Well, I would like to take it easy. We are all taking it fairly easy, Mr. Chairman. There is no gainsaying the fact that members of the Legislature can cope with the difference in the cost of living.

The Minister, I am sure, can cope with the changes in the cost of living. But his own beneficiaries, his own recipients on The Family Benefits Acts cannot. What in God's name is wrong with the Treasury Board? Have they no recognition that every other area in society is capable of organizing its own life in such a way that it might gain some increase? The trade unions negotiate contracts, civil servants ask government for more money, corporations increase prices and doctors set unilateral fee increases. A great many people have the capacity in society to allow or to negotiate increases in funds for themselves—except the people whom you serve. You serve them by clobbering them. That is your concept of the Minister of Social and Family Services: to clobber the poor.

I do not know how many homes the Minister has visited, where the $8 million has had some appreciable effect on the collective spectrum. We can come to some of those pre-added budgets while they are right under this vote, this section, Mr. Chairman. Suppose one had two adult persons with two children between the ages of 10 and 15 years on $150 a month. Does the Minister realize what seven per cent of that means in terms of total income at that level?

Mr. Whitney: Some of them would do quite a job.

Mr. Lewis: I do not understand how the Minister feels he can get away with it. The one department in government which should be going to bat for this particular group of people is the one department of government which reneges on its responsibility. There is absolutely no tie to the cost of living index whatsoever.

I do not know what the Minister means when he says he is concerned and I do not know what he means when he says he has it under review. We know, only on the basis of the calculations of the member for Windsor West, that he is $8 million short in this estimate for 50,000 people—$8 million.

What does that work out to on a per capita basis? Maybe one of my colleagues can sort out what $8 million across 50,000 people is. About $600 a year. Is there an actuary who will check that? I am assuming that what is said is correct. The alert and enthusiastic member for Prince Edward-Lennox will confirm for me whether the $8 million spread over 50,000 recipients is $600 a year. But suppose it is $600—

Interjection by an hon. member.

Mr. Chairman: Order. The hon. member for Scarborough West has the floor.

Mr. Whitney: On a point of order.

Mr. Chairman: The hon. member has a point of order.

An hon. member: The hon. member will yield the floor.

Mr. Lewis: No, I will not. I will not, by God, I will not.

Mr. Whitney: While he is speaking a great deal of truth—and I am not denying that—the fact remains that in some places people from rural areas are the people that go to the top. They are the top people, because they have to struggle and do something. The hon. member is totally wrong who suggested that everything be given to everybody. His remarks should be taken in the tone in which they were given, because we respect it. Those who do the thing come from the rural areas,

and my friend does not recognize the fact that around home in these rural areas, the people have to do a few chores and a little work.

The hon. member is wrong in his suggestion that more and more should be done in public welfare. The truth is that our young people now do not have to have the relief; they do not have to have welfare. We are not getting the same continuous public welfare people from one place to another, but we are getting a response that we never had before. If that response is the thing that our friends over there want to encourage, we want to encourage it over on this side also.

Mr. Chairman: Well, I hardly think the hon. member has a point of order. The hon. member for Scarborough West has the floor.

Mr. C. G. Pilkey (Oshawa): What happened to the workers in Picton?

Interjections by hon. members.

Mr. Whitney: Mr. Chairman, I would say that nothing happened to the workers in Picton until the member went down there and destroyed them. They had a good thing going, but when you people went down there you destroyed them.

Interjections by hon. members.

Mr. Chairman: Order, please. Anything further on provincial allowances? The hon. member for Scarborough West.

Mr. Lewis: There is a good deal more on the family allowances branch. I do not expect the Conservative position to be articulated quite so forcefully and lucidly at any other time, Mr. Chairman, but I will certainly accept the revelation of that intrusion.

I think we wanted to reinforce, sir, the simple fact that what the Minister of Social and Family Services has succeeded in doing is severing from his own budget the equivalent of $160 a year for people on social and family benefits, at least in the category indicated—that being the breakdown of the $8 million spread over 50,000 recipients. I cannot imagine another Minister of the Crown so willing to indulge in the complicity of cutting his own budget. This Minister, more than any other, is prepared to hack away at the requirements of his own recipients under his own legislation to satisfy the demands of a Treasury Board whose priorities are always in areas different from those of services to people. That he should do it so willingly, that he should allow himself to be such a doormat for the Treasury Board, is insufferable in the context of this estimate. He has gone down a total of $8 million in a matter of 23 months—something which is avoided by every other segment of society. I daresay, except for the identifiable poor, there is not another segment of society which has so little control of negotiation in terms of its own income levels and in the context of the cost of living. And without so much as a blandishment—

Mr. Whitney: There are no poor in Ontario.

Mr. Lewis: —without so much as a twinge of conscience or a moment's regret, the Minister has engaged in this hatcheting of recipients' allowances. Frankly, Mr. Chairman, it reveals a great deal about the psychology and the attitude of this particular government department—a very great deal. As this estimate emerges, indeed as this particular programme develops in discussion, Mr. Chairman, it will be revealed rather more fully just how much the Minister of Social and Family Services is prepared to undervalue his own department in order to play the patsy for the Treasury Board. Yet he is the person who is in the line of direct service to people. I can now understand perhaps why the Minister was chosen for this portfolio. I suppose no other Cabinet member would have been such a willing ploy.

Mr. Martel: He had better resign.

Mrs. M. Renwick: Mr. Chairman—

Mr. Chairman: The hon. member for Lakeshore was really on his feet first, unless he wishes to yield the floor.

Hon. Mr. Grossman: Give way to the lady. There is no chivalry in the NDP.

Interjections by hon. members.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, what has been said here just now is not the end of this matter, it is really only the beginning. It is not just a case of the department not keeping pace and tying its payments to the cost of living index—keeping the recipients, however deplorable their conditions is, in some relative balance to what was actually intended at the inception of the grants two years ago. It is not just that. It is that the Minister seems to me to be returning substantial sums of money to various sources. In any event, he is not expending the moneys that he has available to accomplish this objective.

Let us look at the 1968 public accounts. I will come back to the family benefits branch,

Mr. Chairman, to test the validity of this proposition. Let us look at the overall figure. He appropriated $207.5 million, and actually expended $103 million, or a little bit more than that on the other page. I would certainly like an explanation of this curious situation from what appears on the books, the last books that we have before us, but he returned $115 million as unexpended; over 50 per cent of the moneys appropriated were never utilized, $115 million. If that same line of reasoning is taken over against the family benefits branch, where the total appropriation was $106 million, $54 million appears to have been expended and $57 million, more than was expended again, was unexpended?

In other words, it is not that he has to plead poverty, even in the role of trying to alleviate poverty himself. It is not that he is $8 million short in providing absolutely minimal basic payments to people. He has not the invention or the imagination, apparently, to use the moneys well that are at his disposal—$57 million two years ago unspent with respect to this particular department.

Does that condition persist in your department? Is that the way you handle the moneys that come to you, when people are crying in need? Vast sums of money are completely dormant, lying fallow? Do you know how to take proper cognizance? If money is going to be wasted, of course, you return it, but the fact of the matter is that it is obviously not wasted; on the contrary, the need is crying out to high heaven for vengeance. How does this department run if you return 50 per cent of the moneys that come through your hands? Would you please give us the picture on that?

Hon. Mr. Yaremko: The hon. member is utterly confused. The figures that he has been talking about have to do with the federal refunds. That is the way that money appears unexpended; that money we have shown was the 50 per cent portion picked up by the federal department.

Mr. Lawlor: Mr. Chairman, I suggest that about 50 per cent of these estimates comes in from the federal department, but even on that basis the 50 per cent is not utilized; it is returned. Or some portion of that 50 per cent is not utilized—I would say 50 per cent of the 50 per cent.

Hon. Mr. Yaremko: The figures are shown in the public accounts.

Mrs. M. Renwick: What about the last figure?

Mr. Shulman: What about the unexpended amounts?

Hon. Mr. Yaremko: The unexpended amounts are not the amounts referred to by the hon. member.

Mr. Shulman: Certainly they are.

Hon. Mr. Yaremko: He was talking in terms of $57 million.

Mr. Shulman: It was $115 million unexpended showing up in there.

Why are you not expending all these funds?

Mr. Lewis: It may be just a printing error.

Mr. Lawlor: I admit, Mr. Chairman, it is quite unbelievable, but I do not accept that kind of an explanation. Would you just kindly indicate to us, when we get the heading "unexpended", precisely what it means? Where does this money you have allocated them, voted them, made Treasury Board orders on, go to? They end up not within the expenditure column, as it is set out, but remain completely unexpended.

Hon. Mr. Yaremko: Mr. Chairman, I direct the hon. member's attention to the fact that there is a difference between the $10 million and the $47 million to make up the $57 million. The $47 million is what was reimbursed to us by the federal government under the terms of our agreement. We spend the money, the federal government reimburses us. The money was spent before we are entitled to a reimbursement. We must spend the money.

Mr. Shulman: What is unexpended then?

Mr. Lawlor: Even accepting that, Mr. Chairman, the difference between $57 million unexpended, under that particular item alone, and the $47 million that came in from the federal government to you, still represents $10 million. How do you explain that?

Hon. Mr. Yaremko: Well, of course—now the member is no longer confused. He now understands. He was talking in terms of $57 million under unexpended, and it is not that figure at all. It is $10 million, and the bulk of that amount was—we had anticipated a much larger number of cases under The Family Benefits Act than had actually occurred during that particular period of time.

Mr. Lewis: Why do you not bring up the cost of living?

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, the previous discussions by the member for Scarborough West and the member for Windsor West lead me right back to my original questions to the Minister in the lead off on April 1.

But before going to those original questions, which should help develop some of the answers that have been asked here, and by the hon. member for Lakeshore, I would like to submit, Mr. Chairman, that the real reason why this money was not used is that it is against the Tory philosophy to use money to help people any more than you have to.

The proof of this, Mr. Chairman, is very clearly understood. The federal government saw fit to add a small cost of living increment to the old age pension recently—I believe in the latter months of 1968—of $2.10 to an individual. And hon. Minister—if he would answer in the affirmative or the negative—is it correct that this government took that increment, that cost of living bonus and then deducted it from any person in a family who was under assistance from this government? He took that from his assistance, that $2.10, given by the federal government, until it was amended, Mr. Chairman, on February 7.

I would not be proud to be the Minister of Social and Family Services and to have to admit that it was only amended on February 7, after the member for York South (Mr. MacDonald), the leader of this party, put out a press release that this government had, in fact, taken that $2 cost of living increase from a recipient, while the letter from The Department of Social and Family Services reduced the income of the other half of the family.

This was a family, Mr. Chairman, where one member is in receipt of the old age pension and the other member is in receipt of some form of assistance from The Department of Social and Family Services. Now rightfully, Mr. Chairman, that was amended February 7; but I would like to ask the Minister, how could anyone, how could any member of his Cabinet, or any member of his staff, see fit to have deducted from this government's assistance, the $2.10 which was a cost of living increment from Ottawa, from the federal government? How could they justify it, even up until February 7?

Hon. Mr. Yaremko: Mr. Chairman, all I can say is that is the unfortunate thing that happens with these inexorable regulations. All I can say is that as soon as I learned of the effects those regulations were changed.

Mr. Lewis: They are your regulations.

Mrs. M. Renwick: I would be tempted to say exactly what the member for Scarborough West said, that they are the Minister's regulations. But why would that alone not have implemented this department to put forth a cost of living increment to the benefits from this government? Was there any discussion at all, was there any concern at all that perhaps we, too, in Ontario, should have added a cost of living increase to our allowances?

Mr. Martel: It is under consideration for 1970.

Mrs. M. Renwick: My question, Mr. Chairman, is: Was there any consideration given to the fact that perhaps we, in Ontario, should be adding a cost of living increment to our allowances the same way as the federal government saw fit to do with old age pension recipients?

Hon. Mr. Yaremko: I have indicated now, for the fourth time, that that has been of concern to me.

Mr. Lewis: Why did you indicate that you were satisfied with the money you received from the Treasury Board?

Mrs. M. Renwick: Mr. Chairman, I am sorry, I am not finished. This is the first time I have spoken today and I will not take the floor too long at this hour of the night, but I do have other things to say on the subject.

I would like to point out to the Chairman that the moneys that are forthcoming now were to have been used in a different way to what they are being used by the hon. Minister in this department. I mean the assistance that is coming forward from the federal government. I believe it is correct to say that there was a retroactivity in the 1967/68 figures of almost $7 million, that was picked up, Mr. Chairman, simply by this government having made what the press have now termed very properly—I call it a secret board of review—and the press called it—on Saturday in the *Globe and Mail*—a paper board of review.

By putting through a second reading and a third reading, and an assent within three days—on March 26, 27 and 28—this government has made a board of review which allowed it for three days of a paper board of

review, to pick up a retroactivity of $7 million from the federal government. Then, we see the same paper board of review operating for a year in which this government picked up $106 million, I believe—certainly over $100 million—and can get down here and get the budget report out and get the answer to today's question.

Mr. Chairman, to have this kind of funding and to have completely ignored the fine details of assistance to persons, in need is unbelievable. I do not want to talk about the Canada Assistance Plan any longer than I have to, Mr. Chairman, but until we manage somehow to get across to the Minister that this plan is being abused at the present time by this government because it has failed to expand in the directions that the plan intended, we will have to keep speaking about it.

We now see over $100 million and nothing in the way of noticeable expansion in Ontario to justify it. In the *Canada Gazette* outlining the details of the Canada Assistance Plan, the *Gazette* volume 101, dated February 8, 1967, the following from item (b), section 4:

> Matters prescribed for the purposes of particular provision of the Act—item (b): The following are prescribed as special needs of any kind. Any item necessary for the safety, well-being or rehabilitation of a person in need including (a) essential household equipment and furnishings, (b) essential repairs and alterations to property and (c) items necessary for handicapped persons—

Now, Mr. Chairman, we have nothing in our Act whatsoever to use as a guideline at the municipal level that recipients should be under rehabilitation and should have equipment or furnishings, if the intent and spirit of this Act had been carried out.

There should be no person in need, Mr. Chairman, and we should not have to have the member for Scarborough West, the member for Windsor West and myself fighting for a change in the amount of assistance under the budget.

This plan went as far as to say that under item 2 of the Act, the prescribed item incidental to carrying on a trade or other employment and other prescribed special needs of any kind is one of the items along with food, shelter, clothing, fuel, utilities, household supplies and personal requirements, which is as far as the province of Ontario is willing to go. In other words, this plan allows for a form of partial assistance. It allows for a form of assistance to people being employed. It allows, under item 3, care in a home for special care. Under item 4, travel and transportation, and so on. I think, Mr. Chairman, what has to be recognized is that this government has not seen fit, because of its philosophy, to adopt the Canada Assistance Plan yet because it wants the moneys that are involved with it. It seems quite happy to limp along as it is and hold out that we are far ahead of other provinces in welfare.

Now, reading from the *Labour Gazette*, February 1969, I would like to point out just a few instances of where other provinces have embraced the Canada Assistance Plan and they have not embraced it in the same fashion as Ontario. They have embraced it more in the spirit and intent of the plan.

In Prince Edward Island there is one act to cover all persons needing assistance at no financial cost to the municipalities. And the deed of this act became effective on October 26, 1966; that was the date the Act was proclaimed in force. There was no shilly-shallying, no running it through at the last minute in order to qualify. I think that we have to say that the cost of assistance is too heavy for the municipalities, and this government should look at taking a stand in that direction.

In the province of Nova Scotia, they passed an Act on August 1, 1966, and they made, in their appeal board, a tribunal which was the original intent of the federal government in a board of review.

In New Brunswick, and I quote from the *Labour Gazette*, February 1969:

> A recipient who is dissatisfied with the decision or treatment received at a district office may request that his case be reviewed by the director of social welfare and make a further appeal to the appeals commission, a three-member appeal body.

Now in this province, Mr. Chairman, the government, The Department of Social and Family Services has not seen fit to allow recipients to come to a review board about treatment received at the district office.

Hon. Mr. Yaremko: Is there a comment made in there about the Ontario board of review?

Mrs. M. Renwick: Mr. Chairman, I will look and see. There certainly is. There is naturally a covering for Ontario. What would the Minister like to know?

Hon. Mr. Yaremko: Well, would you like to refresh my memory on what is written? I have not got that copy in front of me.

Mr. Lewis: Maybe you would like to send another editorial across.

Mrs. M. Renwick: I am trying to spot the board of review, Mr. Chairman.

> In Manitoba, the municipalities are required to meet certain criteria before the province will share in assistance costs.

If we had some assurance from the Minister that he would make certain that the municipalities had to meet some form of criteria other than having what we have in the municipalities, that too would have been a great deal of assistance.

Then we come to Alberta.

> In Alberta, The Preventative Social Services Act, assented to on April 7, 1966, is designed to develop community awareness and resources and strengthen and preserve individual initiative and to forestall, as far as possible, the breakdown of the family.

In force, Mr. Chairman, from July 1, 1966. This is much more in keeping with the spirit and intent of the Canada Assistance Plan.

Hon. Mr. Yaremko: Again, I ask the hon. member, is there no comment made about the province of Ontario in there?

Mrs. M. Renwick: Mr. Chairman, may I ask if the Minister is on a point of order?

Mr. Chairman: The hon. Minister asked the hon. member if there was comment, in the article from which she is reading, pertaining to the Ontario board of review.

Mr. Lewis: You are practising for the switchabout in roles, which is imminent.

Mr. Chairman: Order.

Hon. Mr. Yaremko: The hon. members read so well about other jurisdictions, I was just curious about ours.

Mr. Lewis: I thought maybe you were thinking of the time in 1971 when you would be in Opposition on this side of the House.

Hon. Mr. Yaremko: Perhaps, after the hon. member is through, she might read about all the other provinces and then send it over to me and I may locate the comments about the province of Ontario.

Mr. Chairman: Perhaps we can get back to provincial allowances, pertaining to the province of Ontario, vote 2002?

Mrs. M. Renwick: Well, I would like to say I cannot spot the board of review in this and, if the Minister would seriously like to look at it, certainly he may. I certainly noted the changes that he had made.

Now, under the leadoff, I asked the Minister what were the amounts requested by the Minister's department in submitting his requirements to the Treasury Board.

Mr. Chairman: Did the hon. member direct a specific question to the hon. Minister?

Hon. Mr. Yaremko: My attention was diverted for a moment.

Mr. Chairman: Perhaps the hon. member for Scarborough Centre would repeat the question?

Mrs. M. Renwick: The question, Mr. Chairman, is what were the amounts requested by the Minister for his department in submitting his requirements to the Treasury Board?

Hon. Mr. Yaremko: I think, Mr. Chairman, this matter has been dealt with very fully.

Mr. Chairman: Yes, this matter was dealt with at considerable length while we were dealing with vote 2001.

Mrs. M. Renwick: I just hoped Mr. Chairman, that perhaps the Minister might have a figure that he would be glad to provide the members of the House that he had actually wanted more than he received.

What cutbacks were made by the Minister on the amounts to meet the Treasury Board's decision?

Mr. Chairman: Well, again this matter has been discussed at considerable length in the previous vote. We are dealing just now with the programme covering provincial allowances.

Mrs. M. Renwick: All right, Mr. Chairman. Vote 3, under provincial allowances, would the Minister—

Mr. Chairman: No, we are not dealing with it by votes or items, we are dealing with it by programmes.

Mrs. M. Renwick: Sorry, Mr. Chairman, question three of the Minister. Would the Minister comment as to whether he would

have expanded services in his department? Does he wish to expand services?

Hon. Mr. Yaremko: Mr. Chairman, when I see that we went up from $106 million shown in the Public Accounts, which the hon. members have before them, to the figure of $267 million, that is the kind of rate of growth that I like.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister exactly where he sees that rate of growth as having taken place—in what departments, in what areas?

Mr. Lewis: You have not even kept up with the cost of living and you are talking about rate of growth.

Hon. Mr. Yaremko: From $106 million to $267 million?

Mr. Lewis: That is just the provincial contribution. Lump in the federal money.

Hon. Mr. Yaremko: Back in 1966—

Mr. Lewis: Oh—it has gone up, what,—a few million dollars over last estimates?

Mr. Chairman: Provincial allowances and benefits?

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister if he would go to some items in the estimates, starting with salaries. How many people are employed under the $8,054,000 in 1968-69, and how many people now under the $8,889,100 for the 1969-70 estimates?

Hon. Mr. Yaremko: May I ask the hon. member where she is directing her attention?

Mrs. M. Renwick: The very first item, Mr. Chairman, salaries—$4,731,000. Then salaries down below—$260,000. If you want to deal with just the one, Mr. Chairman, I would like to ask then how many people are covered under the salaries of the $4,731,000 in comparison to the numbers of people who are covered in the $1,524,000 figure in 1968-69?

Mr. Chairman, all I am trying to get at is this: Is this increase in salaries for the same staff, or is it an increase in staff? So, I have to ask how many people are employed under each year.

Hon. Mr. Yaremko: We have brought together, within the one vote, family benefits, which is $1,524,000; the field services, $2,460,000; and the legal aid assessment of $442,000 for a total of $4,426,000 for last year. This year that is a figure of $4,731,000. It is an increase in the last year. Those are the figures I have, from 301 to 310.

Mrs. M. Renwick: Has the staff increased from 301 to 310?

Hon. Mr. Yaremko: In the past year.

Mr. Chairman: Provincial allowances and benefits?

Mrs. Renwick: I have a further question, Mr. Chairman. Under dental services, an item of $1,284,000: I would like to ask to what dentists were those amounts payable.

Hon. Mr. Yaremko: That figure is paid to the dental association which, in turn, under the terms of our agreement with them, pays out to dentists across the province.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister if he could supply me at a later time, during the estimates, a list of dentists who received this money.

Hon. Mr. Yaremko: Our agreement with the dental association is by way of a premium agreement We pay $1.10 per recipient on our rolls and then that amount of money is used to pay the individual dentists who render the services to the recipients.

Mrs. M. Renwick: Then, Mr. Chairman, I appreciate the Minister's explanation of how it is funded and I am interested in knowing who receives this money. I wonder if he could possibly see that we are supplied with this information?

Hon. Mr. Yaremko: Our agreement is with the dental association, not with the individual dentists.

Mrs. M. Renwick: Mr. Chairman, I do not like to push the Minister like this but I think it is very important that we have some idea where this money is going. Regarding dental care for recipients in New Brunswick, the Opposition asked for a breakdown of how much was paid to each dentist providing service to welfare recipients in 1968, and the figures created a scandal. Some dentists got more than $60,000 a year.

I would like to ask the Minister to give us a breakdown as to what dentists benefitted from treating welfare recipients.

Hon. Mr. Yaremko: In that province, the province pays directly to the dentists. We do not. We have an agreement with the Ontario Dental Association to provide the dental care and they in turn deal with the profession.

Mr. D. C. MacDonald (York South): If you asked the dental association would they give it to you?

Hon. Mr. Yaremko: I do not know; it has not occurred to me to ask.

Mr. MacDonald: It is public money.

Mr. B. Newman: They must submit bills.

Mr. MacDonald: Yes, thy must submit bills, they must have a record.

Mrs. M. Renwick: Under maintenance, Mr. Chairman, I would like to ask for a breakdown by branch.

Hon. Mr. Yaremko: The Family Benefits Branch has a maintenance of $133,000; the field services of $180,000; and the legal aid of $60,800.

Mrs. M. Renwick: Would the Minister repeat the last figure, please?

Hon. Mr. Yaremko: Legal aid $60,800. The two significant factors are in the family benefits and the field services.

Mrs. M. Renwick: Under item 2002(4) under the assistance for the medical assistance we discussed earlier, I would like to ask the Minister if that is where we find medical assistance for Ontario Hospital Services premiums and care—or one or the other? I believe the welfare recipients do not have an OHSC card, so there it would be hospital costs. I believe the family benefits people do receive a card and there it might be premiums, I do not know. I would like to ask where we find the OHSC figures.

Hon. Mr. Yaremko: We do not have any expenditure, that is, directly between the OHSC and the recipients—that does not come within this programme.

Mrs. M. Renwick: Under the dental costs, Mr. Chairman, there is a 49 per cent increase. I wonder if the Minister would comment on that 49.7 per cent increase, from $858,000 in 1969-70 to $1,284,000 in this estimate.

Hon. Mr. Yaremko: The agreement was renegotiated from 90 cents to $1.10. That takes up some of it and the balance is due to an increase in numbers.

Mrs. M. Renwick: Would that be serving a broader spectrum then, Mr. Chairman?

Hon. Mr. Yaremko: No.

Mrs. M. Renwick: The $858,000 would have been provision for how many people in comparison to the $1,284,000?

Hon. Mr. Yaremko: Last year's figures were based on 220,000 people.

Mrs. M. Renwick: And this year, Mr. Chairman?

Hon. Mr. Yaremko: There would be about a 15 per cent increase in numbers.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister—going back to the leadoff tonight by the leader of the Opposition—if the courses under the community colleges for social workers were planned in conjunction with his department in any way or with the school of social work in any way? How were the courses planned?

Hon. Mr. Yaremko: Ryerson was, but not the others.

Mrs. M. Renwick: Surely, Mr. Chairman, the Minister could see the value in planning these programmes with the existing world that the students are going to have to enter. I would point out to the members and certainly not to the Minister, I presume he would know, that in the field of day nurseries that the students of day nursery work, I believe their course was worked out—and worked out quite well—with the Toronto Nursery School Association. Would the Minister have any comment from his department as to whether perhaps he could have been useful in these courses the way the Toronto Nursery School Association has been useful to the day nursery students? We should not have the sort of shocking article which I read in the leadoff of March 21 of a job vacuum for social service aids.

Hon. Mr. Yaremko: We participated in the working out of that particular programme and, as I stated earlier, to the leader of the Opposition, this whole matter will be taken up with The Department of University Affairs in order to see that correlated programmes are being worked out. There will be an interdepartmental committee consultation in order to assure that the best possible utilization and the best possible training is made in anticipation of the best possible use of the training given.

Mrs. M. Renwick: I would like to ask the Minister a further question or two—

Hon. R. S. Welch (Provincial Secretary): Mr. Chairman, I wonder if the member would allow me to make the motion that the committee rise and report progress.

Hon. Mr. Welch moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. Mr. Welch: Mr. Speaker, tomorrow we will continue with estimates.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 o'clock, p.m.

No. 91

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 22, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 22, 1969

Presenting reports, Mr. Welch 3377

Fifth report, standing legal and municipal committee, Mr. Demers 3377

Facilities for children suffering from mental or emotional disturbance, bill respecting, Mr. Dymond, first reading 3377

Air Pollution Control Act, 1967, bill to amend, Mr. Dymond, first reading 3378

Physicians' Services Incorporated, questions to Mr. Dymond, Mr. Nixon and Mr. MacDonald 3378

Bringing industry from Quebec to Ontario, question to Mr. Randall, Mr. Nixon 3378

Summer student employment, question to Mr. Robarts, Mr. B. Newman 3379

Basic shelter exemption, questions to Mr. Randall, Mr. J. R. Smith 3379

OHC and Montreal Trust Company, questions to Mr. Randall, Mr. Peacock 3380

Volunteer first aid in emergency situations, question to Mr. Wishart, Mr. Ben 3380

Polyphosphate in detergents, questions to Mr. Simonett, Mr. Martel 3381

Improvement district of Marathon, questions to Mr. McKeough, Mr. Nixon 3381

Committee for selection of natural areas, questions to Mr. Brunelle, Mr. Good 3382

Cooks in northern Hydro camps, questions to Mr. Bales and Mr. Simonett, Mr. Stokes 3382

Reynolds Extrusion Company Ltd., questions to Mr. Randall, Mr. Pilkey 3382

Surveyed lots in McKeown township, question to Mr. Brunelle, Mr. Ferrier 3383

Gillies Lake in Timmins, question to Mr. Simonett, Mr. Ferrier 3383

Ministry of public safety, question to Mr. Robarts, Mr. De Monte 3383

$400 million cut in this year's estimates, questions to Mr. MacNaughton, Mr. MacDonald and Mr. J. Renwick 3383

OHC and Bramalea Consolidated Developments Ltd., questions to Mr. Randall, Mr. J. Renwick 3386

OHC high-rise rental housing, question to Mr. Randall, Mrs. M. Renwick 3387

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3387

Recess, 6 o'clock 3419

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 22, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: Today in the east gallery we have as our guests, students from Downsview Secondary School in Downsview; in the west gallery from Bayview Junior High School in Willowdale and Olivet Day School in Islington, and Young Progressive Conservative members from the Lambton and Sarnia areas; and in both galleries from Belle River District High School. Later this afternoon we will have guests from Main Street School in Toronto, and in the evening, in the west gallery, constituents from Scarborough North riding and Beta Sigma Pi in Islington.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, perhaps this would be an appropriate time for me to bring to your attention, sir, that sitting to your left, under the press gallery, is the leader of the Liberal Party in British Columbia, Dr. Pat McGeer. I hope, sir, that you will join with me and the other members in extending him a welcome to the Legislature of the province of Ontario.

Mr. Speaker: His Honour, the Lieutenant-Governor, has advised me today that on April 18 last he despatched the following message to England:

> On behalf of the people of the province of Ontario may I express to Your Majesty our sincere good wishes and congratulations on the occasion of Your Majesty's birthday. This happy occasion affords a welcome opportunity to express our devotion and loyalty to the Crown, so graciously exemplified by Your Majesty.
>
> W. Ross Macdonald,
> Lieutenant-Governor of Ontario.

Today he received the following reply from Windsor Castle which he asked that I communicate to the members. It is addressed to:

> The Lieutenant-Governor of Ontario,
> Toronto.
>
> I thank you and the people of the province of Ontario most sincerely for your kind congratulations on my birthday.
>
> *Signed,*
> Elizabeth R.

Petitions.

Presenting reports.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

First, the 48th annual report of the Public Service Superannuation Board for the year ended March 31, 1968.

Secondly, the annual report of The Department of Transport for the fiscal year ending March 31, 1968.

Thirdly, the annual report of the Ontario Highway Transport Board for the year ending December 31, 1968.

Mr. R. G. Hodgson in the absence of Mr. Demers, from the standing legal and municipal committee, presented the committee's fifth report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 92, An Act to amend The Insurance Act.

Mr. Speaker: Motions.

Introduction of bills.

FACILITIES FOR CHILDREN WITH MENTAL OR EMOTIONAL DISTURBANCE

Hon. M. B. Dymond (Minister of Health): moves first reading of bill intituled, An Act respecting facilities for children suffering from mental or emotional disturbance.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, the bill authorizes the establishment by The Department of Health of facilities for children suffering from mental or emotional disturbances or disorders, and provides for the licensing, regulation and control of other such facilities. It also makes provision for provincial grants to children's mental health centres.

THE AIR POLLUTION CONTROL ACT, 1967

Hon. Mr. Dymond moves first reading of bill intituled, An Act to amend The Air Pollution Control Act, 1967.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, these amendments provide for the facilitation of the transfer of administration of this Act. An amendment makes it an offence to obstruct a provincial officer making an inspection. A further amendment makes it an offence to depart from the specifications approved by the Minister and provides that if construction does not proceed within one year, the approval expires. And the regulations are authorized to provide for prior approval of proposed devices to control pollution from motor vehicles.

Mr. Nixon: Mr. Speaker, on a point of order, can the Minister explain why he, rather than his colleague, the Minister of Energy and Resources Management, has introduced that legislation?

Hon. Mr. Dymond: I think it is embodied in the first amendment: the facility for transfer of the administration of the Act. It brings all the amendments in at the same time.

Mr. Speaker: Before the orders of the day, I would like to acquaint the members with the fact that Mr. Speaker has decided to go back to the former custom in this House, and the custom in most Parliaments where divisions are taken on the ringing of a bell. When a division is taken in this House now, the doors to the lobbies will be closed when the bell ceases ringing and they will not be opened until the Clerk has announced the result of the vote.

I trust the members, and the Whips particularly, will be guided accordingly.

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Health:

Can the Minister give the House further information on his negotiations with Physicians' Services Incorporated, which, according to the *Globe and Mail*, has resulted in Physicians' Services Incorporated rejecting the government proposal that they be a carrier under provincial medicare?

And second, will the Minister table the correspondence with Physicians' Services Incorporated on this matter?

Mr. Speaker: The hon. member for York South has a similar question.

Mr. D. C. MacDonald (York South): I have a two-part question related to the same topic:

Pursuant to my question submitted on April 3, and replied to on April 15, will the Minister indicate to the Legislature details of his carrier proposal to PSI which, according to this morning's press, has been turned down?

Secondly, what has been the response of the private insurance companies to the government's offer to include them as a carrier in a medicare plan on a non-profit basis?

Hon. Mr. Dymond: Mr. Speaker, I have no further information to give concerning our negotiations. I would suggest that the report in the *Globe and Mail* of this morning is a little premature. This is the view, apparently, of the executive of the PSI and not of the house of delegates, and only the house of delegates makes the final decision. When that final decision is received, I will be advised of it.

There has been no correspondence between PSI and myself. Everything has been carried on verbally in meetings and by the telephone. I have no further word from the private insurance carriers yet. I have been assured that I shall have their decision before the end of this month.

Mr. MacDonald: By way of a supplementary question, would the Minister indicate whether he is having meetings with PSI today?

Hon. Mr. Dymond: I am not having meetings today, no. There is a meeting tentatively arranged for Friday morning, but none until that time—and that is only tentative.

Mr. Speaker: The hon. leader of the Opposition has a question of the Minister of Trade and Development?

Mr. Nixon: No, I do not have it with me but, Mr. Speaker, if you will permit me, the question I had asked the Minister two or three days ago was about the CBC report that his comments had been questioned in the Legislature of the province of Quebec with regard to his programme to bring industry from Quebec to Ontario by emphasizing problems that that province has faced recently.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I think there is some misunderstanding about my name being

used in the province of Quebec. It was Henry Bourassa in the Liberal Party who made a statement, but he did not mention any names. However, I would like to make it very clear—

Mr. Nixon: He mentioned the name of The Department of Trade and Development.

Hon. Mr. Randall: Well, he did not mention my name.

Mr. Nixon: The Minister is associated with that department, I believe.

Hon. Mr. Randall: Well, it could be but I think he was off base. Like Mr. Trudeau said, he was off his rocker.

Mr. Speaker: Order!

Hon. Mr. Randall: Mr. Speaker, in answer to the hon. member's question, so we get it in the record and get it very clear, my Department of Trade and Development does not in any way hinder the economic development of any other province in the Dominion of Canada. On the contrary we attempt to assist other provinces by inviting them to participate in industrial development programmes.

For example, Manitoba, Alberta, Quebec, British Columbia and Nova Scotia and Saskatchewan delegates attended, on a special invitation by the Deputy Minister, our Manufacturing Opportunity Show held at the Queen Elizabeth Building in the Exhibition grounds on February 18, 19 and 20, 1969. The Quebec delegates have attended our industrial commissioners seminar for the past two years. It is our opinion that attracting industry from one province to another is similar to transferring money from one pocket to another, nothing is gained.

My industrial development officers do not solicit industrial development from Quebec and are only permitted to go into any other province on a written invitation. In fact, permission to travel into the province must be approved by myself or my Deputy Minister; and I might say, Mr. Speaker, that I have had an invitation from Mr. Paul Ouimet, who was appointed head of the 50-man delegation in Quebec by the Prime Minister, to go there on May 11, sit down with them for a couple of days, and see if we can work together in the interests of Canada.

Mr. MacDonald: Mr. Speaker, I have a question for the Minister of Agriculture and Food, a four-part question:

1. Is the government aware that International Harvester has made a short term offer, until May 31, for tractors on terms as favourable as imports from Britain—obviously for the purpose of wrecking the import programme—and then reverting to normal high prices in Canada after June 1?

2. Since the price differential between Britain and Canada is in the range of $1,000 instead of the $791 in the ads as stated by the interim report of the Royal commission, what explanation is there for this factual discrepancy?

3. Does the Minister not anticipate difficulties between dealers and farmers when, on this short term sale, dealers will be encouraged to provide no warranty, whereas all normal sales include a warranty?

4. What action does the government intend to take concerning this short term, cut-throat competition, designed to protect the high prices of farm machinery in Canada?

Hon. W. A. Stewart (Minister of Agriculture and Food): I will take the question as notice, Mr. Speaker.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the hon. Premier.

Will the Premier direct some of his summer employment advertising to female students, in view of the fact that all of the present advertising is directed to male students?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, our programme basically is designed to be directed at the employer, not the employee. As the programme develops I think you will find that there will be some balance in the references made to those we want to be employed.

Mr. J. R. Smith (Hamilton Mountain): I have a question for the Minister of Trade and Development. Why have the tenants of the Macassa Park senior citizens apartments on Hamilton Mountain not received their 1968 shelter exemption cheques? The second question is: when will more home lots be offered for sale on Hamilton Mountain?

Hon. Mr. Randall: Mr. Speaker, answering the first question, the tenants of Macassa Park senior citizens project receive a rental credit, and this will be reflected in their rental statement which they receive on May 1, 1969.

I would, however, point out to the hon. member that this is not their 1968 shelter exemption cheque, but a rental credit authorized by Order-in-Council dated January 2, 1969. Under the terms of The Residential

Property Tax Reduction Act, 1968, only certain public housing tenants would have been eligible for a tax exemption refund.

To be more explicit, I would like to quote section 81 of the Act:

> Where, in any year, a tenant of a public housing agency as defined in part 6 of The National Housing Act, 1954, Canada, occupies a residential property and pays an amount that is not less than a sum determined in accordance with a regulation made under this Act, having regard to the rental of similarly privately-owned residential property in the area, the agency shall determine the amount of reduction that would have been made by a municipality, under section 2, if the residential property had been assessed and taxed in the usual way, and shall allow such amounts as the reduction in the rent in accordance with section 4, and may apply to the department for a reimbursement of the amount of such reduction, and the Treasurer of Ontario shall pay for such agencies a total of such amounts.

Mr. Speaker, let me say to the hon. member that in order that all tenants of the Ontario Housing Corporation should benefit, the government of Ontario decided to grant them a rental credit in an equal amount to the tax reduction provided under The Residential Property Tax Reduction Act of 1968. I am sure the hon. member will understand the very substantial task that faced the Ontario Housing Corporation in arranging for these credits. At the present time the corporation has some 22,000 family and senior citizen units under management across Ontario, in addition to which it was necessary for credit to be calculated for those tenants who had only occupied their dwelling for a part of the year. This included those who had vacated their dwelling before the year end, and those who newly occupied a dwelling part way through the year. I am advised, however, that all rental credits will have been put into effect by May 1, 1969.

Answering the second question, Mr. Speaker, approximately 120 lots will be made available at the end of May or early June.

Mr. H. Peacock (Windsor West): Mr. Speaker, I have questions of the Minister of Trade and Development. What is the effective date of the agreement between the Ontario Housing Corporation and the Montreal Trust Company in respect of the Flemingdon Park and the Tandridge public housing projects? Is the Montreal Trust Company the successor to OHC in respect to the collective agreement between the corporation and local 767, CUPE?

If not, are the termination of employment of OHC staff and vacant possession of their apartments at the above projects terms or conditions in the agreement?

If so, what alternative employment and accommodation or equivalent compensation, does OHC propose to offer the employees so affected?

Hon. Mr. Randall: Mr. Speaker, in answer to the first question, May 1, 1969. The second question, no.

The third question deals with two projects, one called Tandridge and the other Flemingdon Park. I might also say that one of the caretakers being moved had requested another job, which we gave him, as an ordinary caretaker non-resident. The second caretaker in Tandridge had reached the age of 69 and came before the board for review as to his employment, and his contract was not renewed. On the two in Flemingdon Park, one became the resident caretaker at our Don Mount project, and the second gentleman became a resident caretaker at the Donald V. Summerville Apartments. All have been given the option, if they had small families, of staying where they are until the school year ends.

Mr. Peacock: Thank you, Mr. Speaker. Will the Minister accept a supplementary? Do I take it then that the bargaining unit in which these two groups of employees are now represented, will be wiped out as of May 1, and will these employees who continue at work remain under the provisions of a collective agreement between Ontario Housing Corporation and the Canadian Union of Public Employees?

Hon. Mr. Randall: We have no intentions whatsoever of wiping out Local 767, CUPE. We will carry on as we have done before. We are in negotiations with them right now. We have no intention of changing that agreement.

Mr. G. Ben (Humber): Mr. Speaker, I have a question of the hon. the Attorney General.

When will Ontario follow the initiative taken by the government of Alberta and introduce legislation protecting doctors, nurses and private citizens who volunteer assistance of first aid in emergency situations from subsequent legal action?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, The hon. member's question is

a matter of policy. I do not feel at the moment we are going to proceed in that direction. Certainly, I have had no direction from my colleagues. I do not see the need of such legislation at this time.

Mr. Ben: That is not being reformative!

Hon. Mr. Wishart: Well just because another province enacts legislation of that nature is not enough. One has to find some logical reason for it, and there does not appear to be any.

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, a question of the Minister of Energy and Resources Management.

Is the polyphosphate in detergents a great contributing factor to the pollution of water?

If so, will the Minister's department and this government strive to have a ban placed on the use of polyphosphates in the manufacture of detergents?

Hon. J. R. Simonett: Mr. Speaker, the polyphosphate content of detergents is a contributing factor to the pollution of water. The Ontario Water Resources Commission programme is designed to control pollution from any source. This includes phosphates from detergents, sanitary wastes and other sources. There is an intensive research programme at the present time to find a suitable substitute for polyphosphates used in detergents.

Mr. Speaker: The hon. leader of the Opposition.

Mr. Nixon: Mr. Speaker, the Minister of Municipal Affairs is now with us. Has the Minister received a petition from citizens of the Marathon area requesting the department take steps to set up an elected council? Is the Minister prepared to take the action requested by the petition?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, in reply to the leader of the Opposition who is now with us, I will just say that there—

Mr. Nixon: What does that mean?

Hon. Mr. McKeough: The record speaks both ways!

Mr. Nixon: In my case it is true, the Minister has just arrived!

Hon. Mr. McKeough: In answer to the question, I have not received a petition from anyone in the improvement district of Marathon. I have had correspondence and I think there were questions earlier in February. As I recall, I have had correspondence with two or three of the leading proponents of change in the municipal status. I have indicated to them by correspondence that submissions under subsections 3 or 6 of section 10 of The Municipal Act must go to the Ontario Municipal Board for determination rather than to the Minister of Municipal Affairs.

I was told, as of this morning, that the Ontario Municipal Board has not as yet received any petitions. No doubt they will be receiving them. The jurisdiction in this case is with the board and not with the department or the Minister of Municipal Affairs, subject only to the provisions which we envoked under section 25(a) of The Municipal Act which said that we wanted to have a look at these things before they were proceeded with by the board and comment on them.

I can see no reason why, in this particular instance, we would not say that the board should proceed with the hearing and the determination.

Mr. Nixon: As I understand it then, the decision is with the Ontario Municipal Board but the Minister reserves the right to give them some advice.

Hon. Mr. McKeough: I think the leader of the Opposition—

Mr. Nixon: Which is sort of a switch, is it not?

Hon. Mr. McKeough: No, I think the leader of the Opposition would be aware that in the design for development phase II speech, we said that we wanted to be informed. These things have gone on, really without our knowing of them, without the department expressing a viewpoint one way or another. In terms of areas which were under study or about to be studied, there were cases where amalgamations or annexations would not make sense. So, we have asked the board if they would forward all these requests for amalgamations, annexations, erections, which this is, from an improvement district into a town or township to us and we would then suggest to the board whether or not they should proceed. I see no reason why this one should not proceed.

Mr. Nixon: Is there a formula associated with this change or is it just a matter of judgment when the immediate circumstances are put forward? Is there a formula associated with population or changing assessment?

Hon. Mr. McKeough: No. But I think the board would look at the improvement district, as we do, and welcome their incorporation as a town or township, I am not sure which it is to be. One thing the board would look at is the financial liability and, secondly, I think the degree of interest shown by the local people, or the lack of it.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Lands and Forests: Is it present policy not to issue the numbered back patch with the summer licence? If so, why?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member, I would say that this matter is under active review and I hope to have information in the near future.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Minister of Lands and Forests:

What are the terms of reference of the new committee which the Minister has established to advise the government on the selection of natural areas for study and enjoyment of all citizens?

What salaries or expenses will the members of the committee receive? How often will the committee meet?

Mr. Speaker: Is the hon. Minister of Lands and Forests prepared to answer the question placed to him by the member for Waterloo North?

Hon. Mr. Brunelle: The answer to the first part of the question, Mr. Speaker: The terms of reference of the new committee will be twofold. One: to recommend broad fields of interest and study which would be represented in a system of nature reserves and, two, to recommend specific areas to be reserved or acquired as nature reserves.

Members of the group who are not civil servants each receive $40 per day plus actual travel expenses.

I might add, Mr. Speaker, that most of the members of this committee are university professors who are specialists in the field of botany, zoology, soil findings and so forth. They are highly dedicated to working to improve the province in this field of nature reserves.

The committee will meet not less than once, and not more than four times each year.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. A question of the Minister of Labour:

Will the Minister instruct the labour standards branch to investigate wages paid to cooks in Hydro camps in northern Ontario to ensure that cooks are paid at least the minimum wage and, where wages are or have been below the minimum, ensure that arrears are paid to all those entitled to them?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question, I will have this matter looked into. It would be helpful if the hon. member would care to pinpoint some cases that he may know about, so as to assist the employment standards branch investigation.

Mr. Stokes: I would be happy to.

Hon. Mr. Simonett: Perhaps I could give the hon. member an answer to a question he asked regarding the same matter yesterday.

The rate negotiated between the Ontario Hydro and the Hotel and Restaurant Employees and Bartenders International Union for the lowest level of third cook is $64.15 per week, increased to $71.93 after six months, plus the value of free board—which for tax purposes is valued at $17 per week for a 44-hour week. On an hourly basis, this would be $1.46 per hour in wages plus the value of board. Ontario Hydro's understanding is that in this industry the existing minimum wage is $1.15 per hour going up to $1.30 per hour.

Mr. Stokes: Did the Minister say the minimum wage is $1.15, not $1.30?

Hon. Mr. Simonett: I said that Ontario Hydro's understanding and my understanding is that in this industry the existing minimum wage is $1.15 per hour, going up to $1.30 per hour.

Mr. C. G. Pilkey (Oshawa): A question of the hon. Minister of Trade and Development.

Is the Minister aware that Reynolds Extrusion Company Limited, Oshawa, is moving to a new location at Richmond Hill?

Did the government provide or is the government considering providing an EIO loan to the company?

Will the Minister intervene, thus guaranteeing the employees in Oshawa adequate protection from loss of jobs?

Hon. Mr. Randall: Mr. Speaker, the Toronto plant of Reynolds Extrusion Company Limited is due to move to a new location at Richmond Hill at the end of August, 1969. Some parts of the facilities at the company's Oshawa plant will supplement the new plant.

The Ontario Development Corporation is not considering providing an EIO loan to Reynolds Extrusion Company Limited of Oshawa to move to a new location at Richmond Hill. Richmond Hill is not on the list of municipalities approved for assistance under the EIO programme.

The officials of my department have been in contact with the Canada Manpower Centre in Toronto and will be informed of the plans of the Manpower Centre in this matter.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Minister of Lands and Forests:

When will the 30 surveyed lots in McKeown township on the west shore of Kenogamissi Lake approximately two miles south of the Cache be made available for public sale?

Hon. Mr. Brunelle: Mr. Speaker, I am pleased to inform the hon. member that public sale will be available in the area in question in the very near future.

Mr. Speaker: The member for Cochrane South has another question.

Mr. Ferrier: A question of the Minister of Energy and Resources Management:

Has the government decided who is responsible for pumping Gillies Lake in Timmins during high water peaks so that flooding of adjacent roads and homes is avoided?

If so, who is responsible?

Hon. Mr. Simonett: Mr. Speaker, no, the government has not been asked to decide as far as I am aware. I am familiar with this problem and I have indicated to the municipal council of the town of Timmins that the only action I can take to assist them in this matter would be in conjunction with the Mattagami Valley Conservation Authority. So far, the town of Timmins has preferred to deal with the matter directly rather than by referring it to the conservation authority, and, consequently, I have taken no action in this matter.

Mr. Speaker: The hon. member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): Thank you, Mr. Speaker.

I have a question of the hon. Prime Minister: Is the Premier prepared to accept the request of George Plummer, chairman of Dunlop Canada for the establishment of a ministry of public safety with sole responsibility for exacting and enforcing safety laws and orders that he advocated at the annual meeting of the Industrial Accident Prevention Association yesterday?

Hon. Mr. Robarts: Mr. Speaker, I have not read this news report; I assume it came out in the morning paper. At the moment we have no plans for the establishment of a ministry of public safety, but I will take a look at the news report and see what Mr. Plummer was recommending.

Mr. R. F. Ruston (Essex-Kent): I have a question of the hon. Attorney General.

Is the Attorney General making any recommendations through the fire marshal's office to prevent the hazards of living in 15- to 25-storey buildings without adequate facilities to rescue residents in case of fire?

Hon. Mr. Wishart: Mr. Speaker, I would take that question as notice and give an answer very shortly.

Mr. Speaker: The hon. Treasurer.

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, I have a reply to a question of the hon. member for York South (Mr. MacDonald), placed by the hon. member for Riverdale (Mr. J. Renwick) a few days ago. The question:

> Will the Provincial Treasurer provide the Legislature with the departmental breakdown of the $400 million cut in this year's estimates?

I would like to provide a brief background on the budgetary process in response to this question. Some of it has been outlined before to the hon. members but I believe it will be helpful to review the procedure as a result of the Opposition's request for more specific information on Budget considerations.

The overall financial framework for 1969-70 was considered last fall by the Cabinet committee on policy development in the light of a variety of considerations including economic conditions, taxation levels, capital

market prospects and other salient factors. After studying the alternatives, the Cabinet committee agreed upon the global limits of expenditures along with expenditure priorities, making as broad a provision as possible for essential services to our people.

Accordingly, the Cabinet committee recommended to the Executive Council a limit of $3 billion for net general expenditure for the current fiscal year. This target figure was approved by the Executive Council and referred to Treasury Board, its finance and administrative committee, for implementation during the review of departmental estimates. My six colleagues and myself on Treasury Board complied with this instruction and, as the hon. members know, recommended a Budget with a net general expenditure of $2,996 million.

As Treasurer, I then considered the appropriate revenue sources for a balanced Budget, which encompassed a variety of vital considerations. Economic conditions dictated a need to cool off the inflationary pressures. The high cost of borrowing in the capital market removed any temptation to increase the public debt as an alternative to either tax increases or expenditure cutbacks. From a longer-range view, we had to establish a solid financial base from which to launch a tax reform programme.

Perhaps as important as any consideration was Ontario's responsibility to co-operate with the national restraint policy advocated by the Economic Council of Canada and supported by the federal government and a number of provincial jurisdictions. This province, dominant as it is and blessed with a strong economy and low unemployment, was in a most favourable position to respond to the appeal for restraint and to absorb the consequences of it. Some of our sister provinces, who are not as fortunate, might have suffered if Ontario had decided to squeeze the already tight capital markets or imposed inflationary increases in the principal tax fields. The response of Ontario was critical to the success of a national restraint programme and this government demonstrated its willingness to make an important contribution to the economic health of the nation.

This restraint policy, however, involved sacrifices in a variety of programmes provided by this government. I felt it was appropriate to indicate to the Legislature and to the people of this province the manner and extent to which budgetary reductions were implemented to produce a balanced Budget. On pages 18 to 20 of my Budget statement, I outlined the effect on our priority expenditure areas and provided a number of examples to show where restraints were applied, where expenditures were frozen at last year's level, and where reductions were made. I also listed a number of programme improvements that had to be postponed.

In the government's view, these illustrations were necessary to indicate that the Cabinet, its committee on policy development and its Treasury Board were conscious of the consequences of its financial policy and to forewarn the people of the province of the implications and sacrifices involved.

This background is important to the answer I now wish to provide to the request of the leader of the New Democratic Party for a detailed breakdown by departments of the $400 million cut from this year's estimates. The provision of such information, I suggest, would be both imprudent and improper.

The bare figures themselves could be quite misleading, and certainly they would not be meaningful, without a more comprehensive explanation of the specific areas in which reduction were achieved. This further information would reveal, or suggest, a variety of new policies and developments being considered by the government, the programme improvements we hope to incorporate when funds are available, administrative and operational changes under consideration, and a host of other intentions. The government can neither give nor imply commitments to these considerations. Indeed, our intentions may change substantially during the course of the major management and operational review—our productivity improvement project—now being implemented, and other on-going evaluations of government programmes in response to changing conditions.

There is also the obvious danger of exposing plans to interests who may take advantage of the information and undertake actions detrimental to the public good. The disclosures might raise false hopes and expectations among our people. The ramifications could be widespread.

This question, in essence, imposes on prudent and traditional parliamentary practice since it takes the Opposition parties into the Cabinet chamber, into the meetings of the Cabinet committee on policy development, into the deliberations of Treasury board and into the offices of each of the Ministers of the government.

I submit to you, Mr. Speaker, that the question requests statements of government policy and information that constitute a

breach of Cabinet secrecy. The parliamentary rulings against the provision of such information are numerous and definitive, as you are well aware, Mr. Speaker.

Sir Erskine May, an eminent authority often cited in this Legislature, states clearly that one type of question consistently ruled inadmissible is one seeking information about matters that are in their nature secret, such as decisions or proceedings of the Cabinet or Cabinet committees.

"Lewis' Parliamentary Procedure", page 45, states that a Minister may refuse to answer a question asking an expression of opinion upon public policy. He also states that a Minister may refuse to answer a question on the grounds of public interest and a question so refused cannot again be placed on the order paper.

The precedents of this Legislature go even further. In 1912, Mr. Speaker gave a rule indicating that certain questions:

> . . . involved matters of inference and opinion and lead up to or profess to lead up to and deal with a question of policy of the government which the Minister is asked to announce, discuss, and declare. Any one of these reasons would be sufficient to condemn the inquiry.

I also refer to a resolution passed by this House on April 17, 1912 which reads:

> RESOLVED,
>
> That under the rules and procedure of this House, questions put to members must not put forward any debatable facts, nor any matter that will involve opinion, argument or influence, nor can any fact be stated, nor any opinion or intention as to matters of policy; nor should any question be put upon a matter which is not within the recognition of this House.

I ask you to consider, Mr. Speaker, that the information requested is privileged, and to accept, for the many reasons I have cited, my reluctance to provide it.

In making these observations, I submit that it is the prerogative and responsibility of the Opposition to examine the spending estimates of the government as they are presented to the Legislature. Indeed, it is their role to present alternatives that they believe might be more acceptable to the people of this province. In that role, they have a much wider scope for debate than has the government. Obviously, there are many more alternatives than there are courses of action.

I submit to you, Mr. Speaker, that it is not the government's obligation to assist the Opposition by disclosing the alternatives that we considered. Indeed, it has been my experience over a number of years that the members opposite are quite capable of conducting a close examination of the estimates and presenting alternatives to them in a manner befitting their responsibility to the people of this province.

I respectfully suggest that the Opposition parties do not require any further information, beyond the full disclosures in the Budget and the estimates, to perform their duties in this House.

Mr. MacDonald: Mr. Speaker, I would like to thank the Provincial Treasurer for his second statement on the Budget. I only wish we had had the television cameras for this presentation too.

Mr. Speaker, I would like to ask a question and draw some things to your attention. The first thing is that obviously the statement of the Provincial Treasurer is in line with the comment of the Minister of Mines that we have "no right to know". If it is imprudent for us to know, why was it—I ask the Provincial Treasurer—prudent for the Minister to boast about the $400 million in cuts? That was a question, Mr. Speaker. If it is imprudent for us to know, why was it prudent for the Provincial Treasurer to boast about the cuts?

An hon. member: He cannot answer; that would be a breach of Cabinet secrecy.

Mr. Speaker: It is obvious that the Provincial Treasurer does not desire to answer the questions.

Mr. J. Renwick (Riverdale): That is typical.

Mr. MacDonald: Mr. Speaker, obviously, we have no right to know and there is not much point in proceeding with the Provincial Treasurer, so I would like to put a question to you, sir.

We have had a non-answer, as far as the question I put to him, but mostly we have had a usurpation of your rights with regard to what can be stated in this House. I draw to your attention that when we asked this question, the chairman of the committee quite rightly said it was a legitimate question. So, Mr. Speaker, I would ask you to examine the fact that we have already had a ruling in the House, from the Deputy Speaker and chairman of the committee, that this is a legitimate question. The Provincial Treasurer has usurped the rights of the

Speaker and the chairman and said that, in effect, this is not a legitimate question. Could we have your version of it?

Mr. Speaker: With respect to the first matter mentioned by the hon. member for York South, I recall, I think yesterday or very recently in the House, having some very learned guidance from members of his group on the rules of the House. They were expounding at great length and quoting authorities, and I was pleased to have the advice, and I am likewise pleased to have the assistance of the Provincial Treasurer. I would think it is a good thing that the members on both sides of the House go to the rules and the reference books. Certainly it will never be a usurpation of Mr. Speaker's prerogatives as far as bringing these matters to the attention of the House is concerned.

Mr. Speaker will most definitely deal with them when he has to, and I now propose to say that I have allowed the question. I felt that the question was in order, as the Deputy Speaker had allowed it previously as committee chairman. I also say that, in my opinion, in accordance with the precedents and rules which are inherent as well as contained in the rule books and in reference books, the Minister has a right to answer it as he had. I think he has made a case that it is a matter which is not subject to answer, and therefore, as far as I am concerned, the question was asked quite properly. The question has been answered—or "non-answered", as the hon. member for York South says—and again, in my opinion, in accordance with rules and precedents of this and all other Parliaments.

Now I would be pleased if there are any further submissions that the hon. members would wish to check and let me have to consider the matter further, but that is the situation as I see it at this moment. The hon. member for York South wishes the floor.

Mr. MacDonald: Mr. Speaker, I would just like to draw to your attention that this leaves the Opposition with no alternative but to take the time to dig the information out, department by department.

Mr. Speaker: The hon. Minister of Trade and Development advises me that he has questions from two members in the New Democratic Party, and I presume these were questions taken as notice because the questions I have have all been asked. Could the hon. Minister give me the numbers of the questions so that I can check them?

Hon. Mr. Randall: The first question is No. 1157 from the hon. member for Riverdale.

Mr. Speaker: Yes, that has been asked; and question No. 982.

Hon. Mr. Randall: And No. 982, that is right.

Mr. Speaker: These are questions which have been asked and taken as notice.

Mr. J. Renwick: Mr. Speaker, my question was placed exactly a week ago today.

Mr. Speaker: The hon. Minister states he is now in a position to answer.

Hon. Mr. Randall: Mr. Speaker, answering question No. 982: Under the terms of the agreement between Bramalea Consolidated Developments Limited and Ontario Housing Corporation, Bramalea has an option to construct 50 per cent of the 1,039 units south of Highway 7. Under the terms of the agreement, Bramalea is required to conform to all of the conditions applicable to any other builder constructing dwellings on the balance of the land.

The other question, Mr. Speaker, was one of several parts.

I am pleased to table the agreement between Ontario Housing Corporation and Bramalea Consolidated Developments Limited. However, OHC is not a party to any agreement between Bramalea Consolidated Developments Ltd. and the township of Chinguacousy, therefore I am unable to comply with the request that this agreement be tabled also.

The purchase price to OHC was not based upon a cost per acre, but upon a cost per dwelling unit. As the hon. member will appreciate, land purchased on an acreage basis is normally in a raw state; that is it has not been subdivided or serviced. It is therefore incumbent upon the purchaser to carry out all of the necessary planning and negotiations which are required, preparatory to the registration of the plan of subdivision. As a result, the ultimate land use may range from single family lots at approximately 4 or 5 lots to the acre to medium density or high density. The ultimate value of the land depends to a very large extent upon the density permitted. Also, the design and installation of services is a further charge against the lands.

The hon. member will also appreciate that in the process of subdivision, the areas set aside for roads, parks, schools and other uses have the effect of substantially reducing

the lands which can be used for the actual development of residential dwellings. The land at Bramalea is being purchased by OHC, fully zoned, subdivided and serviced and is exclusive of lands for roads, schools, parks and other municipal uses.

In addition, with the exception of building permit fees and other minor fees such as water meter charges connected with the construction of the dwelling, all imposts and other charges have been met by Bramalea Consolidated Developments Ltd.

I regret I am unable to advise the hon. member why Bramalea was able to sell the lands to OHC at this price. I can only say that this was the price at which they were originally offered by Bramalea Consolidated Developments Ltd. in their letter dated July 7, 1967.

I am advised that in addition to the acreage being purchased by OHC, Bramalea Consolidated Developments Ltd. owns a further 3,700 acres of undeveloped land in the township of Chinguacousy.

Negotiations for the purchase of this land from Bramalea were conducted by staff of OHC. More specifically, I understand discussions concerning the general layout of the proposed development were conducted by Mr. G. W. Murchison, the then director of land development for the corporation, and Mr. J. F. Metcalfe, manager of lands. Mr. H. W. Suters, managing director of the corporation, Mr. A. A. Hermant, senior legal counsel and corporate secretary, Mr. P. E. H. Brady, deputy managing director (development), and Mr. P. R. Goyette, who succeeded Mr. Brady upon his resignation in October of last year, were also involved from time to time.

I am also advised that during the course of the negotiations concerning the purchase and development of these lands there was involvement by The Department of Municipal Affairs, The Department of Education and the Ontario Water Resources Commission.

Mr. Speaker, I have a question here from the hon. member for Scarborough Centre (Mrs. M. Renwick). It was a supplementary question she asked the other day, and I promised to answer it as soon as I got the information. It is as follows:

1. No part of the building is completed to the satisfaction of the construction engineering branch of Ontario Housing Corporation. For the information of the hon. member, there are a substantial number of deficiencies on all floors of this building which have to be cleared up by the contractor. In addition, a crack in the structure of the building has been found. This is now being investigated by an independent structural engineer retained by OHC, and until his report has been received the building will not be taken over by the corporation. Thus, in answer to the member's question: "When was construction finished?", I can only reply that at this time construction is not finished.

2. On January 30, 1969, a complete inspection of the building was carried out by OHC and at that time it was estimated the building was 92 per cent complete in terms of construction. At February 28, 1969, the percentage completion was estimated at 95 per cent. On March 10, 1969, a further inspection was carried out and deficiencies listed included plaster cracks, sanding of floors, painting, and so on. Further inspections were carried out through March and early April which resulted in a considerable number of deficiencies being reported to the contractor. Until these deficiencies have been rectified the building is not considered to be in a condition in which families can be placed in occupancy.

3. I can assure the hon. member that OHC is equally anxious to take this building over. However, the building will not be taken over and occupied until it is satisfactorily completed.

Mr. Speaker: Orders of the day.

Clerk of the House: The 42nd order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, THE DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2002:

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, during the course of yesterday's proceedings the hon. member for Nipissing (Mr. R. S. Smith), I believe it was, asked a question respecting the matter of pre-paid funerals and I gave him a reply. I just want to put on the record the complete answer, so that there may be no misunderstanding.

Beneficiaries under the family benefits programme can be divided into two broad areas: the recipients of allowances and old age security pensioners, who have qualified for premium free medical and hospital coverage.

With regard to the first group, the policy before the introduction of The Family Benefits Act, and the policy after the introduction

of The Family Benefits Act, continues to be the same. That is, pre-paid funerals are to be considered as assets.

With regard to the second group, effective April 1, 1967, pre-paid funerals were considered to be assets as this group was moved into the same needs tests as the recipients of allowances.

Prior to April 1, 1967, a set of rules was used in determining eligibility for premium free medical and hospital benefits. The rules excluded, at that time, from assets, pre-paid funerals.

When the question was raised in the House yesterday I assumed that the policy referred to was the one relative to determining allowances. Thus, the answer that there had been no change in policy was correct. If the question referred to premium free medical and hospital benefits provided to old age security pensioners, then the answer is that there has been a change in policy, effective April 1, 1967, with respect to this specific item.

Mr. Chairman: On vote 2002; provincial allowances and benefits. The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, before commenting on the lack of use by the province of Ontario of the possibilities under the Canada Assistance Plan, I would like to read from the report of the Canadian committee on the International Council on Social Welfare for the 14th International Conference, May, 1968, under item four on page 31, item 110, it reads:

> Physical and Mental Health: Article 25 of the Universal Declaration of Human Rights states that everyone has the right to a standard of living adequate for the health and wellbeing of himself.

Article 25(1):

> It would be useless to insist on the importance of health in the life of the individual and the family, this importance is universally recognized.

I would say, Mr. Chairman, that in the field of health the need is universally recognized and the preventative health measures are to be commended in Ontario, to a great degree.

But the recognition of the fact that an adequate amount of nutritional food is necessary in order to maintain a decent standard of adequate health has not been yet recognized in the province of Ontario.

Because the government has failed to do so, Mr. Chairman, other people are having to press and fight for something which should have been a natural undertaking providing this government was going to accept the $6 million from the federal government retroactive to 1966, from 1967, the $106 million from 1967-68, and now, the estimated $131 million for those persons in need in Ontario.

It was a very simple proposition, Mr. Chairman, that was put forward by the federal government. The following objective of the Canada Assistance Plan, was stated by the government of Canada, outlined in a policy statement on the plan put out in 1966, from the Canadian Welfare Council. Item 1 is very simple, Mr. Chairman:

> To meet the need whenever it exists, regardless of cause; two, to provide a framework for a new co-ordinated approach to public assistance by the federal and provincial governments in place of the present patchwork of measures. Under the plan each province may, if it wishes, establish a comprehensive, general assistance programme which, while recognizing varying requirements of different groups, would meet those requirements with one legislative and administrative framework.

It goes on, Mr. Chairman, to say that:

> However, at the discretion of the province, they may continue the old age assistance, the blind person's and disabled person's allowances in separate programmes with no change in the present cost sharing provisions rather than merge them with the new general assistance programme.

I have two things to say on that paragraph, Mr. Chairman.

One, that one of the first steps that will have to be taken by this government in order to improve the situation as it is, is to put all of its assistance under one Act. As it is, Mr. Chairman, there are 27 categories and seven different kinds of aid. It is indeed exactly what is termed here, a "patchwork of measures".

In Ontario, the cost and administration must be taken over by the province for all welfare assistance from the municipalities' shoulders. We have seen much of the fault of the administration and we know that the only way that this system is going to work is to have it administrated, paid for and serviced from here under one type of assistance for any person in need.

We need one Act where the people can be covered according to their needs. Their needs will vary, Mr. Chairman, and the Minister made a facetious remark in the last estimates:

Well, what do you want us to do, lump a thalidomide baby in with a widowed person, or some such thing? This is not what we are talking about.

We are talking about the fact that philosophically, this government has never, at any time, taken the approach that is outlined in the Canada Assistance Plan. On the other hand, it is taking the money. Philosophically it is going to be very difficult for the men in this Cabinet to face the fact that they must meet need wherever it exists and that there is no ceiling on the type of need, providing it is shown to be a basic need. The federal Liberal Party is to be criticized severely for allowing a province like Ontario, at its discretion, to put this under one Act. By allowing any such thing, it simply is not going to get done unless it is made mandatory to get the money.

So, when government is not doing it, Mr. Chairman, people outside of the government are having to take on the huge burden of trying to update welfare legislation in Ontario. In the *Ontario Welfare Reporter,* summer 1968, I read:

> From their position on the front line of welfare assistance programme the members of the Ontario Welfare Officers Association, welfare assistance programme, the members report on the virtues and shortcomings of legislation. Sometimes concensus is expressed in resolutions and they feel that passed resolutions on provincial sharing of drug costs and abolition of residents requirements and chargebacks have borne fruit. The association also maintains the liaison committee which meets with the Deputy Minister. Two matters understood to be under discussion at present are the new definition under general welfare assistance of a single person, which is cutting off some young people from assistance, and the question of whether special assistance should not be available in low income hardship cases even when the breadwinner is fully employed.

Well, that is the other section of the Canada Assistance Plan, Mr. Chairman. This government has just simply put its head in the sand and pretended it does not exist.

The regulations to the Canada Assistance Plan, were gazetted very clearly February 8, 1967. I listed in the last session, last evening, Mr. Chairman, the first three items of special needs of any kind regarding furnishings, repairs to property and needs for handicapped persons. But then, even it goes on to state that:

> Any of the following items, where they are necessary for the safety, well being or rehabilitation of a person in need: special food or clothing, telephone, or rehabilitation allowances and housekeeping allowances.

I read last night, Mr. Chairman, about assistance to persons who are working but who cannot, perhaps, provide for something essential in their work, something that is of necessity for them to continue to work. And the Act was even careful enough to outline examples: mandatory licences, visa permits, special clothing, and tools or other equipment essential to obtain or continue in employment.

I urge this government, Mr. Chairman, and beg them, to look at the people who can continue employment or can be employed while they are still in receipt of a benefit. Surely it is far better to have people able to be employed at the same time than to have the system we have now where they can only receive a benefit if they are absolutely destitute and if they are absolutely unemployed except in the case under The Family Benefits Act for the mother's allowance.

While the people march on outside of this chamber trying to update the system, we go into the *Ontario Welfare Reporter*, now in winter 1968, and all the power lies here, Mr. Chairman. We do not have to go through months and years of this sort of effort by private individuals and private agencies: the power and the responsibility is right in this room. From the *Welfare Reporter* of 1968 we read:

> Implications of the Canada Assistance Plan are the first concern of the special policy committee, and Mr. Winslow Benson presented a project proposal which his committee felt was manageable, but at the same time focusses on a central issue of the Canada Assistance Plan. The committee will explore the potential of the Canada Assistance Plan in respect to social services. Because the committee's concern has been especially with the preventative aspect of the service, the enquiry should focus on persons of marginal poverty. The plan provides for federal contributions to the cost of welfare services to the province and to municipalities, not only to the persons in need but to persons who are likely to become persons in need.

Mr. Chairman, when the government of Ontario fails even to take cognizance of the full implication of the federal Act, then the private volunteer groups have to begin. Mr. Benson is a retired gentleman; he has already worked very hard, probably all of his life. Now we are asking people like this to dig in and try to show where Ontario could be improved in the adoption of the Canada Assistance Plan. They had their first meeting last Tuesday, I believe, a week ago today, Mr. Chairman, and the conclusions of that meeting were:

> Some of the obvious points which we learned from our Peterborough meeting were as follows:
>
> 1. It was a very good idea to have a preliminary meeting with some of the key people in the community to enlist their co-operation, obtain a list of suggested delegates, and so on.
>
> 2. It was important to emphasize that the meeting was of the Ontario Welfare Council. The anxiety of the various agencies that they would be blamed for a part or a whole of the conference or its consequences was alleviated in this way.
>
> 3. Invitations did not emphasize sufficiently that this was not a public meeting. Due to this we had to ask a reporter from the Peterborough *Examiner* to leave when he turned up.
>
> 4. It was surprising to learn that there had not been such a meeting in Peterborough, and that many of the people who were engaged in social work, welfare or health activities in the community had not formerly discussed community problems. It was especially interesting to note that there was no co-operation between the public and private sector, and our meeting stimulated the possibility of such co-operation.
>
> The time was fortuitous. The chairman of the welfare committee of the city council, Mr. Ip, had been recently elected. He is a young engineer with General Electric and a progressive and enthusiastic person. He was replacing a very conservative and inflexible man and it is hopeful that the previous non-supportive attitude of the city council to the welfare administrator is going to change. There was some suggestion that the Ontario Welfare Council will be further consulted about the co-operation of agencies in Peterborough.

Mr. Chairman, there is something rather pathetic about private individuals having to get together in this fashion and work through a meeting to come to just that simple conclusion. The government, in my view, is as determined to be as conservative and inflexible as the gentleman that they refer to here, and they do not realize they are working their hearts and souls out there to try to find the answers to some of the problems. The group fails to realize that the inflexibility is right here. No matter how much we bring forth, I doubt very much that in our lifetime very much will be changed until we change the government.

If you look at the facts that they have stated, that the public and private sectors have no co-operation, we have asked for the government to take the responsibility in this matter. I asked last year, I asked this year, and I suppose, Mr. Chairman, we will be asking next year. So we go into the spring of 1969, and the *Ontario Welfare Reporter* said that, well finally some people are getting down to at least some more gut issues.

> Four resolutions were received from members, and will be presented to the annual meeting of the Ontario Welfare Council, Thursday, May 15.
>
> 1. Subject—Appeal procedures under The Homes for the Aged and Rest Homes Act. Submitted by the Family Service Association of Metropolitan Toronto.
>
> Whereas The Ontario Homes for the Aged and Rest Homes Act, 1966, does not provide for appeal, and the Family Service Association of Metropolitan Toronto—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, may I make a suggestion, that that particular resolution could properly be read when we come to residential care and services for adults, which is the third activity.

Mrs. M. Renwick: Mr. Chairman, may I speak before you make a decision on this ruling. I have looked over my material today and last night, and most of it is overlapping as far as family benefits and as far as general welfare and assistance goes, and I do not think we can deal with the points separately, except where we are able. It is ridiculous for me to take an article on the whole welfare situation and say that this will appear under homes for the aged, and something else will appear under something else, and so on. The vote is a very large vote that covers everything, and I would ask the chairman if he would consider if I might read from anything that covers vote 2002.

Hon. Mr. Yaremko: Mr. Chairman, may I just say that the member is going to read four resolutions. I suggest it would be a very

simple thing for her to look at those resolutions and say, "Resolution number one comes properly under residential care and services for adults; resolution two comes under"—I do not know the order of those four resolutions—"municipal allowances and the third comes under provincial allowances." I say to the hon. member, she should have all the opportunity for reading every resolution in the world that she has garnered; all I suggest to her is that in the conduct of orderly business of a Parliament, there is a right time and place for her to do so.

Mrs. M. Renwick: Mr. Chairman, on a point of order, the items are not itemized under the vote, and I am not speaking about resolutions. I am not speaking about the resolution of the homes for the aged. I am speaking about this government's failure to make one Act and a simple procedure which would clear out a good amount of what I am talking about.

Mr. Chairman: I would say to the hon. member that we are dealing with vote 2002 under programmes of activity. I put this before the committee at the beginning of the consideration of vote 2002, and it was agreed by the committee, and properly so, I believe, that we would deal most efficiently with the estimates by sticking to the programmes of activity. At the present time we are dealing with provincial allowances; the next section deals with municipal allowances, and the last one is residential care and service for adults. If we are going to maintain any form of orderly discussion in debate, we must stick to either items in the vote, or to the programmes of activity.

I pointed out, I believe yesterday, that the items in the vote were not always the best way, in view of the fact that the presentation of the estimates this year is in a stage of transition for a new method of presentation, so I think we have no alternative but to stick to the programmes of activity. I believe, if the hon. member does have any references to the other programmes, she can perhaps set them aside and refer to them when we deal with municipal allowances, and similarly with residential care. So, we will deal right now with provincial allowances and benefits.

Mrs. M. Renwick: Mr. Chairman, of the four resolutions, one comes under item 3 of vote 2002, one comes under general welfare assistance, and the last two are under family benefits. I will read the last two.

Subject — Financial aid to independent family service agencies, submitted by Mr. Stephen Jackson, Peterborough.

Whereas the aim of the family service movement in this province is to carry out activities designed to protect and strengthen family life and enhance the social function of family members; and whereas many family agencies in this province are experiencing difficulty in providing adequate service, due to inadequate financial support, as the cost of appropriate services to families outstrips increases in voluntary donations; and whereas provision has been made within the Canada Assistance Plan whereby independent family agencies may receive aid provided enabling legislation is implemented at a provincial level; be it resolved that the board of directors of the Ontario Welfare Council recommend that the provincial government of Ontario pass legislation allowing federal moneys to be utilized in strengthening individual and family functioning by supporting the work of the independent family service agencies of this province.

No more need be said, Mr. Chairman. This is exactly what has to be done.

Subject—Recipients of disabled persons' allowance in extended care hospitals, submitted by Mrs.—

Mr. Chairman: That would come under the third programme, under this vote.

Mrs. M. Renwick: Thank you, Mr. Chairman.

That is one group of individuals who are trying to fill up some of the stopgaps. Then we have from the Association of Mayors and Reeves on the matter of municipal welfare services, a submission to the Minister on March 3, stating that the municipalities—

Mr. Chairman: That would come under the next programme under this vote.

Mrs. M. Renwick: You are right, Mr. Chairman, and I apologize.

Then we will go, sir, down to the fact that while the private volunteer agencies and their personnel in this province are trying to fill in where government has failed, we have—at the Provincial Conference for Women on April 16—the Prime Minister telling the women that growth and affluence are the only two problems in Ontario. Yet while he was talking that way of growth and affluence, then on the other hand, the Prime Minister has Mr.

Munro, National Minister of Health and Welfare in Ottawa, studying provincial demands for welfare funds.

Mr. Chairman, where does legal aid fall in this vote?

Mr. Chairman: Did the hon. member direct a question to the Chairman?

Mrs. M. Renwick: I did, Mr. Chairman. I was asking under which of these three sections of vote 2002 falls legal aid?

Mr. Chairman: Legal aid? I think the hon. Minister covered the matter of legal aid fairly well last night.

Hon. Mr. Yaremko: That is in this vote, Mr. Chairman, under provincial allowances and benefits. The family benefits section contains the salaries for the legal aid assessment portion, because the legal aid is divided between The Department of the Attorney General and this department.

Mrs. M. Renwick: Well, Mr. Chairman, what I am saying is that while the Prime Minister is saying we have only two problems in Ontario—growth and affluence—at the same time we are asking the federal government to contribute towards training social workers in undergraduate courses. And we are also asking—not under this estimate, Mr. Chairman—for support from them for half of the cost of legal aid.

Then we get out to the private agencies, which are trying so hard to do the sort of job that this government should be doing, and we find a whole ramification in the Toronto *Globe and Mail*, September 13, 1968. Mr. Chairman, I do not see how I can possibly break this sort of information into various votes, so I would ask you to have patience while I read this article, because the whole article applies to this vote.

Mr. Chairman: May I say to the hon. member that it is not a matter of the Chairman having patience, we must deal with these votes in an orderly fashion.

If it is anything under provincial allowances and benefits, the hon. member would be quite in order to make reference thereto under this particular programme. The third vote—2003—refers to certain grants to agencies, but I see nothing under this programme having to do with other agencies.

Mrs. M. Renwick: In the article I want to read, Mr. Chairman, we will be covering the fact that private agencies are having a very difficult time because of the increase in costs. What I am trying to bring into this Canada Assistance Plan is the need for this government to expand so that the private agencies will not be under this burden. Might I read what problems the United Appeal is having financially, Mr. Chairman?

Mr. Chairman: I am sorry, I did not hear what the member just said.

Mrs. M. Renwick: I would like to ask you, sir, if I might read an article stating what difficulties the United Appeal is having and what difficulties the various agencies supported by the United Appeal are having under this vote.

Mr. Chairman: I do not see any relevance to this particular programme. Perhaps the hon. member could just skip those parts that do not relate to provincial allowances.

Mrs. M. Renwick: It is just a case, Mr. Chairman, of having to edit it so carefully, paragraph after paragraph, that I will be going back and forth, back and forth. I will take a look at it, Mr. Chairman, and see what can be done with it.

I will read an article on social services from the Toronto *Globe and Mail*, September 20, 1968. This is a letter written by social workers from the family counselling service in Peterborough, and I will quote part, Mr. Chairman.

Mr. Chairman: Will the hon. member repeat the title of this particular article. I still do not think it falls under the provincial allowances programme. Would it not properly be rehabilitation, family counselling and aid to services for adults.

Mrs. M. Renwick: Fragmented aid is what I am talking about, Mr. Chairman.

Mr. Chairman: Well, we are dealing with provincial allowances and benefits.

Mrs. M. Renwick: That is solely what you would like to deal with, all right.

Mr. Chairman: I must point out to the hon. member that it is not the Chairman's like or dislike, it is what the committee must deal with.

Mrs. M. Renwick: Well, Mr. Chairman, it is not working very well for me and, I knew it would not work well when you first proposed it—but I do not know how to fight it; I simply say it is not working well.

Mr. Chairman: Does the hon. member have a suggestion for another method of dealing with them?

Mrs. M. Renwick: I wondered ever since I saw the setup of the new structure, Mr. Chairman, how on earth you could deal with it.

Mr. Chairman: We have dealt with vote 2001 at great length on generalities. Vote 2002 is fairly specific, and surely we can stick to provincial allowances and benefits and move on to municipal allowances and then to the residential care. I do not see what the difficulty would be.

Mr. S. Lewis (Scarborough West): The generalities were on one side of the House only.

Mrs. M. Renwick: I just do not want to find, Mr. Chairman, that when I reread some of this that I have then missed my opportunity to speak up.

Mr. Chairman: Well, I must say that in the opinion of the Chair this is the problem that the hon. member is encountering, but as a committee we must deal orderly with these and we are now dealing with provincial allowances by agreement of the committee.

Mrs. M. Renwick: All right, Mr. Chairman. I will start in then on The Family Benefits Act with regard to mothers' allowances, and I start by asking the Minister why on earth it takes three months—I am told by some applicants it takes six months—to process an application for mother's allowance? Do we need more people? Can we not have a system where it can be processed more quickly?

Then I would like to ask the Minister a couple of other questions on the same subject.

Mr. Chairman: I believe the hon. member directed a question specifically to the hon. Minister.

Hon. Mr. Yaremko: Mr. Chairman, the outstanding cases are 1,460 in mothers' allowances, the number that we process is about 700, and the average time is two months—four months short of the six months the hon. member referred to.

Mrs. M. Renwick: I wonder, Mr. Chairman, if the Minister would repeat that answer.

Hon. Mr. Yaremko: In mothers' allowances, outstanding cases are roughly 1,400; the number we process comes to about 700 a month, and the average time is approximately two months.

Mrs. M. Renwick: Two months? Is the Minister aware that out in the municipal offices, and in the east end office in particular at Queen and Coxwell, the understanding is that it takes three months? I have never talked to an applicant who did not say that they were told by the interviewer it would take three months. I have been told by Mrs. Sotnick it takes about three months. People are now being told it takes six months. I have never had a person put on mother's allowance in a shorter period than three months, and I would like to ask the Minister if the 1,460 are in abeyance now?

Hon. Mr. Yaremko: Yes, 1,460 that are in the process of being dealt with.

Mrs. M. Renwick: In the process of being dealt with! Well then, Mr. Chairman, I would like to ask the Minister if he would see that we get the information as to how old those applications are. Whether they are two months old, three months old, or more than three months. I think it is very important that we get that information, because as the system is working now—as I see it—the department is negating the whole purpose of The Family Benefiits Act, of allowing the mothers to keep a small amount of money. Their liquid assets are being used up, and the Minister must know this, Mr. Chairman. If there is any delay at all and the family is down to its last moneys, those moneys have to be used up before they can get general welfare assistance. I would ask the Minister if he could foresee a system whereby a mother's allowance applicant might apply to this branch and not have to use up her assets and then go to general welfare assistance?

Hon. Mr. Yaremko: I would hope, Mr. Chairman, that we would continuously strive to reduce the amount of time, between the time the applicant comes to our attention directly or indirectly and the actual granting of the allowance. I think that is the proper goal.

Mrs. M. Renwick: Then could I ask the Minister if the only dependent father legislation is under this Act? I received an amendment to dependent father legislation which referred to The General Welfare Assistance Act.

Hon. Mr. Yaremko: It comes under The General Welfare Assistance Act and some day I hope we will get it out of that particular Act unless we are prevented from doing so. However, it could be properly debated at this point because it is a provincially administered programme.

Mrs. M. Renwick: The dependent father legislation is a provincially administered programme?

Hon. Mr. Yaremko: Yes.

Mrs. M. Renwick: Is it not under The Family Benefits Act at all?

Hon. Mr. Yaremko: It is under The General Welfare Assistance Act—our sharing agreement with Ottawa is under The General Welfare Assistance Act.

I am advised that the new applications will be under The Family Benefits Act, but there are still some 78 outstanding cases under that particular portion of The General Welfare Assistance Act under which this programme was administered earlier. But it is a provincially administered programme.

Mrs. M. Renwick: Mr. Chairman, last year the Minister answered my question as to whether the people, under the Blind Persons Allowance Act and the disabled persons, were being left under the old programme because they would receive less if they were transferred and the Minister answered, "yes". I believe the hon. leader of the Opposition (Mr. Nixon) was asking about the cases that are still left under the old Act. My understanding from the Minister was quite clear, that it was because they would in fact lose a little if they were transferred. Now, what is going to happen financially to the dependent father? Would he not be better off—as I am sure he would be, Mr. Chairman—under The Family Benefits Act, and why cannot we get the dependent father out of The General Welfare Assistance Act into the FBA?

Hon. Mr. Yaremko: The transference would bring about a lesser payment. Those 78 dependent fathers are better off under the old legislation than they would be under the new Act. They are very similar to the blind and disabled with some minor variations.

Mrs. M. Renwick: Mr. Chairman, I am loathe to get down to discussing such a small item with the Minister again, but I am going to hope it will be particularly short, on the subject of the heat allowance. Earlier a member tried to pin the Minister down, into facing up to the fact that the heat allowance is based on a monthly basis, is it not? When they figure the heat allowance, the administrators figure what the requirement will be for a month?

Hon. Mr. Yaremko: It is based on the season but then it is calculated on a monthly basis over seven months in southern Ontario and nine months in northern Ontario.

Mrs. M. Renwick: It is based on the season then, Mr. Chairman. I spent a great deal of time trying to find out from the Minister last year whether it was based on the season or based on the month. Now, if it is based on the season, what period of time does the government feel is the heat season?

Hon. Mr. Yaremko: The heat season is the amount of heat that is necessary during the course of the whole year. We calculate how much the heating requirements are for the year, then it is paid out to the recipient in southern Ontario in seven equal instalments and northern Ontario in nine equal instalments. We could very easily divide it by 12, we could reduce it to six, but the total figure for the heating is calculated on an annual basis.

Mrs. M. Renwick: Mr. Chairman, it is based on the size of the dwelling; it is based on, hopefully, whether the dwelling is subject to drafts and so on, but I am trying to find out what else it is based on. I do not think for a moment that the department could possibly be saying we are basing this on so many dollars of heat for twelve months. So, I think someone in the department has to say for how many months they are basing the heat. You have to have a period when you are not providing heat for people, that is certain, in July, and in August, but last May when the temperature did not rise above 60 there should have been a heat allowance. As the Minister has explained, it is made on on an annual basis but is he then basing it on twelve months of the year?

Hon. Mr. Yaremko: It is calculated on what heat seven tons of coal will produce for a six-room home. Perhaps the simplest way would be—there was a statement prepared for me and I will read the statement and give the member the details.

Under family benefits, fuel is included in the determination of budgetary requirements. The amount is calculated using the following: the number of rooms in the home, the tons of coal required to heat the home and the price of coal in the area to a maximum of $32 per ton. In the regulations which are before the hon. member they are set out in a table, a six-room home would require seven tons in southern Ontario and nine tons in northern Ontario. Amounts are included in the monthly allowances from September to March in

southern Ontario and August to April in northern Ontario.

It so happens we choose the months in which heat is ordinarily required for the distribution of our cheques. We could very easily send out a cheque for seven tons of fuel in the month of July and say, here is your fuel allowance for the whole year. Wisdom, caution and prudence, however, dictate that this might lead to difficulties so we send out the cheques during the seven months in southern Ontario and nine months in northern Ontario. The rates may be increased by an amount up to 20 per cent where a beneficiary is ill, a house contains more than six rooms, or a house is of faulty construction.

Mrs. M. Renwick: Mr. Chairman, when a recipient makes application to the administrator or through your department, you are sending out a cheque, and you apportion so much for shelter, so much for food, clothing, personal needs. Why would you apportion the heat allowance for seven months, if it is a 12-month allowance?

Hon. Mr. Yaremko: Because we believe that this is the best way to send out the fuel allowance.

Mrs. M. Renwick: Well with the medical officer of health regulations for the city of Toronto being of a greater period than the provincial government's system of payment, would the Minister consider setting up say even an eight-month payment of heat allowance in Ontario?

Hon. Mr. Yaremko: There is no problem in that. One could choose seven months, eight months, nine months. I have taken the matter up with my people, the number of months is not the significant thing. The idea is to place money into the hands of the recipients so that they will be aware of the fact that that money is available for fuel. As I said yesterday, we are all subject to a certain human weakness. If we get a $60 cheque sometime —all at one time—there is a tendency to spend it and hope that something may crop up six months later. It is just that—in fact I see no reason why we should not amend it. Whether the figure is eight months or nine months is of no consequence.

Mr. Chairman: The hon. member for Essex South was up—

Mrs. M. Renwick: I had not finished speaking.

Mr. Chairman: I must point out to the hon. member that she has been speaking ever since we went into committee. This is her privilege, but there are many other members who wish to speak.

Mrs. M. Renwick: Very well, Mr. Chairman, I would like to draw to you attention that last night I let all the members speak in this House, and spoke for the first time at a quarter after ten, out of courtesy.

Mr. Chairman, I would just like to ask the Minister's assurance that he will take an interest in an amendment to The Heat Act, inasmuch as under the seven-month basis last year there were many families who had used up their heat allowance by the end of March, yet in April and May, we have very cold months. I think that the government should take a realistic view of the fact that the weather cannot be apportioned to seven months of the year, that the weather may in fact be weather needing heat eight months or nine months. Perhaps the discretion has to be decided by the Minister, but let us change the Act.

Hon. Mr. Yaremko: Mr. Chairman, the Associate Deputy Minister advises me that procedures have been initiated for the change in the regulations and that will be taking place.

Mr. D. A. Paterson (Essex South): Mr. Chairman, I think the hon. member has missed the whole point of this. It is not the allocation or the periods of the month that are the factors; I think it is the criteria of using coal as the basis for the department's calculation. Most of the homes, certainly in my riding, are heated with either oil or gas, which I believe are more expensive fuels than coal and there—

An hon. member: This Act was drawn up in the coal age.

Mr. Paterson: That is the whole point. There are various qualities of coal. Could this not be computed on a more modern type of fuel for the modern home and the age in which we are dwelling? This would make a difference and probably would put more dollars into the homes of the recipients.

An hon. member: Sure it would.

Hon. Mr. Yaremko: I am advised that there would be very little difference, but I think this is a matter which might be taken under review. I do not know how old the regulations are with respect to coal. I am advised that at the time they were put into effect, attention was given to other heating agents,

but there is no reason why we could not take this under review and just double-check it.

Mrs. M. Renwick: Mr. Chairman, I would like to add my remarks to those of the member for Essex South, that the dependant father regulations, which are dated back to 1963, refer to coke and I do not even know if we still have coke in our society. I certainly know we have coal but—

Mr. Chairman: The hon. member for Hastings.

Mr. C. T. Rollins (Hastings): Further to this, and to the Minister, when we are discussing heat allowance I would like to ask, through you, sir, for individuals who have homes, is heat allowance considered for an individual in one home or is there a possibility of making amendments in this regard?

Hon. Mr. Yaremko: I think the hon. member is referring to the fact that where there are two persons in a unit and we grant fuel allowance, if one of the parties dies, the regulations bring about that no fuel allowance is calculated. This is something I will check into for the hon. member and see what can be done.

Mr. Rollins: That is quite right. Through you, Mr. Chairman, to the Minister, this has been an item that I have been most concerned about. I feel it is most unfair where a situation such as this arises that they should be deprived of heat assistance. I believe more than ever where their independence is to be protected that this should be considered, and I would hope that this would be considered in some amendments.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): While we are carrying on with the fuel allowance, Mr. Chairman, may I suggest to the Minister that he not use a seven-month period but use a longer period even in southwestern Ontario, because the heating season does not end in our area on March 31; it extends much beyond that, and may I also—

Hon. Mr. Yaremko: In the Banana belt?

Mr. B. Newman: Mr. Chairman, there are days when it almost hits zero—

An hon. member: There goes the tourist trade.

Interjections by hon. members.

Mr. B. Newman: It is much too cold for them. May I suggest to the hon. Minister that he have an accompanying letter two months prior to the time that the fuel allowance is to be cut off, to warn the individuals that their fuel allowance will expire with the cheque two months from then, and as a result of that, they may attempt to conserve a bit of heat. We should not be worried about the conservation of heat, Mr. Chairman; we should be worried about the individual, and if it is necessary to heat a little extra and a little longer, I think your department should see to it that this is covered by some type of an additional assistance.

It is all well and good to say that there are funds provided through the local welfare officer, but, Mr. Chairman, those funds are being held fairly tight by the local welfare officer and it is most difficult for individuals to obtain this additional assistance. Then again, they look upon your programme differently from that of the local welfare. The local office's programme is looked upon as being assistance. There is a certain amount of pride involved, and the loss of that pride when you have to go to the municipality and ask for additional assistance. The individual that is suffering—

Mrs. M. Renwick: On a point of order.

Mr. Chairman: Point of order?

Mrs. M. Renwick: My point of order, Mr. Chairman, is this; that you chose to dissect my comments into Family Benefits Act comments and general welfare assistance comments. With all due respect for the member for Windsor-Walkerville. And I do not like to interrupt him. If he will continue his remarks and not say welfare and municipality, and just talk about heat under family benefits, he may continue under your ruling, and he may not—

Mr. Chairman: The hon. member may continue under anything under provincial allowances. The hon. member for Windsor-Walkerville has the floor.

Mrs. M. Renwick: Speaking about the municipalities—

Mr. B. Newman: Mr. Chairman, I am referring solely to the provincial allowance programmes.

An hon. member: Everybody is out of step but our Margaret.

Mr. B. Newman: I would prefer that the individual get enough fuel allowance under

this programme rather than use municipal allowances and assistance in the next vote to get that additional aid for fuel. May I ask the Minister if his budget this year has, under dental services, an allocation to the Civitan Club in the city of Windsor? It is an organization that provides dental services to youngsters on welfare.

Hon. Mr. Yaremko: No, there is a special grant.

Mr. B. Newman: No special grant at all. Have you ever been approached for a grant by the association?

Hon. Mr. Yaremko: Not to my knowledge, Mr. Chairman.

Mr. B. Newman: If you were approached, would you consider it favourably?

Mr. Chairman: Well, I think that grants to agencies do not come under this particular programme.

Mr. B. Newman: No, I am referring to dental services, Mr. Chairman.

Mr. Chairman: Well, the hon. Minister explained the complete matter of dental services last night and there is no such branch in it.

Mr. B. Newman: They provide a dental service and I thought that possibly they could submit a bill to the Minister for dental services and in that fashion be assisted to expand their programme. They could greatly expand the programme if they had the funds available. It is a very, very worthwhile programme in the community and I think it is unique. I am subject to correction but it is the type of programme that should be given all consideration by this department.

Mr. Chairman: The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, while we are on this fuel allowance, I want to suggest to the Minister that determining the cost of fuel, I think, is one of the major problems particularly because it exists in various parts of this province.

As the Minister knows, there was a demonstration before his offices in Peterborough on February 13. One of the reasons for this demonstration was that The Family Benefits Act does not give a sufficient amount of allowance for coal. For example: it says the cost is to be based on the cost of coal locally, but they only allow $29 per ton, while the cost at a well-known dealer in Peterborough is $35.25 per ton if cash is paid at the time of delivery.

The Minister said, I think, in his own statement that $32 was the maximum which could be given. But, what is the recipient supposed to do if the cost of coal locally is more than $32—and certainly more than the $29?

Now, this cost may increase. Very often some of the Minister's recipients are individuals who are in small apartments. They had to buy their coal in very small lots. It increased to $11.65 for a quarter of a ton, which is really $46.60 a ton; but the coal allowance is still only $29.

I would suggest to the Minister that this area of fuel allowance is one of major concern among the recipients as his own colleague and members of the Opposition have indicated. I think that a full review of determining the cost of fuel, as well as the question of how many months the heat allowance should be apportioned, is certainly in order in view of the comments that have been made here this afternoon.

Hon. Mr. Yaremko: Mr. Chairman, I have just been advised, while the hon. member was speaking, that we have just concluded that review which indicates the range of coal prices referred to by the hon. member. Evidently $35 is the present top price and it can go as low as $30. But that is—

Mr. Pitman: Well, I am very pleased to hear that.

Mr. Chairman: The hon. member for Essex South.

Mr. Paterson: Mr. Chairman, I would like to ask one question of the Minister. It is a point I am not quite clear on and it arose during the discussion I had arranged with a number of widows and ladies under The Family Benefits Act.

Several of my colleagues were in attendance and have already spoken to it on numerous points. I might state to the Minister that I have mailed him a letter, a full report on this particular meeting—detail by detail—in order not to take up the time of the House on these various points. Suppose, however, a mother with children who, when they came to the age to leave the home, is still 50 to 55; does she automatically qualify for a widow's allowance or must she wait until 60 years as is laid out in the folders?

Hon. Mr. Yaremko: She does not qualify until she is 60 years of age.

Mr. Paterson: Therefore, once her family has left the home, and if this is a terminal

thing, then she must go on the public or municipal welfare which is the next vote.

This to me is a very serious problem and this was stressed by a number of these people. If they could somehow obtain some training—whether it is through the federal plan or not—and still be retained on The Family Benefits Act, and give themselves a chance to be trained as stenographers or filing clerks, they certainly would not have this worry on their mind during this several year period before they will obtain the age of 60.

They are afraid of this dead end street, we will call it. What are they going to do? They have had no training, and the hon. Minister and his department should make some leeway, or some arrangements, so that these widows in particular, with children in school, could obtain training to get off the welfare rolls—which they all wish to do.

I am sure all of us in the House wish these people to be retrained, take their place in industry and get off the welfare rolls. They would appreciate this new outlook and refreshment in their own lives and it would certainly uncomplicate them during the period of time until they reach this age of 60.

Hon. Mr. Yaremko: I would say that the general idea put forward by the hon. member has merit. One of the additional things we will have to do is marshal all of the community resources—our facilities, the local facilities, manpower and retraining schemes—to see whether we can get these women back into the stream of things for it could be up to 10 years.

Mr. R. F. Ruston (Essex-Kent): Mr. Chairman, on the same issue: If a person is on this allowance with a family, and she decides to go out and take a training course, she would be paid maybe $75 a week by Canada Manpower under a training scheme. She then, of course, would not be obtaining benefits as she was making $75 a week. But, then, when she graduates and goes out to work, the rate of pay is less than what she is making. Maybe she has to go out for probably $50 or $55 a week.

I think this is where your department falls down; you should keep constant contact with this lady so that when she does go out to work and only makes $50 or $55 until she has experience to get up into the higher categories, you should see that assistance is given to her until she then brings herself up into a higher category. This category might be $80, $90 or $100 a week.

This was one thing, too, that we noticed in this meeting. There was a lack of constant communication there to keep these people so that they would bring themselves up into a higher category of wage scale.

Mr. Chairman: On vote 2002? The member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would like to talk to the Minister about the allowances for shelter as would my colleague from Peterborough. I would like to ask the Minister how he can possibly justify paying to the Ontario Housing Corporation the maximum benefit allowed under his Act when a family earning the same amount of money that this family is receiving in benefits would pay approximately half that much in rent to the Ontario Housing Corporation under the rent geared-to-income scheme.

The portion of income from the beneficiaries under the Minister's Act that is going out for shelter is extremely high. In many cases it is close to 50 per cent of the family allowance of all needs going out on shelter. I realize this is the beneficent department again making sure that The Department of Trade and Development does not go short, but the public is beginning to ask why.

They are asking why a family benefits allowance person pays approximately $100-a-month rent when their neighbour, who earns the same amount of money in earned income, pays about $51. I think the Minister does owe an explanation to the members and to the general public.

Hon. Mr. Yaremko: Mr. Chairman, we have an administrative situation here with respect to the recipient since the shelter costs are paid for him. So long as it is under the maximum, it really does not affect him at all. From the recipient's point of view, whether we pay $60, $70 or $80 does not make any difference to him because it does not come out of his pocket at all.

When a recipient moves into public housing, his rent on the geared-to-income scale would usually be less than the maximum we can provide and usually less than we are providing. If his rent is reduced, then his allowance must be similarly reduced. As a result of reduced income, the housing authority, using the geared-to-income scale, will reduce the rent. In order to avoid this chain reaction of changes in allowance and rent, arrangements have been made with public housing authorities to waive the geared-to-income scale when they are tenants as recipients of family benefits. In such cases,

the authority charges a maximum, which we can include for shelter; in this way recipients are assured the maximum allowance and administrative problems are eliminated. This practice also works to advantage when the recipient decides to seek other accommodation, since he knows and is already receiving the maximum possible assistance.

Mr. Chairman: The member for Peterborough.

Mr. Pitman: A question on this, Mr. Chairman, because I think this Minister is involved.

I realize that public housing comes under the Minister of Trade and Development, and that the Ontario Housing Corporation is not under this vote or anything of this sort, but the point is that I have found that welfare and family benefits recipients have a very great deal of difficulty in getting into public housing. In fact, I have discovered in the area I come from, that there is a real reluctance to allow these people into public housing. There have even been statements made that there can be no more than ten to 15 per cent of those either receiving family benefits or welfare in public housing.

Can the Minister indicate whether any efforts have been made on the part of his department to see that these people are given an opportunity, to see they are given preference and given a priority, as the hon. member suggests, in getting into public housing, which is subsidized by the Ontario Housing Corporation and the Ontario government as well? I say this because I suggest to the Minister that most of the problems that people face in welfare centre around housing. And I am wondering to what extent his department recognizes the very real problems that the people who are receiving help from his department have in this matter?

Hon. Mr. Yaremko: As I explained yesterday quite thoroughly, Mr. Chairman, there is a new philosophy evolving. At one time the programmes were such that you built an accommodation and you filled it up—either two, three or 20 floors—with recipients of welfare. Experience has proven that this is not good, so now I think there is a yardstick. Whether the ten per cent yardstick is that inflexible, I do not know. But I think that the hon. Minister of Trade and Development, in administering his programme, is trying—certainly I know this for a fact in Metropolitan Toronto—to distribute those who are recipients throughout the whole community. They are in the east end and the west end and in the north; in fact we have reached the point—certainly with the accommodation provided within the last half a dozen years—that the average citizen does not know where the recipients are.

Mr. Pitman: If it is available, fine; but what if it is not available?

Hon. Mr. Yaremko: Well, it is just a question of this: the Minister, as he is building his housing units, is making housing available across the spectrum—and as he provides more housing, then more from the broad spectrum are put in there. And every time he builds 1,000 units, there will be those who can well afford to pay the rent, those just acquiring housing, those who have to be subsidized, and those whose shelter has to be provided. But I can assure the hon. member that the hon. Minister and I have had discussions about this problem; he is fully aware of it, and he is so enthusiastic that one of his goals is that I not just rehabilitate them off the rolls, but that the rehabilitation goes to the degree that they buy their own condominiums or their own apartments, no matter how small the down payment is.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, I would like to ask the Minister how much he would allow for a cord of wood towards the fuel allowance?

Hon. Mr. Yaremko: A recipient is allowed to buy any fuel he wishes. He gets the dollars and then he goes out and buys whatever fuel he wishes; he can buy coal, he can buy a cord of wood—and a cord of wood for $16 goes an awfully long way, I guess. Perhaps a cord of wood up in the member's area costs $6; I do not know.

Mr. Stokes: Well, the whole thing is that in many of the remote areas you have recipients of welfare who do not have the capacity to go out and cut their own wood and have to purchase it. And in a good many cases, it has to be hauled in by a trailer on a skidoo for the simple reason there is no other means of motive power. You might have to go only three of four miles for the wood, but it involves a long drawn-out process in transporting it to the person in need. So in a good many cases it might represent $30 a cord.

I can tell the Minister of a specific instance involving an elderly couple in Gull Bay, where the wife is blind and the husband is incapacitated, due to a heart condition, and they have to hire local people to go out and get the wood. Now, due to a forest fire, they have to go five miles to get the wood, and

the only means of getting it in is to haul it in with a skidoo. It happens to be at Gull Bay, on the west side of Lake Nipigon. Obviously, the $6 figure that the Minister envisages would not come close to getting a cord of wood in.

I am just wondering, does the department make allowances for cases like this?

Hon. Mr. Yaremko: No, this standard is the one. I am really surprised, up at Finch and Bathurst I think you have to give an arm and a leg for a cord of wood, it is so expensive—but I never thought that this would be the case up in northern Ontario. I will check into this. This comes as a surprise to me. I have often wondered why people do not pick up one of those old Quebec heaters and use fuel, if they have the proper accommodation.

Mr. Chairman: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Chairman, there are two tag ends from the debate as it concluded—or as it was proceeding at the adjournment hour last night—that I would like to come back to briefly.

A question was raised with the Minister with regard to the $1,284 million which is paid in dental services, and he pointed out that this is handled through the dental association and therefore he has no specific information with regard to it. I interjected at one point that it seemed to me it was a fair proposition that we should ask for some information with regard to this; the Minister may not have it at the present time, but surely he has the right to secure the information.

Whether or not the information is obtained in terms of every dentist who received the amount is one way. But a second approach that I put to the Minister—and which I think would satisfy our immediate search for information—and that is a breakdown as to the amounts that are paid. As was pointed out by the hon. member for Scarborough Centre, in some other provinces this has become a matter of some scandal where it was discovered that at least one dentist in the province was receiving as much as $60,000 a year, in good part through payments of this nature.

Would it be possible for the Minister to get a breakdown of, say, the number of dentists receiving in excess of $20,000, and, successively, $15,000, $10,000 and perhaps each thousand down to zero?

Hon. Mr. Yaremko: I will take it up with the dental association with whom we have the agreement and see what can be done.

Mr. MacDonald: Public moneys are involved, and therefore I think we are entitled to the information.

The other question I wanted to come back to briefly is the argument that was going on with regard to the Minister's failure to put up the necessary fight for revenues to be able to keep family benefit payments up with the cost of living. At one stage my colleague from Lakeshore was engaged in a discussion with the Minister in which the Minister first said that he was confused, then admitted that he had things straight. As I interpreted the discussion at that point, when things were straightened out, there was $10 million—not $57 million as was mentioned earlier—of unexpected appropriations. This is a year ago. My question to the Minister is, how much unexpended appropriation was there at the end of the fiscal year just concluded?

Hon. Mr. Yaremko: We do not have that figure yet, but the figure that the hon. member referred to—the one we were discussing —was for the year in which we were to bring into effect family benefits. We had estimated the number of persons we would be bringing on at those rates in 1967, and it turned out that there was that much money not disbursed.

Mr. MacDonald: Well, do I take it that the Minister is not in a position at the moment to give us information as to what unexpected appropriations there were, not only in this branch but in other branches?

Hon. Mr. Yaremko: The books are not closed yet.

Mr. MacDonald: Well, I presume that we will have to come back to this next year. But we will have to come back to it in the context of the debate we had last night, because the Minister was willing, presumably, when the estimates were first drawn up, or since, to adjust his budget to cope with $9 million extra to doctors, because of their unilateral increase in fees.

There has been some increase, about a ten per cent increase, in the payments to civil servants, and nobody is objecting to that. But there has been no increase in appropriation to meet the eight or ten per cent increase in the cost of living over the last two years.

The Minister's position, I suggest, is completely indefensible. If, at the end of this fiscal year just concluded, there are any un-

expended revenues, I would be curious to know what happens to those revenues and why it is not within the power of the Minister immediately to act, instead of review, increases in family benefits to keep up with the cost of living.

We have been told by the Minister half a dozen times throughout this protracted debate, that this is being reviewed. Now, if you have any unexpended revenue, I suggest the time for review has ceased—that these people who have no bargaining power are entitled, in effect, to a cost of living allowance to keep up with the costs instead of having the family benefits frozen at a level of some two years ago.

Unfortunately, Mr. Chairman, I am not in a position to pursue the argument, although I think it is a pertinent and very necessary point of pursuit, because the Minister cannot give us any information.

Mr. Chairman: On vote 2002: the hon. member for Peterborough.

Mr. Pitman: Mr. Chairman, I wonder if I can pursue this whole matter of housing for a few moments—and I think this is where the real crunch takes place. Now, I was interested in the Minister's comments that he and the Minister of Trade and Development are carrying on conversations, and you are trying to do the best you can to adopt a more modern approach to housing welfare recipients. I think this is a good idea—that they not be concentrated. But I think the main point is that until you have sufficient public housing to provide for the entire spectrum, it is these people who really feel the crunch. I suggest to the Minister that most of the problems that these people face revolve around housing. I want to bring to the Minister's attention a few lines from a piece of original research that was done in the area which I represent.

It was done by a couple of students who took a look at the living and housing conditions of the very low income bracket—and a great many of these are family benefit recipients. It is rather interesting to see to what extent the problems faced by these people revolve round the problem of housing.

For example, the average length of time which any family had been in its present residence—this among the fifty lower income families and, as I say, a good many of them are the Minister's charges—was only one and a half years. Almost one half of the families had been in their present residence less than one year.

In other words, it is a continuous scurrying around trying to find lower cost housing—trying to find lower cost housing which is liveable. In this continuous mobility, these people lose contact with all services' agencies. They lose contact with their friends. They lose contact with any kind of neighbourhood continuity, and all of these things, I think, are detrimental to the development of any programme of rehabilitation which can possibly take place under this Minister's department.

It was interesting, for example, to note the high rate of mobility was further revealed by the fact that almost 45 per cent of the total groups had moved five or more times in the past eight years. Now, this—

Mr. Paterson: That costs money.

Mr. Pitman: Yes, this is quite true. The hon. member says this costs money, this cuts into their cost. But the effect it has upon the children, I think, is perhaps the most detrimental of all, because they are moving and being shunted from one school to another.

There you have the problem that we talked about so much, the welfare syndrome, going from generation to generation. And there is an example, I think, of what we should be more concerned about—looking at the real cost of residence. I suggest to the Minister that the allowances made by his department, of housing benefits, are simply irrelevant to the cost of housing, at least in the community that I have been associated with.

What are some of the other problems they found? This comes back to fuel. These two young people went around, and they visited these homes, these fifty of what they considered the lowest incomes homes, most of them recipients of family benefits and welfare, and they found that they could not carry on an interview without their coats on.

They report: "Many of the residences we found to be just plain cold. Despite the fact that we kept our coats on during the interviews we could still sense dampness and the lack of warmth. Five families were still using wood to heat, in most cases, in combination with other type of heating."

They looked at the plumbing. Now one of the problems which I think recipients have is that of keeping their pride in the community. And one of the basic elements of pride is being able to keep oneself clean. Yet they found, for example, in many cases, that six families had no bathtub or showers.

In another case, there were 15 people using one three-piece bathroom. The lack of privacy came up again and again. The crowded conditions. The seven largest families, totalling 57 individuals, were living in a total of 46 rooms.

Then we come to the cost of residence. They took a sample, and, as I say, there were 50 families. Eight families were paying $100 or more rent per month. If utilities were added to rent, 16 families were each spending $120 or more on shelter costs.

It is difficult to grasp the meaning of these figures unless they are compared to previous statistics, which were not readily available at the time of the study. However, if we consider the percentage of income that was spent on shelter, the significance of the amount of rent being paid becomes more obvious. Eleven of 44 families, that is 35 per cent, were spending 60 per cent or more of their incomes on rent, utilities and instalments.

If we were to take, as a working definition of poverty, expenses of 60 per cent or more on rent, utilities and instalments, then there were 12 that could be classed as complete poverty cases. There was one case paying 75 per cent of total income on rent alone.

Now, this is why I suggest to the Minister that a complete review is necessary. Obviously as the Minister has indicated, the fuel allowance has been reduced. But I think an even more in depth review of the cost of housing is desperately needed.

As far as income is concerned, five welfare families of four persons were all above the survey figure of $210 a month, ranging from $211 to $252. Four of the five families were spending more than 48 per cent of their income on residence costs. These are family benefit recipients.

Now that is the kind of a situation which you find—and again and again I hear the word coming out, from those who are social workers with the Minister's department, that they simply cannot provide the amount of money which is necessary for the recipient to spend on rent, and provide himself with anything that could be called a decent level of housing.

I do not think the community which I represent is an unrepresentative community. Surely the Minister must realize this. To say that the Minister is working with The Department of Trade and Development is all very well. But I think that a piece of research like this is very valuable. Certainly, when it comes to indicating the amount of money which these people have to spend on rent, which of course cuts away from what they have to spend on clothing, food and the other necessities of life.

I think that a major thrust in this department should be in the area of housing. In fact, I heard one family counselling officer say to me once: "You know, nearly every problem that I face is somehow related to housing. Maybe it is that the husband is drinking, and maybe the husband leaves home, or maybe the children are having difficulties and are having problems with the law. But, somehow or other, I eventually trace this back to housing."

That is why I say to the Minister, that providing a higher level of income and therefore, a higher level of housing for recipients, would be the first major step that he could develop towards the rehabilitation process in his department.

Mr. MacDonald: Mr. Chairman, if I may just add a footnote to what the hon. member for Peterborough has said.

When a spokesman for the city of Ottawa came before the standing committee on private bills, when their bill was before us involving the rent review board, the deputy mayor, if I recall correctly, stated that the day before, he had had 50 welfare cases selected at random to examine what proportion of their revenues was being used for housing purposes.

His report was that they ranged from 35 to over 80 per cent, and the average was over 50 per cent. Now quite apart from rent review boards, this information in the city of Ottawa certainly confirms what my colleague has said exists in the city of Peterborough.

Mr. Chairman: Anything further under provincial allowances? The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would like to follow up on the comments of the member for Peterborough, and the member for York South.

I do not think for a moment, Mr. Chairman, that it is any secret in the files of The Department of Social and Family Services that, on these budgets and with this limited allowance for shelter, the families are in fact having to reach into that portion of their allowance—the pre-added budget, the portion for their food, clothing and personal need—very often to pay for an amount over the allowance for shelter, and I would like to ask the Minister to provide us with that

information. How many people, according to the Minister's files, are having to pay additional moneys than the allowance pays for shelter? I think this must have been under some form of review when the tax rebate money was going to go to those persons and only to those persons.

Hon. Mr. Yaremko: Mr. Chairman, I think that kind of information would be a tremendous problem to get. I think we are going to have to wait until we really have a complete data processing system set up where we push a button and the answers come up with that kind of detail. Actually, the point can be made without that kind of information, and the hon. member for Peterborough has made it.

Mrs. M. Renwick: Mr. Chairman, I realize the point can be made, but what I am out to do is to get the legislation changed because it is a most unfair portion of the Act. Provided the family is not in any extremely luxurious type of accommodation, if the government would provide shelter costs for the going rate of rent it would be a major step forward for these families. One hundred dollars for rent is approximately what the government allowances come out at—say $85 to $100 or $105—I do not think that there is any possible way of getting adequate, clean family accommodation now, in the city of Toronto, for $100 a month. I think, Mr. Chairman, that this is a reality that has to be faced.

I think it is most unfair to make an arbitrary ceiling on a shelter allowance when it is fluctuating as it is in Metropolitan Toronto, as an example; obviously, it is as bad in Peterborough, from the report that the member for Peterborough was using. These people have no alternative but to take the money out of their other allowance—which is budgeted, I presume, very finely, for the amount for food and the amount for clothing and the amount for personal care. It does not allow the recipient to take $20 or $30 out of it for rent without severe hardship, really severe hardship, to say nothing of $25 or $30 for rent.

I would ask the Minister, was there any sort of work started in the department when the tax rebate was going to go only to those persons who paid more than the shelter allowance? Surely there must have been some work started to know which of the recipients paid more than the shelter allowance. Was there any work begun in that direction, Mr. Chairman, with concern for the tax rebate?

Hon. Mr. Yaremko: The two were unrelated.

Mrs. M. Renwick: The tax rebate, Mr. Chairman, was going to be allowed—a portion of it was going to be allowed—for the recipient provided the recipient paid more than the shelter allowance.

Hon. Mr. Yaremko: We had just begun to review the cases. It was going to take almost a year before we would have been in a position to have checked out all the incomes that would have been affected by that amount of money.

Mrs. M. Renwick: Mr. Chairman, obviously one can only hope to interest the Minister personally in some of these things. I would ask, would the Minister seriously consider spot-checking cases and see what proportion are paying more than the rental allowance, realizing that the only money they have in the world is their pre-added budget money, which is very finely woven, and as the members have pointed out, has not been updated since 1967?

I would ask the Minister, when the families reach into those pre-added budgets, to take money from it, to pay for shelter, or for anything else, what moneys are they taking; what portion of that budget is allotted for food; what portion is allotted for clothing, and what portion is allotted for personal need?

Hon. Mr. Yaremko: Of course, as the hon. member knows, these amounts vary. For a single person it is $62; for a married couple with one child, $124, and for a mother, father and six children, $314.

Mrs. M. Renwick: Mr. Chairman, that is not really what I asked the Minister, and I would repeat it in case I was the least bit vague. I have a chart, too, Mr. Chairman, that shows me what the families receive. I believe the Minister referred to $124 as an example for two adults and one child—$124 a month for food, clothing and personal care, and in this case, family benefits, utilities and household supplies.

I have, by a process of deduction, Mr. Chairman, realized that the only difference between this pre-added budget and the general welfare assistance pre-added budget is that in this one there is included a determined maximum amount for housekeeping supplies of $7 and utilities money allowed according

to the size of the family. The maximum allowance for utilities is $12, the maximum allowance for household supplies is $7, and they vary according to the size of family.

What I would like to know is, out of this pre-added budget, how many dollars are set out for food?

Hon. Mr. Yaremko: The regulations do not have that breakdown.

Mrs. M. Renwick: Mr. Chairman, I realize the regulations do not have it, but the Minister realizes that I have been trying to get this information for over a year and I would ask him why on earth can we not have this information? Why could we not know, when the Minister is allotting public funds to families for food, clothing and personal care, how many dollars are for food? Why could we not find that out? It is shocking. Why not?

Hon. Mr. Yaremko: I told the hon. member, the regulations do not carry that breakdown.

Mr. Pitman: Mr. Chairman, then how does a case worker in a community allot a certain amount to each family, if he or she does not know what it is possible to allot for housing? I talked to case workers in the Minister's department and they seem to be able to tell me approximately what they are allowed to give to a family for housing. They do not know what the regulations are; they certainly do not know any more about the regulations than the Minister does—

Hon. Mr. Yaremko: That is not what the other hon. member is talking about.

Mr. Pitman: I think it is what she is talking about.

Mrs. M. Renwick: Mr. Chairman, just to clarify. With every family benefits allowance there is a maximum for shelter, and there is a pre-added budget. In that pre-added budget a portion is for food, a portion is for clothing, a portion is for personal care, a portion is for household supplies and a portion is for utilities. I can see no conceivable reason why we cannot, as legislators in the government of Ontario, find out what portion of that budget is for what.

Hon. Mr. Yaremko: We allot a sum of money to cover three aspects. It is up to the individual recipient to then determine the various proportions he or she may wish to spend.

Mrs. M. Renwick: I would just like to say to the Minister that this is not the point. The recipient may choose to do anything she wishes with this money, but the point is that as legislators we have to know whether the Minister is providing too much money for food, which I doubt very much, and whether he is providing too little for food. We cannot find out this simple fact, and it is a ridiculous situation, Mr. Chairman. I want to know how much food the families are being allotted under this budget.

It is not a very difficult question. Somewhere, the government had to decide this figure. It had to obtain information from some source and decide how many dollars it was going to allocate for food, how many for clothing and how many for personal care. I am asking again, how many dollars is provided for food, how many for clothing or even if we know the clothing and personal care dollars, Mr. Chairman. It may very well be a fixed amount or at least with maximums and basic fixed amount like the household supplies and utilities, but we have got to know how much of this budget is for food.

Mr. Lewis: Well, Mr. Chairman, if my colleague will permit, as I am sure she will, I would like to ask the Minister the very simple question. On the basis of the figure, which he chose himself to intrude into the debate, the amount which is available for two adult persons with two children under the age of nine, namely, $142 a month under The Family Benefits Act, and I have the regulations in front of me as well, how did the Minister arrive at the figure of $142?

Hon. Mr. Yaremko: I do not have those calculations before me. They were done and I suggest, Mr. Chairman, that the hon. members have ample scope to approve, disapprove, criticize a figure, in the example the hon. member has stated, $142 for those total needs. The hon. member can say that this is too much or this is too little and whether there is an allocation to one or the other is of no significance. The significant factor is whether the amount provided for all is the suitable figure and the members have ample scope for examination and criticism of that kind; either those figures are sufficient to cover those or insufficient to cover those.

Mr. Lewis: Well, we can come to the matter of whether they are sufficient or insufficient in a moment. I do not think that anyone can pretend, on the basis of any of the studies that are available, and I suspect my colleague for Scarborough Centre will

introduce some of them for the Minister this afternoon, but regardless of the parallels, it is not difficult to show the insufficiency. What we are trying to demonstrate, Mr. Chairman, is the very unusual dilemma, the absolutely insoluble dilemma in which you place the person who is receiving a social allowance. It has been demonstrated here quite effectively, that in the case of fuel and in the case of shelter for a great many of these recipients, the amounts which they are required to pay exceed the amounts which the government is prepared to extend.

Therefore, the additional amounts come from this pre-added budget. The pre-added budget is a categorical sum. It has no flexibility in it except by way of maximum; that is, its only flexibility is an outer limit and that is no flexibility at all.

What we, in the Opposition are therefore asking the Minister is, when a family has to extract an extra $30 a month from the $142 about which the Minister and I are talking, from what portion does the Minister expect the family to take it? From the food? Is that what the Minister is advocating to the House: that the money should come from the food allowance or perhaps, from the clothing allowance or perhaps from the personal requirements? You see it is impossible for us to know where the Minister wants the recipient to pare his living condition, unless we know the constituent parts of the total amount which has been arrived at.

Mr. Chairman, I think we all understand why the Minister will not give us the breakdown. The Minister will not give us the breakdown because the amount of money that is allocated for food in that pre-added budget would probably be below the nutritional requirement for anyone in this society. Of that, there is little doubt. If the Minister was sure about the way in which the pre-added budgets were arrived at, he would have those figures at his fingertips, and there would be no reason in the world why he should not give them to the Legislature.

If you can give us specifics on rent and fuel, why can you not give us specifics on food, clothing and personal requirements? You cannot give us specifics on food because it is too low. It is so low that the embarrassment to government could not be tolerated. It becomes much lower still, Mr. Chairman, when one takes into mind that that particular allowance for food is severely eaten into—forgive me for the reference, by the fact that the families are so often required to pay more for fuel or rent than they are allocated.

So we have this complete straitjacket dilemma for people on provincial subsidies. It is rather interesting, Mr. Chairman, if I can advert to it in the context of this programme that we are now discussing, how the case builds.

First, you have the interesting fact elicited by my colleague from Sudbury East (Mr. Martel), that there has been no reappraisal of the amounts since April of 1967 and that—when followed through by my colleague from Windsor West (Mr. Peacock) demonstrates that the Minister is $8 million short to keep people up to the standard of living two years later; an average of $160 per family per year. Do you realize that the $160 per family per year exceeds a full month's income for a family of four in this pre-added budget? You have not upgraded at all.

That is the first basic fact which emerges. Then it emerges during the course of the afternoon that the fuel allowances are based on false premises and require an extended outlay by the recipient. Then it is further established that the rental allowances frequently require from recipients, money in excess of what they are given. So they have to eat into this very fragile and perilous, but absolutely inflexible pre-added budget.

When we ask the Minister what are the components of that budget so we can see what it is he would extract in order to provide more moneys elsewhere, we find that he cannot give us the breakdown. He does not know how the pre-added budgets were arrived at. They were pulled from the air. Some professionals got together in April of 1967—I do not use it in a denigrating fashion—I am sure that is what happened, and decided this will be the level. No reference to the household guide for budgets put out by the Metropolitan Social Planning Council; no reference to any of the nutritional requirements of these various families and their children two years later, none of that—just an arbitrary figure thrown out on the table and the Minister says to us: "find out whether it is enough."

How can it conceivably be enough if it is eroded by an absence of funds for heat and for rent? How can it conceivably be enough if it is eroded by a two year gap in the cost of living which the Minister has not seen fit to supplement? What is the Minister asking about sufficiency? He knows himself that it is insufficient; he knows himself that his Treasury Board turned him down and he has the effrontery to begin his estimates by saying: "I have enough to maintain programmes at their present level."

That is not a Minister of Social and Family Services; he is not declaring war on recipients, he is supposed to be helping recipients. That brings us right back to the crux, Mr. Chairman.

We have a pre-added budget about which we know absolutely nothing—except that it is inadequate.

We can get none of the details from the Minister. I ask the Minister the simple question: If he were the male head of a four-member family with two children under the age of nine, and he did not have enough money from government for rent—suppose he was $15 short per month, and suppose he was $2 short per month for fuel—and he found himself having to provide the $17 that was the shortfall out of the $142 a month he receives from the pre-added budget, what would he take it from?

Let him tell the House so that the recipients across Ontario will know, what would he take the $17 from? From food? From clothing? Or from household expenses? General personal expenses? Where would the Minister in that instance make the cut? Can he tell us where he would make the cut? Well, he cannot, can he?

None of us can, because it is too damned humiliating to talk about. But, it is the position that is faced by welfare recipients in this province, all 50,000 of them, day after day. You put them in this absolutely intractable position by refusing to take a look at what your pre-added budgets are composed of and upgrading them. You have not got a single answer.

The Minister will not give us the food component because the protein level would not be equivalent to people in subsistance level societies. It is a ridiculous proposition that the Minister is asking us to approve this afternoon.

Mr. Chairman: Provincial allowances; the hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman: the other portion of this budget problem is this: Would the Minister elaborate on how he has based the figures when he has the maximum $300 per month allowance and he allows $10 per month for each additional beneficiary which, of course, is a child. I would like to ask the Minister how he has worked out a budget of being able to feed, clothe and provide personal care for a child on $10 a month?

Hon. Mr. Yaremko: All I know, Mr. Chairman, is that it has been done.

Mrs. M. Renwick: What is the source, Mr. Chairman, of the Minister's information?

Hon. Mr. Yaremko: A very personal one. I was a member of a family of 11 children.

Mrs. M. Renwick: In what year, Mr. Chairman?

Mr. Stokes: Was the Minister on welfare?

Mr. Lewis: It means nothing; when did you grow up?

Mrs. M. Renwick: Mr. Chairman, obviously the Minister does not wish to answer that. It is ludicrous that the Minister would say that. Certainly, the government could have provided for a child on $10 a month a number of years ago, but it cannot now. There is no attempt, Mr. Chairman, on the part of the government to be realistic about these budgets—$10 a month for an additional beneficiary is an absolute farce. This government is taking over $100 million from the federal government to fight a war on poverty, refuses to recognize that there is poverty and has the Prime Minister saying our only problem is growth and affluence.

Somebody in that Cabinet has to say: "Let us get a realistic view at what we are doing for the small minority of people, of persons in need in our province." It is that simple, Mr. Chairman. A $300 maximum—except for $10 per month per child—and no one can tell us how that $10 a month amount was arrived at.

Mr. Chairman, I would like the Minister to know on very firm record that I am perfectly serious in wanting to find out how many beneficiaries do, in fact, have to pay more rent than the government allowance provides for. They are going to be astronomical in number unless the people are housed by the Ontario Housing Corporation. And I would like to ask the Minister: does he have any firm or casual agreement with the Minister of Trade and Development (Mr. Randall) to call upon him for housing for the recipients of family benefits?

Hon. Mr. Yaremko: I indicated, Mr. Chairman, that the hon. Minister is trying to provide housing across the board. In that spectrum of housing, there are to be accommodated all the segments of our society that need and seek housing.

Mrs. M. Renwick: Mr. Chairman, I realize what the Minister of Trade and Development is trying to do and when we come to his estimates we will discuss them fully. But, I am asking what is our Minister of Social and

Family Services trying to do in the way of providing housing? Where recipients under his Act cannot find housing on the approximately $100 a month that his Act covers, has he made any sort of effort or initiative? As Minister of that department, I certainly would be trying to get an allocation of housing for the people under family benefits who have so difficult a time living on these pre-added budgets and cannot afford to eat into their food allotment to provide housing. The two ways out, Mr. Chairman: Low-dividend housing units that were financed under the federal scheme several years back—of which there are very few—and Ontario Housing Corporation. Is the Minister fighting for housing allotments for his department?

Mr. Chairman: The Minister apparently has answered the question to the extent that he intends to.

Mrs. M. Renwick: I would like to challenge the Minister on his statement that it would appear quite all right with him that The Department of Social and Family Services pay to the Ontario Housing Corporation—when it does house families of a recipient—the full amount it is allowed under the Minister of Social and Family Services' Act for rent?

I do not understand the beneficence on the part of the Minister of Social and Family Services to the Minister of Trade and Development in this regard.

It would be very difficult, Mr. Chairman, for a recipient to get more money from The Department of Social and Family Services than some amount he was and is required to pay for an Ontario Housing unit. The Minister will say, "Well, it is not out of his pocket, it is out of our pocket." Mr. Chairman, it is out of the public purse to the Ontario Housing Corporation, a corporation that, perhaps if it were struggling along, one might be even sympathetic towards. But it is a corporation that managed to operate on two consecutive years for approximately half a million dollars, which in terms of public housing for the thousands of units that he is operating, is peanuts. The Minister does not need from The Department of Social and Family Services the full allotment for shelter under this Act, and should not be taking it. Then he could leave more money for the Minister of Social and Family Services to broaden the programmes that he is administering to the persons in need.

The Ontario Housing Corporation is not in need, is what I am trying to say. And if the Minister would pay to the Ontario Housing Corporation only what the corporation would be collecting if the unit were occupied by a wage-earning family instead of having a nice flat rate of about $100 a month, then the Minister would have enough money left over to provide a more flexible allowance of shelter to those families that are having to pay over the $100 a month—the poor families under the Minister's Act that are having to pay $20 or $25 a month out of their food allowance to make up shelter under private auspices and are going through severe hardship. They need the money that is going now in excess of what would be paid from a private individual earning $200 a month to the Ontario Housing Corporation.

This is a very serious flaw in the whole structure of housing and budgeting in the Minister's department, and I would ask the Minister if he recognizes fully what I am saying? There are many families under this department that are paying more than the approximately $100 a month and having to eke it out of their food budget.

The families that are in Ontario Housing, if they were working and earning a couple of hundred dollars a month, would pay $51 a month rent. The Minister could be taking at least that money from those families and putting it into his housing money and providing a higher budget. I would ask the Minister if he is interested at all in giving the Ontario Housing Corporation just the same amount of money that they would be collecting if his families were earning their benefits rather than them being paid by government, or was this a mutual agreement? Does the Minister of Social and Family Services agree that it is fine to hand over to The Department of Trade and Development about $100 a month for these units instead of what it could be handing on a rent geared-to-income basis?

Hon. Mr. Yaremko: Mr. Chairman, I have explained several times that, in case the hon. member is not familiar with it, the Ontario Housing Corporation is a publicly owned and operated corporation for the taxpayers of the province of Ontario. It is not a profit-making organization—

Mrs. M. Renwick: It is doing pretty well, Mr. Chairman, it is doing all right.

Hon. Mr. Yaremko: —that shifts any profits outside of the province to anybody else. It is an arm of this government. That is one arm of the government; I am another arm of the government, and we are convinced that the

administrative procedures are the right and proper ones to be followed.

Mr. Chairman: The hon. member for Windsor West.

Mr. H. Peacock (Windsor West): I think most members are aware of what the Minister has just said. What we are not aware of is the arrangement between the department and the Ontario Housing Corporation, under which the Ontario Housing Corporation will set the rents of tenants who are recipients of the benefits of this programme to the maximum shelter allowance that will be made available by the Minister to the recipient. In a number of instances I am aware of, in the city of Windsor, probably as a result of the introduction of the family benefits scheme in April 1967, families who were tenants of the Ontario Housing Corporation had their rents raised to either the $85 maximum or some amount of shelter allowance beyond that, in accordance with the size of the family, in a series of steps by the local housing authority. The families then had to turn back to the department and ask for adjustments in their allowance for shelter in order to cover the increased rent that had been assessed against them by the housing corporation.

I have discussed this with several members of the Minister's staff, and that apparently is the arrangement between the department and the Ontario Housing Corporation. Let me tell the Minister something about the Ontario Housing Corporation, Mr. Chairman, in exchange. The corporation, in the administration of its rent geared-to-income units—which are occupied by many recipients of the Minister's department, in fact—definitely prefers to place recipients of these programmes in the rent geared-to-income units rather than in the full recovery units, because they can get more rent from them in the rent geared-to-income—

Hon. Mr. Yaremko: Would the hon. member explain to me how the recipient suffers by this administrative procedure?

Mr. Peacock: Yes, Mr. Chairman. This very question has been raised with me by a number of people with whom I have discussed it. "How does the recipient suffer in that his rent may be raised to the maximum shelter allowance the department will make available to him? It is not coming out of his pocket, so why should he worry?" Well, the point is that families whose rents are at this maximum allowable under their family benefits formula, are paying rents that are higher than those paid by families whose head is at work.

Hon. Mr. Yaremko: And often paying less than other people in exactly the same kind of accommodation.

Mr. Peacock: And they are paying less than families who are headed by workers in auto plants, sure they are—

Hon. Mr. Yaremko: For exactly the same kind of accommodation.

Mr. Peacock: But they are paying maybe $10 or $15 or $20 a month less, not the amount that they should be paying, according to the Ontario Housing Corporation's rent-geared-to-income scale. The point is that if this department were paying to its recipients an amount required of the recipient as rent under the Ontario Housing Corporation's rent-geared-to-income scale, the family's rent would be a lot less than it is at the moment. The family would be no better off or no worse except in respect to that family's relationship to the other families in the project, or the community; except in that respect, Mr. Chairman. They would be treated in exactly the same way as any other family under the rent-geared-to-income programme. Their rent would be assessed at the level of income they are receiving, as recipients of this department. And at the moment that is not the case, because the rent-geared-to-income scales of the Ontario Housing Corporation range from approximately $38 a month for a fully serviced unit—or, I believe, about 16 per cent of the total family income up to 30 per cent of family income when the family's income reaches $561 a month.

What happens is that a family which is in receipt of $150 or $175 a month from the Minister under the family benefits programme is not paying the rent that would be assessed under the rent-geared-to-income scale for that level of income, but may well be paying a rent that is more in line with a family whose head is earning over $100 a week, and whose rent is about $120 or $133 a month for a comparable unit. So you do have recipients whose rent is higher than the rent for tenants who are at work earning an income, and they want to know why. For many families this represents an injustice. Because they are disabled, because they are infirm, or because they are unable to participate in the labour market and must rely on the Minister's benefits, why should they have to pay more in rent—even though it is in many instances fully accounted for by the shelter allowance?

But in many instances, as the member for Peterborough and the member for Scarborough Centre pointed out, it is not fully covered by the shelter allowance, and they have to pick up an extra $5 or $10 or $15 a month out of some other element of their benefits to cover their shelter cost. This is true of many tenants of Ontario Housing Corporation who are recipients of the family benefits programme. They must dig another $5 or $10 a month somewhere out of their benefits in order to meet their rent. Mr. Chairman, as this Minister has affirmed repeatedly in the discussion of these estimates, it is for this reason that he can allow rents to be charged against these families' benefits, because a portion of that payout by his department is recoverable from the federal Canada Assistance Programme. So he will load every penny he can into the recipients' benefits, whether it is required for this particular service or not, in order to get that money from the federal government, and raise the apparent volume of service that he is providing to his recipients.

In effect, it is completely inflated in this particular area by his department's agreement with the Ontario Housing Corporation to pay the maximum shelter allowance to recipients who are tenants of Ontario Housing Corporation. In turn the housing corporation can extract that maximum shelter allowance, or the $5 or $10 add-on in excess of the maximum, from the recipient who is a tenant. It is a perversion, Mr. Chairman, for so many of the Minister's recipients, many of them burdened with severe emotional problems. This is a needless irritant to them, and an incomprehensible injustice that they should be paying rents in excess of what families who are able to fend for themselves are paying, and rents that are in excess of the maximum shelter allowance that they receive as recipients.

I would suggest to him that he work out with the Minister of Trade and Development an agreement whereby these recipients will pay rents, where they are tenants of Ontario Housing Corporation, that are in line with the rent-geared-to-income scale, rents that are in the range of $38 a month if the family income from the department's family benefits programme is $200 a month or less—which I think is the actual relationship between rent and income—or whatever is called for by that sliding scale under the rent-geared-to-income scale.

It means, Mr. Chairman, that in some instances, I have found a family in receipt of benefits can be paying three times as much in rent under the family benefits programme, than if the head of the family were drawing unemployment insurance benefits for the same amount of income. There is a difference, of course. The person in receipt of unemployment insurance would not also be in receipt of the fully assisted medical care and other health coverages that the recipient under the family benefits programme is covered for. However, that is the only distinction between them.

The rent for a recipient under the family benefits programme in an Ontario Housing Corporation unit can be three times as much as for a family whose head is drawing the same level of income from The Unemployment Insurance Act, and that is wrong, Mr. Chairman. There should be a consistent application of the rent-geared-to-income scale to every family, whether it is a recipient under The Family Benefits Act or works to earn income for itself. I would think that the Minister should advert to that, and place his tenants, his recipients, in the same position as any other tenant *vis-à-vis* their rent to Ontario Housing Corporation.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, to revert to the matter of Mrs. Smith, who I mentioned last night, who took 11 months to get her application approved. Under The Family Benefits Act, when an application is finally approved, what regulation states how far this may be made retroactive?

Hon. Mr. Yaremko: Regulation 11, subsection 2, says:

> Subject to subsection 3, where eligibility is determined after the last day of the month in which the application is received by the director, and delay in making the payment is caused by circumstances wholly beyond the control of the applicant, the director may direct that payment shall commence on an earlier date to be set by him, but that that date shall not be before the date on which the director receives the application, or more than four months before the date on which he determines the eligibility, whichever is the later.

Mr. Burr: Does this apply to all circumstances?

Hon. Mr. Yaremko: It applies to The Family Benefits Act.

Mr. Burr: Does it apply equally to cases of desertion as well as to cases of death?

Hon. Mr. Yaremko: All applications under The Family Benefits Act.

Mr. Burr: In the case under discussion, I understand that a mislaid document was one of the reasons for the prolonged delay. The document had been given in by the applicant and had been mislaid, and this caused the prolonged application. In a case like that where the mislaid paper causes the delay, it seems very unjust that the applicant should be out the money. Are there no exceptions to this rule of the four-month maximum? You have an either/or, but it is not an either/or; you put in that qualifying clause, "whichever is the later." Is there no exception to that?

Hon. Mr. Yaremko: Actually I think the circumstances that you have explained probably brought the application within the definition that they were circumstances wholly beyond the control of the applicant, and therefore permitted a director to take the retroactivity to four months. That is a permissive retroactivity; it is not applicable in all cases. Whether that is sufficient or not, of course, is matter to be delineated—

Mr. Burr: Thank you.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, on that very point, yesterday I brought to the Minister's attention the problem of the young unmarried mother. I asked whether there was a retroactive provision. I understood the Minister to say that it was not possible for there to be any retroactive payment. I pointed out that the young lady was something like eight months on welfare, and there was quite a difference in money paid, between what she would get under The Family Benefits Act and under welfare. I understood the Minister to say there was no retroactive provision.

Hon. Mr. Yaremko: The section is geared to two things; the date of the application, and circumstances wholly beyond the control of the applicant.

Mr. Braithwaite: Would the Minister say that this might be a proper case for this young lady to make an appeal before the review board?

Hon. Mr. Yaremko: If it is patent; if on the face of the things the date of the application is something that can be established, and if she cannot bring herself within the meaning of the section, there would be no point to appealing.

Mr. Braithwaite: You mean it would be taken for granted?

Hon. Mr. Yaremko: No, no. She would not be eligible. One can take the application and find the date of it and determine that it would not come within the meaning of section 11(3), then there would not be this permissibility for retroactivity.

Mr. Braithwaite: Suppose we took that from the other point of view, Mr. Chairman. I do believe the case that I was referring to yesterday does come within the four months we are talking about. What would the Minister say here?

Hon. Mr. Yaremko: Mr. Chairman, I think the obvious thing is for the hon. member to supply me with this. Will you give me this?

Mr. Braithwaite: I gave it to you. I read the whole letter into the record yesterday. Mr. Chairman, we spent some time on this.

Hon. Mr. Yaremko: I am sorry; I assumed that the name Smith was a name that you were using just like John Doe. If you give us the name and address of the specific individual, then we will check into that case.

Mr. Braithwaite: All right. I might say that first of all it is not my practice to read names into the record. I did not use any name, but I did mention to the Minister that I had sent him a photostat of this letter some months ago. You have it on file, but in any event, I will send the information into your department, sir, and perhaps you might see what can be done.

Mr. Pitman: Mr. Chairman, I wonder if I can turn to another area that rather bothers me. In reading the Minister's report for 1967, on page 91, about processing applications for blind persons' allowances, I noticed that there were something like 235 applications, and I found that 29 per cent—almost 30 per cent—were ineligible. I have received some indication from persons in my own area that an individual who received a blind pension, or blind persons' allowance in Quebec, was denied one in Ontario. I am wondering whether some of the criteria for some of the blind persons and the disabled are rather high, or rather unrealistic. For example, when I turn over to page 94, I notice there are some 6,169 disabled persons' allowances applications processed, and fully 40 per cent of these are ruled ineligible.

I am wondering whether there is sufficient help being given to these people in making their applications. Usually these applications are made, I imagine, in co-operation with an individual in one of the offices that the Minister has in the province, or are the criteria

unusually high? Surely people are being supported somehow, they are being supported somehow. They are being shipped over to general welfare assistance. I wonder if the Minister would like to comment on what I think is an unusually high number of those who are being ruled ineligible for both blind and disabled persons' allowances.

Hon. Mr. Yaremko: If the hon. member would turn to page 93, the reasons for ineligibility are spelled out. "Unable to meet blindness tests," 44, which means that they were not blind within the definition.

Mr. Pitman: I am wondering if the definition is realistic.

Hon. Mr. Yaremko: At that time there were no differences between Quebec and Ontario. The definition was a federal one applicable right across Canada.

Mr. Pitman: Is this true about disabled persons as well, because I noticed, as I say, an even higher percentage ineligible there.

Hon. Mr. Yaremko: Yes.

Mr. Paterson: Mr. Chairman, if I might raise a different area of discussion, I believe this was touched on briefly yesterday, that of some sort of travel allowance for those persons on The Family Benefits Act. I point this out specifically for those people in the rural areas of our province. I just wonder what criteria the department bases its thoughts on in relation to the difficulties of transportation of people under this Act.

Certainly I have a number of cases in my own riding who are several miles from the nearest grocery store, or church, or school. They possibly could be widows who have been left cars, but do not have the finances available to pay the $35 or $27.50 for a licence plate, let alone buy the gasoline and pay the maintenance costs for same. Thus they are unable to participate in the normal family activities of church, and school and family shopping. I wonder if the hon. Minister takes this into consideration, or would consider an expenditure for those people in the rural areas who are deprived of transportation that is readily available elsewhere, such as in the cities of Toronto or Windsor, through bus or subway. Is any consideration given to this and the deprivation that they must suffer under?

Hon. Mr. Yaremko: A broad definition of personal requirements is the only thing that is available. I may say that apart from the fuel allowances, any allowances we make are applicable right across the province of Ontario, and we do not distinguish between urban and rural provisions. Indeed, it might sometimes be more difficult within the city of Toronto to go ten blocks than to go ten miles in the country. The blind and the disabled, as I pointed out, do get that allowance.

Mr. Paterson: I know that since my term in this House began, the Minister has allowed recipients of benefits to retain an automobile, where previous to that, in many cases they were forced to dispose of these. But to my knowledge there has been no definite amount set aside for the maintenance and the use of these vehicles, and this is most serious out in the rural areas. If the Minister were stuck seven miles from the nearest facilities, with no car and a young family, and had to rely on friends and relatives to drive you to church and shop for your groceries, I think he would take another look at this particular matter.

An hon. member: They should call on the member.

Mr. Paterson: They do.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, may I ask the Minister if he would explain to me the criteria, the reasoning or the formula used that would provide that a recipient of welfare would receive full hospital coverage under the Ontario Hospital Services Commission?

Hon. Mr. Yaremko: If he is eligible for family benefits under The Family Benefits Act then he is covered. That is the broad definition. To become eligible, they are entitled to certain assets in the case of single persons, married persons, and old age security recipients.

Mr. Gisborn: The specific case I would like to relate is of a person who, I believe, has joint benefits from social and family benefits, plus some benefits from veterans' affairs. She also receives a supplement from the general welfare assistance from the city of Hamilton, yet she has been refused full coverage under the Ontario Hospital Services Commission. She has to pay her $13 a month, or the $39 for each three months premium, out of her assistance money.

Hon. Mr. Yaremko: That recipient is not a family benefits recipient, she must be on general welfare assistance.

Mr. Gisborn: The only thing I am not sure of is whether she is receiving social and family benefits. I know she is receiving a

pension from veterans' affairs, as per the letter I received from your department. She also receives a supplement from the general welfare assistance in the city of Hamilton. What I cannot understand is why her application for coverage under the Ontario Hospital Services Commission is denied.

Hon. Mr. Yaremko: Does she receive an allowance from the province?

Mr. Gisborn: That I am not sure of.

Hon. Mr. Yaremko: That is the key point. If she is a recipient she would be covered, but if she is not a recipient and she is not covered by our programme, it would have to come under municipal assistance. I suggest to the hon. member if he sends me the case I will be very glad to double-check it and have a more clear explanation given to him.

Mr. Pitman: Mr. Chairman, I wonder if I can touch on something which was dealt with yesterday but which I think demands a little more clarification. Could the Minister indicate what the case load is for those who are working in the offices of the The Department of Social and Family Services throughout the province?

Hon. Mr. Yaremko: What particular phase of the case load was the hon. member interested in?

Mr. Pitman: Mr. Chairman, what I am really trying to get at is, I would like to know how many recipients the average worker in the social and family services offices in Ontario would be likely to have. I think this is at least some indication as to how efficient the services of the department are, simply because a case worker cannot have an overload without the value and the level of work going down. We have been talking a great deal during this debate about rehabilitation, and one of the most effective ways of rehabilitating recipients is the opportunity to consult with them, to give them advice, to help them in many different facets of their lives.

I think that the number of cases that a worker has is a measure of the degree to which that worker will be able to perform that task. If the worker is doing nothing more than counting pennies and working out budgets and redefining budgets and carrying out the most straight-forward day-by-day kind of administrative duties, then I suggest that the office of the Minister is not carrying out its proper function. Indeed, I would even go further than this and say that if there have been cuts made in the department's budget, this may very well be the area that is being affected—services directly to people and the kind of services which the people most need—that is, consultative services.

Hon. Mr. Yaremko: Mr. Chairman, I do not know whether you can draw conclusions from generalizations. The field worker may be responsible either for a generalized case load composed of all kinds of cases, or for one which is composed entirely of families in which there are dependent children. The generalized case load is about 300 at any given time during the year. Of that 300, about 15 to 20 per cent—that would be from 45 to 60—are of the kind that need constant attention. The balance are, for the most part, able to get on on their own.

For the specialized case loads, each field worker is responsible for about 150 to 170 families who are receiving family benefits. These are mainly in urban areas where there are a sufficient number of family cases to make the more specialized approach possible.

Here too, a goodly portion are unable to look after their own affairs but we are able to give better attention to the more numerous and complex problems which arise in the family setting.

Mr. Pitman: Well, that is a start, Mr. Chairman. I wonder if we could look at this a little more closely. You say that 15 to 20 per cent are people who need constant attention. The assumption there is that the other 80 per cent need no attention at all, and I suggest that that is probably a very great exaggeration because in most cases those who are recipients need constant attention. I would say almost 100 per cent need some attention. Indeed, this is the problem. The problems of these people are festering without any help from the Minister's department. He is not giving any counselling services.

What I would like to know is, what would the Minister regard as an optimum number of cases that a case worker could deal with and provide the kind of services which he has talked about in relation to preventive services, to rehabilitation services, to these kinds of concepts? What would he regard as an optimum number of cases that a worker could handle?

Hon. Mr. Yaremko: Of course, there is no hard and fast rule. I am no expert in the field, but a case worker could have a dozen cases that could keep her busy all the time. There may be another social worker who may have a broad spectrum of cases that do not need attention. Most family benefits

cases are long-term cases where the rehabilitation aspect that we have been talking about is not as applicable as those in the general welfare assistance. They do need counselling and assistance—if they are disabled or elderly, assistance peculiar to their own disability is needed but not within the field of rehabilitation that the hon. member and I were discussing earlier. That comes within, I would think, the general welfare assistance cases.

Mr. Pitman: Well, I think we are using the word rehabilitation perhaps a little differently.

I wonder if I could ask this question. Has there been any hold on the acquisition of personnel in this particular area of the Minister's work? Have the number of cases gone up for case workers who are working in the social and family services branch offices, and here in Toronto under his department?

Mr. E. Sargent (Grey-Bruce): Who cares?

Mr. Pitman: We do care over here. We do care.

Mr. Sargent: You are just talking for the sake of talking—

Hon. Mr. Yaremko: Actually, the general case load has been dropping considerably from—I will use the last year—1963-64. In 1964, the average monthly case load per field worker was 426; in 1965, 421; in 1966, 417; and in 1967, there was quite a drop to 372, and in 1968, to 333; and now I am using the figure of 300. So you can see that there has been a decided reduction in the number of case loads.

Mr. Pitman: In other words, the drop has gone on for the last four or five years, coming down from 400-odd to 300-odd—

Hon. Mr. Yaremko: As a matter of fact in February 1969, it was 290.

Mr. Pitman: If this is an indication of reality out in the province, I must say that I am pleased to hear that.

We also got into this question of the graduates of colleges of applied arts and technology last night. I do not want to repeat either the comments or the questions that were asked by the leader of the Opposition. I do not want to make any comment on it, but rather ask a question or two.

How many case workers do you suspect will be hired by your department from the graduates of the colleges of applied arts and technology?

Hon. Mr. Yaremko: We have not that breakdown as yet, Mr. Chairman. I expect there may be a breakdown in many directions, but in the coming year I hope to have an analysis made of our department in this regard in order to keep an eye on what is going on within this field. That includes my department, and other agencies—the municipalities, and the social welfare agencies.

Mr. Pitman: Has there been any effort on the part of the social and family services to find roles for those who are coming out of the colleges of applied arts and technology? It seems to me, and I am not going to repeat what has been said before, that, when these courses were set up in these colleges of applied arts and technology, the whole idea was that there was a serious need, in the Minister's department, for trained people to carry out this kind of work.

I think the Minister realizes a very small percentage of those who have had formal training in the social service field after two years would be able to play a certain role. What role would the Minister say these people were capable of within his department?

I was appalled to realize that there has not been more liaison between The Department of Education and the Minister's department and the other departments involved in the setting up of the colleges of applied arts and technology and the setting up of these courses. I was utterly appalled that this was not planned out to begin with. Now that these students are emerging, I think it is encumbent upon the Minister to do something about this problem, and indeed, to help those agencies he supports.

I can assure the Minister that there are literally hundreds of young people emerging from these courses expecting to play a role, and if they are not given the opportunity to play this role, it will be a very serious thing in the future for this province—that these young people have been misled in this way by the educational authorities and by, indeed, the Minister's department itself.

Could the Minister indicate whether he has made any efforts to see that there is a place for these young people coming out of the colleges of applied arts and technology? And what role would they play in his department, and at what level would graduates from these courses be able to operate?

Hon. Mr. Yaremko: There is a joint effort between our department and The Department of Education—and I think Health is involved. I do not know whether Correctional Institutions is involved to carry out the type of thing that the hon. member is referring to.

Mr. Pitman: Well, it would not affect this year's class.

Hon. Mr. Yaremko: I cannot give a definitive answer to that.

Mr. Chairman: Anything further on provincial allowances?

The hon. member for Scarborough Centre was on her feet before the hon. member for Riverdale.

Mrs. M. Renwick: I will concede to the hon. member for Riverdale, Mr. Chairman.

Mr. Chairman: The hon. member for Riverdale on provincial allowances.

Mr. J. Renwick (Riverdale): Mr. Chairman, there are four or five matters that I would like to cover as briefly as I can with the Minister.

The first one relates to this particular vote —that even though there is no specified number of dollars, that part of the cost of legal aid is borne for the province. I would like to ask the Minister to what extent the item for salaries under this vote includes an amount which could, under an accounting principle, be distributed to the legal aid plan in order to give a clear indication of the total cost of that plan?

Hon. Mr. Yaremko: The total amount for the assessment branch is $564,000, proposed for the coming year.

Mr. J. Renwick: Could the Minister give me the amount for the year ending 1968, in order that I can have the information to go with the report of the legal aid plan for the year 1968?

Hon. Mr. Yaremko: I do not have any figure for the year ending 1968, but for the year ending 1969 it was $442,000. The budget appropriation for last year was $442,000.

Mr. J. Renwick: Is that the actual amount which was expended to cover—

Hon. Mr. Yaremko: We do not have the figures yet:

Mr. J. Renwick: Mr. Chairman, not necessarily during the estimates, but at some point, would the Minister get me the actual figure of the cost to his department of providing the services of the welfare officers that make the assessments under the legal aid plan for the year 1968?

Hon. Mr. Yaremko: For the year ending 1968, yes.

Mr. J. Renwick: For the year ending March 31, 1968.

Hon. Mr. Yaremko: We can get an estimated figure; it will not be as accurate as in the future, but we will get it. That is the first full year, is it not?

Mr. J. Renwick: Yes, this is the first annual report, for the year ending March 31, 1968.

Hon. Mr. Yaremko: We could get an estimated figure; I think that is what the hon. member is interested in, a round figure for the amount.

Mr. J. Renwick: Well, round but—

Hon. Mr. Yaremko: This year's estimated expenditures are $564,600, and I think the hon. member will be interested in knowing whether it is $300,000 or $400,000 or $350,000, without getting into the hundreds. I think that would be sufficient, would it not?

Mr. J. Renwick: Yes. When we come to the Attorney General's estimates, we would like to be able to intelligently discuss total costs of the legal aid plan to the province of Ontario. One aspect of that cost is the burden borne by this department in providing the services of the welfare officers who make the various assessments. If at the same time the Minister could give me the figure for March 31, 1969, if that is available by that time, I would appreciate it.

The next item deals also with this question of legal aid. I notice in the report of the advisory committee that the greater part of it is devoted to concern about whether or not the persons who have the benefit of the services under the plan, are bearing as much of the cost as can properly be allocated to them. There is a reference in the report of the advisory committee on legal aid, again for the year ended March 31, 1968, stating that:

> The advisory committee recommends that a study be conducted by the welfare officers of The Department of Public Welfare—

I assume they mean The Department of Social and Family Services.

> —designated by the Minister under the statute in conjunction with the law society,

to discern the basis of the judgment of welfare officers in determining whether or not an applicant can pay no part, some part or the whole of the cost of the legal aid which he applies for, and the sum, if any, he is able to contribute for the cost thereof, by re-examining the cases dealt with during the first year of the operation of the plan and to date, to determine to what degree the uniformity has been achieved in the application of the criteria which formed the basis of the judgment referred to, and policies that may have developed in assessing the criteria. In our view, this study should be a continuous one and use should be made of the data processing equipment for continued comparison by case and by area.

This is a reflection of the concern of the advisory committee that some 86 per cent of the cost of the fund of the legal aid costs was attributable to those persons who were found unable to make any contribution, and only 14 per cent was provided to those persons who were able to make some contribution.

I would like to ask the Minister whether that study has been conducted, what the results of it are, who is conducting the study, and what discussions have taken place between the officers of his department and the law society to provide the information which is requested by this advisory committee.

Hon. Mr. Yaremko: I think that study is still continuing.

Mr. J. Renwick: I suppose I will have to leave the substance of it until the Attorney General's (Mr. Wishart's), estimates. The fact of the matter is the Attorney General, in introducing the amendments to the legal aid bill, certainly gave the impression in his comments to the press that he was introducing some new criteria, in the bill to amend The Legal Aid Act, in order to carry out the recommendations.

What he referred to, Mr. Chairman, I think, as tightening up on the legal aid system. I am very anxious to know whether or not the amendments which are proposed are as a result of studies in which this department has been engaged, or whether those studies have been completed, so that when we deal with the bill on second reading we will have that kind of information available to us.

My question therefore is simply this: Is the study under way; what are the results of the study; and will it be made available to the Legislature for discussion of that bill, so that when we come to the Attorney General's estimates and to the second reading of the legal aid amendment bill, we can comment intelligently about it?

Hon. Mr. Yaremko: Mr. Chairman, that study, as I say, is under way. That particular phase of the study is still under way. I can give no answer as to when it will be completed or what its results will be. I think the Attorney General, on second reading, will indicate perhaps what the phraseology, or the expression "tightening up" meant at that time.

Mr. J. Renwick: Mr. Chairman, would the Minister tell me how many persons in his department are engaged in this work in connection with the legal aid plan? Are they engaged full-time in work for the legal aid plan, or are they only partially engaged, and if so, how many?

Hon. Mr. Yaremko: There are 79 persons, but to say whether it is full-time or part-time is a difficult matter. There are the equivalent of 79 persons engaged in the assessment branch.

Mr. J. Renwick: Mr. Chairman, I can well understand that some of them may only be engaged part-time. In the metropolitan area, for example. I suppose it is the county of York under the area director. Are there any persons—and if so, who are they—engaged full-time in making the assessments for the large number of applications which come from the metropolitan area? From the county of York, as I understand it, there were some 20,000 out of about 55,000 applications for legal aid certificates during that first year of operation.

Hon. Mr. Yaremko: The complement for that is 17.

Mr. J. Renwick: Seventeen. And would they be full-time employees of the legal aid?

Hon. Mr. Yaremko: My understanding is that they would be full-time employees.

Mr. J. Renwick: Mr. Chairman, I want to deal with a fundamental point which has come out on the question of the inadequacies of the allowances provided for people in the province under the provincial assistance plan. Let me deal with it very briefly. What we are talking about is a scant $130 million allocated by this government out of a total budget of $3 billion for the purpose of providing the kind of allowances which are required. It is quite obvious that the department itself has no real assessment of the

extent of the need in the province, but we have a pretty accurate indication of the number of individuals in this province who require assistance, from the report of the activities of the Ontario Medical Services Insurance Plan. That plan shows that there are in excess of one million persons in the province who either have no taxable income, or have taxable income, in the case of a single man, of under $500; or in the case of a married couple, $1,000; or in the case of a family, $1,300.

Hon. Mr. Yaremko: Mr. Chairman, the figures that the hon. member is reading have nothing to do with provincial allowances and benefits.

Mr. J. Renwick: Mr. Chairman, I am simply pointing out that in the absence of a study by the Minister's department of the extent of the degree of poverty in this province, and not relying on the Canada Council for its generalized view of the extent of poverty, this government has shown that there are one million people in the province who require the kind of assistance which the OMSIP plan provides. That is all. I am using it simply as an indication of the paltry way in which this government has allocated funds, and I happen to think—and I think the members on this side of the House, certainly of this party, share the view—that it makes an absolute travesty and a mockery of the opening statement of the Treasurer's Budget, that the Ontario of the 1970s stands before us in a splendid array of opportunity and challenge. I say to the Minister: If this province cannot allocate more than $130 million out of a total Budget of $3 billion, then it is time for this government to reassess the priorities which the Treasurer (Mr. MacNaughton) denies to us.

He states in the course of his Budget, Mr. Chairman, about these provincial allowances, that there is a substantial increase. I simply draw to the attention of the Minister that the so-called increase is perfectly illusionary in terms of the overall Budget of the province. I direct the attention of the Minister to table C-4 of the Budget. You find chart C-4 which shows that from 1960 or 1961 when social and family services occupied about six per cent or better of the total Budget, there has been an absolute decline in the number of dollars provided. In 1970, to the best of my estimation, it is something in the neighbourhood of four per cent. I am sure the Minister can make the calculation better than I can.

But, this is during a time when the member for Windsor West and the member for Sudbury East and the illustrations given by the members for Scarborough Centre and for Peterborough, have shown the extent of the change of living costs in the last two years. Not only that, the member from Windsor West has also pointed out that the absolute gap between those persons in this society who are able to cope—and those who are not able to cope—is a constantly widening one.

I refer you in the Metropolitan Toronto area to a man who is respected for his knowledge and concern in this field, Mr. Wilson Head. He is reported in the press in the last few days as saying that there is an almost inescapable inability on the part of those in authority in this province to recognize that that gap is becoming greater and greater. The only way in which it can be made up is by this Minister and this government. We have not got any assurance or any indication that there is any sense of profound concern in the government about it. My point, Mr. Chairman, is very, very simple.

Until this ministry recognizes that that gap between those in this province who have and those who have not is becoming, in absolute terms, wider and wider, we are not going to be able to communicate in any reasonable way on the whole question of preadded budget; that is, what the rent allowance should be, what the shelter allowance should be, what the clothing allowance should be and what the food allowance should be.

We cannot, Mr. Chairman, get across to this Minister that no matter what standard of living you adopt, you cannot live on the number of dollars that this Minister is allocating for people in this society. It is not possible, and I am talking to members of this Legislature, including myself, who think nothing of walking out on occasion and having a dinner which costs $8, $10, $12 or $15 for two people. You are talking about people in this society who do not have the number of dollars for a whole month that we in this Legislature, on occasion, spend in one evening—either on a government banquet or on our own personal living standard.

This government has got to understand that we in this party, and I am quite certain in the Liberal Party, think that the provision of $130 million by this government is a paltry sum. It gives the lie to all the grandiose remarks that the Treasurer and

other Ministers are so proud of making about this province of opportunity and challenge.

Mr. Chairman: Provincial allowances—the hon. member for Scarborough Centre.

Mrs. M. Renwick: I have some remarks on the budgeting also, Mr. Chairman, but at this hour I think I will deal with it after the dinner recess.

I would like to speak about the mothers' allowances. I would like to ask the Minister, too, if he could comment on the case of the infant Carol Ann Young, who suffocated. Her mother's allowance application was filed with the department September 27 or 28, and when the infant died in December, the mother and child were still on welfare. When they paid over their welfare allowance on rent, they ended up with $1 and something a day for the two of them to live on. I wonder what the delay was, Mr. Chairman?

Hon. Mr. Yaremko: Of course, Mr. Chairman, I do not have all of the many tens of thousands of files before me. I will get that information for the hon. member.

Mrs. M. Renwick: Mr. Chairman, I did not expect that the Minister would have the tens of thousands of files before him, but were I the Minister and had I been castigated in the editorial columns of the *Globe and Mail* for the sort of procedures that allows this sort of thing to happen, I certainly would have had a file on Carol Young.

Then I will go to something that the Minister must be familiar with, because there are three letters from his department. Mr. Chairman, on April 1 you interrupted my reading of these letters, because they did not apply at that particular time.

I am referring to the case of Mrs. Bednarik in Essex, where finally, after much frustration and much fighting on behalf of her family, she was put on The Family Benefits Act on total allowance. I would like to read, Mr. Chairman, a letter dated February 21, 1969, to Mrs. Darlene Bednarik, 162 Iler Avenue, Essex, Ontario, saying:

> Dear Mrs. Bednarik:
>
> The Rt. Hon. Pierre E. Trudeau, Prime Minister of Canada, as well as Mr. Eugene Whalen, MP, Essex, has been most concerned in your worries. I was pleased to hear from our branch that a family benefits allowance at the maximum rate has been made available from February 1. In addition you have also been provided with free dental care, hospital insurance and medical coverage under OMSIP. I might add that we are always pleased to be of service, and if we may be of additional aid at some future date, you have only to let us know, and every consideration will be given. It was a kindly action on the part of the Prime Minister and Mr. Whalen, and I will let them know of this result. With best wishes.
>
> Yours sincerely,
>
> (*Signed*) James S. Band,
>
> Deputy Minister.

Now, Mr. Chairman, if that letter does not tell anything, it certainly tells that a great number of people had to be involved before this lady was put on the maximum rate on the family benefits allowance. The Minister has said today it would take about two months for an application to be completed, and I ask him—and I would like him to know that I ask in all seriousness—for an assessment of the 1,400 cases that are in abeyance, as to how many are applications dating back further than the two-month period, because as you know it is wrong that these ladies have to be referred to general welfare assistance and lose whatever liquid assets, small as they may be, that they may have had.

The rigmarole that Mrs. Bednarik had to go through before she got her full family benefits is something that should be of concern to the Minister, that he is administering a programme in which people have to go through this kind of detail before receiving his benefits. There is no fast way of being put on mother's allowance—and there has to be a fast way.

The Minister has assuaged the fact that, well, the ladies can go to general welfare assistance. I say there is something wrong—either we have to have one Act and one system, or at least for the mother's allowance we have to get them to where they can come to the department and not have to go to general welfare assistance.

On December 23, 1968, from The Department of Social and Family Services, a letter went to the same Mrs. Bednarik saying:

> Mr. Eugene Whalen, MP Essex has personally written advising of your difficulties. Our senior representative will be calling on you, Mrs. Bednarik and you may be sure every possible consideration would be given in the needs of yourself and your

family. When thanking Mr. Whalen for his concern, I will also promise to keep him informed. With best wishes for the holiday season.

Yours sincerely,

James S. Band.

The lady had, at this point, enclosed a clipping about a sit-in she had done at the welfare office. There is no mention of her problem, even though they are now documented for public information. So the lady, in frustration wrote on January 28, 1969, a letter to Dr. Band saying:

First may I say thanks a lot for nothing. I hope you will carefully read—

Hon. Mr. Yaremko: Her letter was not as nice as his.

Mrs. M. Renwick: I think all we are trying to say over here to the Minister is that these nice letters are a little nauseating when you are dealing with the facts of the pre-added budgets, and the facts of the red tape involved with the applicants. They are absolutely pouring more insult on top of the situation in many, many cases.

To read a letter like the last one that shows what this lady has gone through shows no reality on the part of the government or the head of the government departments. The reality is simply escaping the government and the Minister completely, because the lady had written with a serious problem.

Her letter was not nice, and it does not get any nicer as it goes on, Mr. Chairman, but I think it is important that the Minister realizes that this is a frustration that women go through trying to get on mothers' allowance. He does not have a fast system; he lets them go to welfare assistance, so she wrote:

Dear Mr. Band:

First may I say thanks a lot for nothing. I hope you will carefully read the enclosed newspaper clipping and the letter from my mortgage company. As you can see by the newspaper article, by last Saturday my situation had progressed to a desperate point. After weeks of waiting on Smith's office, your office and representatives, two MPs and my lawyer, I seem to be getting nowhere fast, except I was sure I would soon be losing my home.

I surely did find out that there is a lot of truth to the saying about the power and freedom of the press. With them behind me, I had my mortgage and drug money from Smith within an hour, whereas for weeks before that I used every ounce of decency and pull I could get to try and accomplish these two things, and believe me, Mr. Band, I got damned tired of crawling and decided it was about time I got up and walked.

I would give anything to talk to Trudeau and ask him where in hell is this just society we supposed to be living in. It certainly cannot be in Canada. Surely not in Ontario when we have men like Murray Smith at the head of government agencies. I know Murray Smith does not have an easy job, and believe me I would not want his job, but there must be a person somewhere—

Mr. V. M. Singer (Downsview): Mr. Chairman, on a point of order. The rules are pretty explicit about repetition, and I have been following the hon. member word for word on page 3049, April 3, 1969. While the point that she makes is important, surely it does not have to be given twice within a period of two weeks in the House.

Mr. Chairman: I might say that I was trying to relate back in my mind the previous occasion on which the hon. member had been speaking. I do recall certain letters and it was running through my mind that it might possibly be repetitious, but I was not certain.

Mr. Singer: Well, it is there, sir, on page 3049.

Mr. Chairman: However, if it does appear in *Hansard*, as the hon. member for Downsview has pointed out, I would think that the hon. member for Scarborough Centre should not repeat the entire process again.

Mrs. M. Renwick: Mr. Chairman, I think I have just got down to about where you interrupted me on April 1, but I would like to find my *Hansard* here to prove it. Do you want me to look for my *Hansard*? I am sure you interrupted me in this letter; it gets a little hot for everybody, you know. This lady is saying: What the hell. She is not very happy, everybody gets a little edgy and this letter gets interrupted every time I try to read it.

Hon. Mr. Yaremko: It was not the first reading of the letter that was interrupted, it was the second reading of the letter that was interrupted.

Mrs. M. Renwick: You know what has happened? In this session people are paying attention to the welfare problem. What the Minister is a little confused with is the résumé which the office of family services requested this lady make for its files. I read it, and I believe that is what the Minister is perhaps confused with. Perhaps if the member for Downsview would flip the pages over he might find that letter was never ended.

Mr. Chairman: Well, in any event, there does seem to be some degree of repetition in connection with what the hon. member is presenting.

Mr. Singer: It is there word for word.

Mrs. M. Renwick: Do you not want to hear about Mr. Trudeau, Mr. Chairman?

Mr. Chairman: In any event, it being 6.00 o'clock, I do now leave the Chair and we will resume at 8.00 p.m.

It being 6.00 o'clock, p.m., the House took recess.

No. 92

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 22, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 22, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3423

Motion to adjourn, Mr. Welch, agreed to 3452

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 22, 1969

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2002:

Mrs. M. Renwick (Scarborough Centre): Sir, the hon. member for Downsview (Mr. Singer) was correct inasmuch as he said I was repeating the part of the letter which I had read on April 3, but the letter was not finished on April 3. The point where the member interrupted to draw this to your attention is exactly where I finished on April 3, so if I may, I will pick up where I left off before the dinner recess—and finish the letter.

Mrs. Bednarik writes:

> I know I am so tired of hearing from government officials and professional people that Smith is bigoted and tolerant of the beliefs and practices of others and oppressive and prejudiced and the God of welfare; and believe me, Mr. Band, I have heard them all.
>
> I know I am fortunate because I have had the ability and the guts to stand up to Smith's whole system and ask a few questions and demand some answers—

Mr. R. F. Nixon (Leader of the Opposition): Who is Smith?

Mrs. M. Renwick: Smith is the welfare administrator.

> I knew I had nothing to fear —

Excuse me, I will interrupt myself, Mr. Chairman, or stop for a moment. I am trying to point out that for a mother's allowance applicant to have to go through this sort of thing before she can be put on the mother's allowance recipient list is ridiculous.

Now in dealing with Mr. Smith for general welfare assistance in the interim period until her family benefits were allotted to her, she says she had been able to stand up to Mr. Smith's system and ask a few questions:

> I knew I had nothing to fear and that I had some darn good backing, but what about those countless other people who have been mistreated by Smith and his workers; and what about the innocent children in circumstances like these. If a woman had four or five children and was threatened by Smith to be cut off welfare like I was, then his office must be controlling an awful lot of people.
>
> It is a very sick set-up when we are forced to go to the length we did for the amount of money that was involved.
>
> You call this a democratic set-up? To have to exploit myself, my family and my two children like this? My five-year-old son missed school that morning; my four-year-old daughter was just getting over the chickenpox; and believe me, Mr. Band, this was not the easy way out, but it was the right way and it took a lot of guts.
>
> This morning, one of the local radio stations interviewed me over the air and they read some parts of the enclosed newspaper clipping; and also I read a few parts of the first page of my letter to you over the air. I did not have the rest typed or they would have gotten some of it too. They want me to keep them posted on this entire situation, so does the *Windsor Star.*
>
> The taxpayers certainly have a right to know what happens to some of their money. After going through this mess I would give anything to know how many more cases there are like this one, and some would most likely be much worse. Maybe if a few people before me would have taken the measures I did our social services in Essex county would be much better run.
>
> I also think I had better check back on the court records. After all this I find it hard to believe that my husband was charged with desertion and not me.

I would like to stop there, Mr. Chairman, to say that there can be no application for family benefits until a court order has been issued to show that the wife has made a show cause attempt to locate the husband for support. That also, in itself, is quite a delay. I would think an unnecessary one, too, Mr. Chairman, because surely the department would investigate whether the husband should be supporting the family—which it eventually does in

any event— to get the family off the roll of those in receipt of a benefit.

Mrs. Bednarik continues:

I have kept myself a decent, respectable person and mother; my children are clean and healthy, and I have them in figure skating, hockey and Sunday School; and I have been going to the family service bureau for counselling to try to make a better life for myself and my children.

Then I was cut down $16 a month in December and refused the $11.36 for drugs. I knew I could not care for my children properly and that they would suffer needlessly. When I questioned this I was not only refused the money, I was asked by Gerry Billings to sign a form stating that I keep receipts for every dollar I spend. I had already signed many of their forms.

I was questioned by them on what I did with their money, even though they knew the children were healthy and clean and being cared for; and the household bills were being paid by me and the house was being kept up. I was questioned why I was going to the family service bureau; and where did I get the money to go; and told not go there.

I was questioned about the hockey equipment for my five-year-old son and how they were in figure skating. I was told last week by Billings that I should be paying my 1969 house taxes, which are over $200, out of my $30-a-week welfare money.

Never once, Mr. Band, was I encouraged by these oppressive people, or told that what I was doing was right for the children, or how they were helped by these activities.

I was told by Billings on December 31 that their office was going to send in an unfavourable report to the Deputy Minister, Mr. Band. I told Murray Smith that if they had taken half the interest in my husband that they did in me that they might have gotten some money out of him.

Last week I gave Billings my husband's social security number, which is 418141412, and told him I felt he might be in Winnipeg, Manitoba. I gave him a couple of addresses. I am beginning to think he filed them in the wastebasket.

Monday my lawyer, Barry Rubin, told me that ASCO Finance had located him in Winnipeg, and at that time they did not even have his social security number.

I also received an $11 cheque today, Wednesday, January 29, from Mr. Smith's office. I am not sure what it is for, it looks like someone has a very guilty conscience or that maybe it is to try to keep my mouth shut. It was only mailed out after my article and clippings in the *Windsor Star*.

I know I told Mr. Smith I wanted the $11 raise I am supposed to be getting from the month of December and January. That money was only taken from me out of prejudice and is certainly coming to me and my kids.

I might also say, Mr. Band, that there is nothing in this letter that will be news to Mr. Smith. We were big enough people to say what is in this letter to his face and there was more than what is in this letter that we said to his face. All we ever wanted was to be treated like first rate citizens instead of garbage.

All I can add is that if there is any kind of board of directors meeting at the county offices over this mess I would certainly request that I be given a chance to have my say. I have had enough lies between and by Smith and Billings on my case and at my expense. I know a few of these men who are on this board and believe me they would be horrified at just a few things I could tell them.

I am only out for what is right and decent and I certainly have nothing to hide. I have been honest from the start and I would not be afraid to meet or speak with anybody on this case.

Lastly, Mr. Band, I beseech you for an explanation and an apology from The Department of Social and Family Services of Ontario.

Yours truly,

Darlene Bednarik.

Now I think I read the letter where the maximum rate was given, Mr. Chairman; but there is one interim letter, and it is from The Department of Social and Family Services, Parliament Buildings, February 21, 1969, referring to 545629N, Mrs. Darlene Bednarik.

Dear Mrs. Bednarik:

This is further to our letter of February 10, 1969 to you. We understand that Mr. Bednarik was ordered by the family court to make the mortgage payments on your home and that he has not done so.

Your rate of allowance has been recalculated to include mortgage payments and

your shelter expenses. According to information received with your application, the shelter expenses total $98.85 monthly; the maximum amount that we may include in your allowance calculations for shelter expenses $80 monthly.

Your allowance was increased February 1, 1969, to $218. This raise includes $29 fuel allowance. As Mr. Bednarik is not making payments as provided in the court order we ask you that you visit the family court with a view to taking show cause action against him.

Kindly keep your field worker advised as to the date set for the court hearing and the result of the hearing. May we draw your attention to the insert card which is enclosed for your convenience.

Yours very truly,

L. M. MacKenzie.

For Director, Family Benefits Branch.

Mrs. Bednarik made a note on here saying my $29 fuel allowance has been cut off as of March 1.

Mr. Chairman, mothers' allowance is certainly a programme on which mothers should not have to go through that kind of hassle in order to finally get put on; and when they do, we have talked about the budgets that are inadequate. That point was made very well this afternoon. I would like to read the letter of a lady who cannot live on these budgets as they are and then briefly take a look at the guides for family budgeting from the social planning council.

In fact, Mr. Chairman, this is how I got around to asking the Minister for a breakdown on the pre-added budget. Last year I tried to compare the pre-added budget of the Minister's department with the 1967-68 social planning council periodical on guides for family budgeting, prepared for the use of social and health agencies in Metropolitan Toronto. I was unable to do so because of the fact the Minister will not disclose how to break down one of his pre-added budgets. From a constituent of my riding, I would like to read a letter that was handed to me in the early part of this year:

Dear Mrs. Renwick:

I would like to write concerning my mother's allowance. I have been on it since 1967, in May. My daughter was 16 and my son six at that time. I was receiving $202.

This lady, Mr. Chairman, is probably including her rent allowance in her figures. To continue:

I moved into a three-bedroom apartment with my children, the rent was $85 per month. I was in the apartment September to April. In trying to defrost the fridge, I got it defrosted and there was a hole in it. I still do not know how it got there. I paid for repairs. It cost $70 and was deducted $5 each month. My daughter moved away in July 1968, and I still paid $85 rent.

Mr. Chairman, I would like to pause there to say that, needless to say to have an apartment at $85 rent this lady was a tenant of the Ontario Housing Corporation.

February, 1969, my little boy and I moved into a two bedroom apartment. We still pay $80, starting last month.

I am allowed to earn $8 a week, $36 a month, which by the time I have paid for carfare and lunch I have no money left for anything else. I cannot leave my son alone, he is only eight years of age.

No one seems to want to hire a person who is on mother's allowance. My son and I live, at the moment, on less than $1 a day for food. I am interested in what is meant by the Canada food law, why it is so important in the province.

Mr. Chairman, I would like to say to the Minister that the day of being able to provide for a family on $1 a day for food is gone. A dollar-a-day-per-person, Mr. Chairman, is what the workers state is a possible, probable allotment, of the allowance; and it is ridiculous.

I asked mother's allowance for more money, or help. My field worker looked in my fridge, saw it empty, that was the middle of January, and she said she would see what she could do. She phoned in the afternoon and said, that if I was helping with cubs, that they could help me. I do not blame the field worker. I asked my church where my contact is. They sent someone to see me. They sent some groceries but said they could not make a practice of it. If I needed anything for my son, if I needed anything, to tell my Akela.

That is a term in the cub pack, Mr. Chairman.

They suggested for me to go to work. I said I have a degenerated spine. They said to baby sit. I tried that in the past but could not do it. First time I asked for help from the church, I was asked by the St. Vincent de Paul, if I was a mother that had a son in university. I said no,

and the St. Vincent de Paul man replied "Well, we cannot help you." How can my eight year old son grow so that maybe he can some day go to university.

A Protestant reverend came to my door and offered help. He sent $8 worth of groceries and an $8 voucher. My daughter and son had to stay home two days in every two weeks until we received our cheques because of lack of food. The man in the school had my daughter dust and clean the waiting room and office to pay for her tickets. My daughter, or I did not mind the idea of work but it was the embarrassment amongst the other girls, and she thought they looked down on her. That year she had to repeat Grade 10. I have three grown up children, a son married with two children, one son under security, my daughter is employed but does not make enough to help out.

Mr. Chairman, I should say here that the tickets are probably car tickets for the child who went to the McNeil School. To continue:

I buy meat three or four times a month, two boxes of Kleenex, four rolls of toilet tissue. If people visit I sometimes have to tell them I am out because of no more. I drink a great deal of tea in the last week of the month. My son goes without milk three or four days at a time. I do not smoke, do not have my hair done, now I have to have nylons for my club meeting on Friday night.

I launder twice a month, the bedding etc., my personal and son's clothing I hand wash. I dry wash in the apartment. I try to see my son gets a coke or a chocolate bar, or ice cream cone if possible, cookies once a month, haircuts every three months.

This last Christmas for mother's allowance we did not get our cheques for Christmas. No hamper, no help from Salvation Army. I went downtown for money for food at the Salvation Army, they gave me $5. I paid one dollar for bus fare out of the $5.

And, Mr. Chairman, I pause to say that the other point was raised by another member that transportation is sometimes twice as expensive, depending what area of the city in which you live. To continue:

I borrowed money for a few things to eat at Christmas and when I received my cheque, I had to pay it back, so I had no money for January. A friend at Christmas bought a turkey, otherwise we did not have anything for Christmas. The field worker that came after Christmas holidays said she was new, and did not know anything about the matter of not getting the cheque for Christmas, and was sorry she could not do anything about it, but I did phone a week before Christmas and asked if we would be getting it and they answered no. Why is it that the people on mother's allowance, and in low rental are not supposed to pay according to their income?

And, Mr. Chairman, I believe the writer of the letter means why is she not supposed to pay the rent according to income.

One woman I know has one son, three bedrooms, and an income of approximately $300 a month; she is allowed to have a son and wife and baby live with her, she works and pays low rental of $55 a month.

Mr. Chairman, this is what we were trying to explain to the Minister, and he thinks it does not matter because it does not come out of the recipient's pocket; but this does matter to a recipient, that somehow she is part and parcel of paying $80 or $90—

Hon. J. Yaremko (Minister of Social and Family Services): I thought that Mrs. Bednarik owned her own home—the writer of the letter—or is this a different case?

Mrs. M. Renwick: Well, Mr. Chairman, this is a case of a constituent, I believe I prefaced it that way.

Hon. Mr. Yaremko: I am sorry, I did not hear that part.

Mrs. M. Renwick: To continue, Mr. Chairman:

I am not allowed to keep anyone with me in order to help out in my situation for dressing my son or to help me in eating or living better. I take liver shots, I have to pay for them—$21 which I owe.

And that is $21 a month, Mr. Chairman.

It is in the collector's hands, because I have not been able to pay it and OMSIP does not pay for that. A person cannot keep the home as clean and presentable as it should be because of the lack of funds. Do low rentals go according to wages?

One of St. Vincent de Paul men asked me how come I was baby sitting niggers' children; my landlady was Jamaican. She did not mind me living in her house, but white people won't give a woman, without a husband in residence a place to live. I was told last month by one of the St. Vincent de Paul men: why didn't I go

back to where I came from, Nova Scotia. I said my parents were too old, and I could not support myself and the little fellow down there, because jobs are not available.

I was born in Nova Scotia, lived there eighteen years, went west for seventeen years, had five children and had to leave on account of husband behaviour. I was told to come closer to some relatives. I came to Toronto, I was told that they would figure out what part of the country I could become a citizen because they could not figure out if I was a citizen of the west coast or of the east part of Canada.

I keep asking myself what and who am I and where do I belong. The people who come from foreign countries get help and live very well; also work besides their welfare money allowance.

Mr. Chairman, I would ask the hon. Minister and I would ask the Treasurer and the Prime Minister to go to any fifty homes they would like to take at random, pick on the mother's allowance or a general welfare system case, and see some of the hardships that these families are going through, because if they do not have parents who can assist them or have some way of being able to manage some additional assistance which the department knows nothing about, they are simply keeping the flesh on the bones and not a great deal more.

If you take the social planning council budget, Mr. Chairman, with regard to the family the Minister spoke of earlier as an example, and the one I spoke of, the family under family benefits received $142 a month for food, clothing and personal care, for two adult persons and two children up to nine years of age. And taking the social planning budget and taking only mid-activity for the father and the mother, their budget came to $105.57 for the month for food. And for clothing, Mr. Chairman, taking one of the boys, whose clothing cost a little more, $7.43, and the girl, whose clothing is $7.36, taking the clothing of a housewife and for the father, there were only two categories, Mr. Chairman, either employed or elderly and retired.

So I took the housewife's same allotment, presuming we would like the husband to be dressed to go out and find some form of employment, even if it is partial under family benefits, but even taking the small allotment there would be only $3 difference. Taking the retired elderly man's allotment for clothing of $7 a month instead of the housewife's of $10.69: $33.15 for clothing.

Household operation was very close to the Minister's own assessment, $7.51; utilities, I took the Minister's figure of $11 and that figure was very close also under the social planning council. But when you add this up, Mr. Chairman – even taking the minimum amount – it comes to $170. Allowing the husband the same amount to dress as a housewife, it allowed $173.33, which would be $33.33 over the Minister's budget. And the Minister's budget does not allow anything for purchases in the home of blankets or sheets, anything of this kind. The social planning council allowed $7.41 for that purpose.

We cannot minimize the importance of this. I spoke at a public meeting recently where a gentleman came out of the audience and spoke about his daughter who is living on welfare, and he said to me, "Do you know that they don't allow any money for a blanket or a sheet?" You know, Mr. Chairman, we have to work these things right into the budget, we cannot have them under special grants and so on.

For housing, Mr. Chairman, under the same social planning budget, I had great difficulty getting a housing figure. I spoke to the people shortly after they released this a year ago and they finally checked newspaper ads and the following table gives a range for Toronto and the five boroughs. There were too few three bedrooms at that time available, Mr. Chairman, for statistical analysis. However, on two bedrooms the "low" in the city of Toronto was $151 and the "high" $195. Where does the Minister's allotment of $100 a month go in that sort of situation? In the boroughs the low for a two-bedroom was $145 and the high was $158.

Recently, Mr. Chairman, I had the experience of trying to relocate a family in Scarborough, a one-parent family with one child, who had a two-bedroom apartment that had gone up to $158 and she could not find an apartment to go to from that price except by going upwards. And all around Scarborough the prices went upwards to $170 or $180 a month. I cannot say strongly enough that the Minister has to have a more flexible base for shelter allowance. I think you cannot ask people to take it out of their food allowance.

The guides for family budgeting were done with reference to adequate standards of living, specific categories of expenditure. The level of living that is reflected in the content and the cost of each of the categories included is above the subsistent survival level

so as to be consistent with the maintenance of good health and a sense of self-respect, yet considerably below any level of living that could be called luxurious.

As regards the food allowances, Mr. Chairman, adjustments should be made if the family cooking facilities were limited or the refrigeration were limited; the percentages had to be increased.

The Minister may say: Oh we know, we can get them a stove, we can get them a fridge; but the people are not getting them, Mr. Chairman. I have talked to mother's allowance recipients on several occasions who have been cooking on inadequate cooking facilities and have no refrigerator.

I asked the Minister earlier about Carol Anne Young, and much to my shock he did not know that there was an application in to family benefits—

Hon. Mr. Yaremko: Mr. Chairman, I was prepared to discuss that case under the last vote.

Mrs. M. Renwick: Under the last vote Mr. Chairman?

Hon. Mr. Yaremko: Vote 2004.

Mrs. M. Renwick: I am not discussing the details of the case, Mr. Chairman. I am simply discussing the fact that the welfare office at Coxwell and Queen applied for this 18-year-old mother and her infant to be put on family benefits allowance September 27, or 28, as soon as they possibly could from that office; incidentally, Mr. Chairman, and when the infant died in December, the mother and the infant were still on general welfare assistance.

The mother is no longer in receipt of benefits at all. The infant is dead and I am anxious to know what happened in that particular case from the time the Coxwell and Queen office filed an application to the family benefits branch to have the mother of Carol Anne Young put on family benefits.

I have followed the case through, as I said on another occasion, Mr. Chairman, to the time when the infant was buried, to see exactly what happens to an unmarried person who is properly qualifying for mother's allowance and in this case limped along using something like $25 of her food money to make up her rent, and then had the unfortunate experience of having a suffocated infant to bury in the month of December, before either one of them were on family benefits.

Now could the Minister explain this to me. This lady does not have any bank accounts to check; she is a daughter of a large family that lived in an OHC housing development in Alexander Park. There could not be much of a background that required checking. There were no insurance moneys. There was apparently a decision, which the Catholic Children's Aid decided, that there was not enough evidence to pursue the proposed father parent of the child for any sort of support and I would like to know what the Minister's role was in this.

Mr. Chairman: The Minister has indicated he will be quite prepared to discuss this under the last vote; child care.

Mrs. M. Renwick: All right, Mr. Chairman; but you know it is an application for family benefits.

Mr. Chairman: Is there anything further under provincial allowances and benefits?

Hon. Mr. Yaremko: Mr. Chairman, if I may just take a moment, without detracting from any of the cases that the hon. members have read, to also read a few letters.

Mr. Nixon: This has gone on long enough.

Hon. Mr. Yaremko: No, no. I think it is only fair and proper to the taxpayers of this province that we take a moment or two, I assure the hon. leader of the Opposition—

Mr. Nixon: Oh, we are thinking of them—

Hon. Mr. Yaremko: This letter is to our Mr. Groom:

> My children, "blank" and "blank" join me in thanking you for your untiring interest and endeavours on our behalf to have our monthly cheque from the family benefits increased, thus easing our financial burden considerably and renewing our faith in the goodness of mankind. We do appreciate all the extra time and care you gave so freely and relentlessly to have this amendment passed.

And I skip paragraphs to conclude:

> This increase in allowance means a great deal to all of us as my daughter, "blank", will be able to continue her education and will in time be outfitted to take over the care of my son "blank", when I have passed on.
>
> From all of us again, Mr. Groom, our sincere thanks for your achievement on our behalf.

Another letter:

Dear Mr. Yaremko:

I received a letter from The Department of Social and Family Services with the announcement that the cheque I received in December is my last from the social and family department because I will be eligible for an old age security pension from January 1969.

I just want you to know how grateful I am for your support and understanding from 1964 up till now and what a tremendous help you was to me.

Thank you again, with all my heart and may God bless you all.

Also this letter:

Dear Mr. Yaremko:

I must write to thank you and to let you know the gratitude I have had, the help given by the Ontario government to me and my children for many years. It has enabled me to stay in my home with my children during the years they needed me. I have taken a position recently and I am now able to look after my responsibility. My sincere hope is that my family will be better citizens for having lived in a province that has provided such great help when it was needed.

I could go on, Mr. Chairman, but I think that will be sufficient.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, are those unsolicited commercials?

Hon. Mr. Yaremko: They are unsolicited.

Mr. Braithwaite: Could I ask this, Mr. Chairman? Could the Minister tell us if those are all from this year? Could the Minister tell us how many letters he receives from the various members of this House and from recipients—welfare recipients in a year? Just roughly?

Hon. Mr. Yaremko: Thousands, thousands.

Mr. Braithwaite: And do you mean to tell us these three or four letters that you have read are representative?

I want to say this, Mr. Chairman. I know I speak for every member of this House when I say that we might, everyone of us, have 50 letters in a month. We might do 50 things for constituents in a week. If we get one letter of thank you in a month, it is a big thing. I suppose the Minister has looked and looked and looked and out of all of his files he has pulled out three. He says, I am going to read these tonight just to show them that we are good guys. I do not think so.

Mr. Chairman: Allowances and benefits?

Mr. G. Ben (Humber): Mr. Chairman, of the Minister, how much money is being given to Laughlin Lodge in this year's estimates?

Hon. Mr. Yaremko: That comes under the third activity, Mr. Chairman.

Mr. Chairman: We are dealing with vote 2002 on programmes.

Mr. Ben: Yes, I thought it would come under grants to residential care and service for adults.

Mr. Chairman: We are only at the provincial allowances section. We have been discussing the provincial allowances and benefits.

Mr. Ben: How about an allowance for the members here for nourishment, to try to sustain them while this is going on?

Mr. Chairman: Well, perhaps the hon. member would bring that up as a motion at an appropriate time.

Anything further under provincial allowances and benefits? Does the hon. member for Scarborough Centre have something further?

Mrs. M. Renwick: Just one point, Mr. Chairman. Talking about the family, Mr. Chairman, a family of four receives $142 a month under family benefits. We take off the $18 for utilities and household cleaning supplies, and the family has $124 a month for food, and something has to come off that for clothing. So supposing we just take $4 off for clothing, a dollar each, it leaves them with $120 a month—four dollars a day. And I would ask the Minister if he would impress on the Treasurer, and impress on the Prime Minister, that every time they have a lunch that is four or five dollars a plate for this government, or they personally have a lunch at the Westbury, as so many of us do on occasion, that is four dollars or five dollars a plate, that we are asking a whole family to live on that much money a day. It just is not realistic and maybe that momento might bring some realism into it, Mr. Chairman.

Mr. Chairman: The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, I have here a few letters and it appears to be the custom in this House to read letters. I would like very much to read just one, to strengthen my argument on behalf of some of my constituents. This letter was dated

December 12. This man knew me quite well, he wrote:

> Dear George,
>
> Thank you for your letter of December 4, 1968, concerning a certain lady in my constituency. I would advise you she has received her allowance retroactive to September 1, 1968.
>
> I know you will be pleased to hear that she had her heart operation in Toronto General Hospital and is coming along very well at the present time.
>
> Your kindness and assistance in this matter has certainly been appreciated by all concerned.

What I am trying to say to the members of this House is that there are two sides to every coin. I have had the greatest of co-operation from Jim Band; I am sorry he is not here tonight, apparently he is not feeling too well.

We do a lot for our people as members of the Legislature; I think this is our job. There have been many cases that I have not been quite as successful as I was in this particular instance. But we have had good co-operation through the Minister's St. Catharines office with Mr. Alpiari. He immediately looks into the problems that I bring before him and in many instances this man has done what ought to be done.

I do not say that this government is providing sufficient money for the people who are receiving welfare, because of this rent problem. And I could speak to you for hours about these cases because I, too, look into them personally and talk to the people concerned.

I say to the Minister through you, Mr. Chairman, that many cases should be reviewed and updated. More money should come to these people because they certainly cannot maintain themselves properly. I for one would like very much, as I have done in the past, to review some of these cases with the department heads rather than take up the time of the House. I realize that this is the only place some of us can air our likes and dislikes about this problem, but I say to you again, that many people have been treated well.

I have often wondered what happened to the old-fashioned reliable people of days gone by, where they provided pretty well for themselves, even though they had cookstoves that they had to heat up with wood, and had to carry water from the old Lyon's creek or wherever it might be. This type of individual apparently is not in the picture any more. It seems for several generations, family after family of the same group are on welfare because this is the only way of life they are acquainted with. And I think this government comes short of the mark.

I think these people's pride and their dignity ought to be maintained or bolstered by this department or some part of this government so as to assist them to provide for themselves. In the meantime, there are cases where there is not sufficient money to maintain them. I think as members we are obligated to the people in our particular constituencies to do a job. The only reason that I read this one letter was because I have many others where the government has provided some help. But I agree with what has been said here for the last two or three weeks, I agree.

Mr. Ben: It only seems that long.

Mr. Bukator: It is going to go on a little longer apparently, and I am quite content to stay here all year round if need be. But I wanted to present the other side of the picture that the Minister has not been too able to present for himself. Maybe it is because he is a modest man; maybe it is because he does not want to boast. He has done some good.

In my opinion, he has not done quite enough for the people that this day have to maintain themselves on a very limited amount of revenue, and I would like to add what little I can to this debate. I do hope that the Minister can upgrade and can find a few dollars that is required to assist in the many cases that have been reviewed here these last few days. I do not want to take up too much time of the House, but I do say to the Minister, through you, Mr. Chairman, that his department is falling short of the mark when it comes to providing the necessary money to maintain these people.

Mr. S. Lewis (Scarborough West): Mr. Chairman, I want to take a moment to reinforce what was said this afternoon and early this evening because it is often very difficult to have the comparisons on which to base judgment.

This afternoon on the front page of the Toronto *Daily Star*—I suppose it was in the headlines of the *Star* and it was used widely by the other papers and by CP—was the story from the economic council of Canada indicating the poverty levels which they felt affected one out of four across the country and which were barely tolerable in terms of human living conditions.

The Minister probably saw the front page of the Toronto *Daily Star;* he probably realizes that the poverty levels which were set out in that economic council report were described in language which was largely unflattering. I do not have the text in front of me, but if my memory serves me well, the Economic Council of Canada indicated that the levels which they established should not be considered what one might call generous levels. And now, providentially, I have the page and the economic council says: "It could perhaps be agreed that they do not err heavily on the side of generosity." I think that is a fairly appropriate comment.

Mr. Chairman, the Economic Council of Canada in its report published today indicated in dollar terms, that a family of four would require $4,200 per year at a poverty level; $4,200 per year. In the context of The Family Benefits Act let us see what the Minister provides for a family of four. He provides $142 a month, which by my calculation works out to some $1,704 a year. He provides $95 for rent in addition to that, which brings us to a total of $2,424, and averaging $30 a month for fuel for seven months of the year, it brings us to a total of $2,634.

Mr. Chairman, I know my colleague, the member for Riverdale (Mr. J. Renwick) was exercised this afternoon because of his intense frustration in trying to bridge the communication gap with the Minister; but surely we now have a measure of the shortfall in the Minister's grants.

He gives a family of four, for food, clothing, shelter, utilities, personal allowances, heat and all the other constituent parts, a total of $2,634 a year; and the Economic Council of Canada says that $4,200 a year is a poverty line allocation for such a family. And the difference is quickly discernible—it is $1,566 a year.

How a Minister of Social and Family Services can come and say that "I have an adequate budget" or that "I will read letters into the record extolling what we have done," when he is giving people $1,566 below the poverty line on which to live—according to the most appropriate documentation one has at this moment.

It is something that is difficult to appreciate, and perhaps the Minister can begin to understand why the members on this side feel as strongly as they do. You cannot fall that short in terms of the gap and pretend to have an income which is in any sense viable.

Now, it may be that I have made mistakes in my calculation; I did it rapidly, but the shortfall is pretty evident. It is somewhere in excess of $1,000 and I just put it to the Minister that it is very, very difficult for us to have a useful debate in this Legislature when we are talking about a shortfall of $1,000 a year for a family of four, yet he is arguing that this is a viable social allowance. He knows it is not. His Treasury board colleagues know it is not, but very little is done to correct it.

Mrs. M. Renwick: Mr. Chairman, I have a question of the Minister, to follow up on this debate on the budget.

In the social planning council booklet, which of course is for 1967-68—it is outdated now—they suggest sample menus for the seven days of living on this budget. Has the Minister any such information to offer the recipients of his benefits as to how they might plan menus, living on the dollar budget that they are now living under?

Hon. Mr. Yaremko: We have a nutritionist on staff but we have not reached the stage of doing that type of thing directly through our department. I would imagine that the homemakers, and nurses would assist, in their family counselling, as I outlined in my opening remarks, with all these aspects, family budgeting and kindred items.

Mrs. M. Renwick: Well, of course, Mr. Chairman, I cannot discuss homemakers because that comes under the next section. I would like to ask the Minister, finally, how many one-parent families are there in Ontario, and how many of those one-parent families are women?

Hon. Mr. Yaremko: We would not have those statistics.

Mrs. M. Renwick: Under the amounts of The Family Benefits Act, do you then have the number of people in receipt of assistance under the family benefits board—not the disabled, the aged, and so on?

You do not have the one-parent families at all, of either father or mother?

Mr. Chairman, the Big Brother movement, in their request for $30,000, used to refer to 110,000 one-parent families in Ontario, and 90,000 of those being women, and I guess I am trying to verify those figures.

Hon. Mr. Yaremko: The most recent figures I have in front of me are in the annual report that you have, and I think the details are

given in pages 108 and 109—the mothers' allowances and the dependent fathers, which of course, are also one-parent families.

Mrs. M. Renwick: Of course, Mr. Chairman, there would be some dependent fathers under the general welfare assistance; the Minister named 78 today in addition.

Hon. Mr. Yaremko: Yes, there would be.

Mr. Ben: Mr. Chairman, about three years ago—I think it was, about 1966—when I had the pleasure if I may put it so, to be the Liberal critic of The Department of Reform Institutions, as it was then called. I managed to come by a menu, a two-week menu that was drawn up by that illustrious department. It was a dollar a day menu, which was supposed to enable a person on his release to live for a dollar a day.

When it first came into my hands and I started to read it, I thought it was a new copy of Joe Miller's joke book; but I found out that it was factual, that indeed this two-week menu was drawn up so that the recipient, if he followed those instructions, could live for two weeks on the $20 that was given to him when he left the institution, and be able to have lodging as well. As I stated, Mr. Chairman, that was about four years ago, and I dare say, if my memory serves me correctly, the menu was drawn up some five years ago. And I recall how you had to save, what do you call it, the "stock" from having boiled bologna. You had to save everything. You were supposed to make yourself a sandwich, a bologna sandwich, to take with you, while you were seeking employment.

Mr. Braithwaite: That is a lot of baloney.

Mr. Ben: It is a lot of baloney, but I am telling you what the menu was about.

Now, I cannot imagine how anybody could do it, even somebody coming out from one of our correctional service institutions—and of course, everybody knows that anybody who comes out of one of those institutions is overfed and quite obese so he can live on accumulated fat, or so we are led to believe. Well, one has to really stretch the imagination to try to figure how anybody, in this day and age, can live on $1 a day. I remember almost ten years ago, closer I imagine to eight years, the staff writer for the *Telegram*, showed how one could live on $1.33 a day. But I would like to know how anybody can live, in this day and age, on $1 a day.

An hon. member: By visiting your in-laws.

Mr. Ben: What if you have no in-laws? Would the Minister please try to enlighten us on that?

Mr. Chairman: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, I want to go on to a new subject; I trust it is the proper place. I want to discuss legal aid. Is this the proper area?

Hon. Mr. Yaremko: Just the assessment.

Mr. Lawlor: Yes, and prior to doing so, very briefly, I might even have a kind word to say about the Minister under this heading. To go back to—

An hon. member: Wait, he said he might have.

Mr. Lawlor: Do not be premature. Hold your fire.

Last evening we had some discussion of unexpended moneys and at that time the Minister pointed out that moneys allocated with respect to the federal government, or moneys coming in from that source, is covered under that head. Nevertheless it was pointed out in a contrary direction—and I spent a little time overnight looking at it, Mr. Chairman—there is in excess of $20,500,000 in that particular year that was unexpended and available to the Minister of this department.

I will not bother, Mr. Chairman, running through the list of the various headings in which these non-expenditures arise but out of a total expenditure of $103 million for that year, about 20 per cent, namely again the sum of $20,500,000, was not utilized by this Minister. Now I hope that as these votes develop, and in the past year as things have come to pass, that this does not happen in this department in the face of the need that has been demonstrated hour after hour and day after day in this House of recent times.

In the instance of some departments, and even many departments, it is a highly praiseworthy thing, Mr. Chairman, that the department would have a sense of economy, a sense of holding back, and a sense of slashing and cutting a budget. And I think largely of Highways and even Public Works in this regard, where your patronage dividends are being given out. But in the case of people in need there is no defensible position for not utilizing the budget to the full, particularly when you expect individuals to live on $1 a day. It is simply inexcusable. If it occurs again I think that ructions will occur

in this House, or I trust they will, from anyone concerned about the welfare of people who cannot, for very legitimate reasons, help themselves.

Mr. Chairman, I now want to turn to the administrative role of this department on legal aid and I will make mention of the Law Society *Gazette* on a number of occasions.

The one I wish to mention first is reported in September of 1967 at page 35, discussing the operations of the plan and this Minister's role therein. "The first and most obvious problem"—this was in 1967 now —"was to work out a more practical liaison arrangement with The Department of Welfare in view of the steadily mounting backlog of financial reports which had mounted well into four figures by the end of April."

In other words at the inception of the plan, and about the first months afterwards, this department was not geared to handle the applications and they rose as they put it well into four figures by the end of April that year. "With the co-operation"—and here is where perhaps a little accolade may be visited upon the Minister's head—"With the co-operation of senior officials of the department one of the investigators who had been working out of our office from the beginning, was given increased responsibility to co-ordinate at the area office, the work of a large number of interviewing and field officers who, commencing May 1, began to report back to him through the area director and," it goes on, "two departmental appraisers were appointed"—and this begins to iron itself out somewhat.

As a matter of fact, in the report of the Law Society of Upper Canada to this House —to the Attorney General and through him to this House—the annual report of the year 1968 the latest report, reads as follows:

> The tremendous demand for legal aid first created problems arising from delays in obtaining welfare reports, especially in Metropolitan Toronto where almost 50 per cent of legal aid applications are processed. The problems were especially acute in criminal matters. Legal aid, if it is to be effective, must be granted speedily, otherwise the matter will frequently have been disposed of before the welfare report can be obtained and the certificate issued. This delay led to the granting of more provisional certificates than the plan originally contemplated. The problem has since been virtually resolved due to the concentrated efforts of The Department of Social and Family Services.

And under that head I think you deserve a commendation; where commendation is due, Mr. Minister, you get commendation. Where we hit the hard knocks, there you must straighten yourself out.

One of the questions I have to ask, if the hon. Minister would make note of it, is just how is that done? How were they able to solve the difficulties in this regard? What additions to staff was necessary? And how was the increase of staff placed? I mean, where is it located and what is it designed to do?

I am particularly interested under this head with your relation with duty counsel and how they operate and what the co-operation between you is—the very problem mentioned here. Duty Counsel are those lawyers who appear on the spot in court in order to advise people and usually to send them off to the legal aid department. But sometimes they handle the cases on the spot, with respect to things like pleas of guilty, or in certain circumstances even speaking to the judge about dismissals or the possibility thereof.

In the report of the law society they indicate that 86 per cent of legal aid recipients are unable to pay a dime towards their legal costs, and this has aroused some consternation because the plan as originally envisaged was not a straight welfare plan, I think the Minister will agree, it was based upon need and not upon means.

Nevertheless people coming into your offices and under your investigators, who are capable of paying, are expected to pay over periods of time, by instalment payments or whatever way is feasible to repay the plan for the services rendered under the plan. A very small portion have done so, and arising out of this I would like to know from the Minister whether he has any responsibility— I do not think he has, but it is not clear from the report—whether he has any responsibility for the collection of accounts that are overdue and owing as a result of the reports of officers as to the people's inability to pay. That is my second question.

The 1968 report makes mention at page 13 of the issue at present under discussion.

> It was also agreed that no person would be refused legal aid because his or her income exceeded an arbitrary level. Under the new plan a needs test would replace the old means test. It was further agreed that the programme committee would not draft regulations regarding financial eligibility. Financial eligibility would be determined in accordance with the standards

established by The Department of Social and Family Services.

And now I am coming to those standards. There has been a great deal of difficulty, I think the Minister will agree, as to the setting of those standards, and perhaps even some turmoil, or controversy, within the law society itself as to what criteria ought to be used in setting these standards for individuals.

For instance there was a debate, which is outlined in part in the annual report, among members of the law society as to whether an individual should be assessed on his own merits exclusively, or whether his whole family unit ought to be taken into consideration as to his ability to pay.

Being lawyers, and having that particular twist in personality, they all came down four-square on the whole family unit being considered—and perhaps there is some justification to it on the whole. I think not, but one of the criteria that was used was—what would have happened if there were no legal aid plan? Would the family jump in to assist the person, either in criminal or in civil litigation? If so the amount of that contribution, or the whole contribution, would be a matter for your surveillance and determination as to whether he was eligible or not.

What I want to know from the Minister is: what thought has been given in his department as to this aspect of criteria; whether or not they are mulling over the possibility of introducing this wider category. And if they were doing so then I would suggest that some very acute discriminations would be necessary, because there are some circumstances in which a wife is far more wealthy than the husband, and the husband, the scamp, is in criminal trouble again. He has been into the wrong bank, and used a bad cheque, and in these circumstances, ought his wife's fortune to be taken into consideration in reaching a determination as to whether he is eligible or not, and if he is eligible, how much ought he to repay. In other words, ought the wife to be penalized for the defalcations of the husband.

These are circumstances, though I think it is an extreme case, in which you might very well take this into some degree of cognizance. On the other hand, within family units, you have families who, were legal aid not in existence, might very well have pooled their resources and beggared themselves in order to provide criminal counsel for some wayfaring son.

For your department to range out into this wide area, to determine the total position of the family, seems to me to be pushing it pretty hard, Mr. Chairman. In other words, your interviewers are not just to interview a person seeking your assistance, they are going to interview whole family units to determine the question. That is what seems to be the weight in the discussion to which I am referring—and about which the hon. Minister is no doubt fully aware—when Mr. O'Driscoll, Mr. Arnup, and others held a colloquy over this issue, and came to these determinations; Mr. Bowlby too.

The problems of administration, the problems of investigation, I suggest, are onerous. In the cases like the first case I mentioned, or in the case where the family is known for its wealth and where they very well might come to the assistance, this matter would be taken into cognizance. But some, or even great discrimination is going to have to be used in this area of criteria as to how you are going to determine this particular kind of eligibility.

I would like to hear the Minister's remarks if he cares to comment on them in this regard because this is in the books. It is being looked into at the present time and unless a good deal of thought goes into it, families—not just individuals— are going to be penalized.

Even in the case of a son of a wealthy father, the old man just might be the last one in the world that wants to pay. He has disowned the fellow quite a while ago and simply because of his position—because he happens to have some money—ought this to be taken into cognizance. I would not think he would get legal aid if the father, on the other hand, was sympathetic to him, or at least sufficiently open to want to give him some protection. In other words, he would not appear at your offices at all.

All these seem to me to be very difficult social problems to be thought about and while the cost of legal aid is exceeding its first estimates, I think we will agree that against what legal aid is presently costing in Great Britain, per capita of population, we seem to be doing fairly well.

We will discus it more fully in the Attorney General's estimates as to what the actual figures are. The Minister's is only a very small role, I think he will agree, in the whole determination.

In the most recent issue of the Law Society *Gazette*, the March issue of this year which just came out, they are discussing again the

problem of criteria under the chairmanship of Mr. T. P. Callon, QC, pointing out that 20 to 25 per cent of all the legal aid certificates issued are related to divorce, and 20 per cent to other matrimonial actions. So there is a very wide field in which this kind of action is taken. On page 16 they come back to the problem, they say:

> In January of 1969, a special meeting was held with the Deputy Attorney General and senior officials of The Department of Social and Family Services to discuss in detail, the procedure, philosophy and criteria which that department had been using to determine financial eligibility of legal aid applicants. The departmental officials stated they appreciated the Law Society's concern and agreed to re-define such factors as disposable income, liquid assets and real property as they relate to financial need for legal assistance.

First of all, I would ask the hon. Minister, Mr. Chairman, to outline briefly what the present factors, considerations, and criteria, are with respect to granting people legal aid and to what extent have they been able to rethink their position. Secondly, as to whether he thinks his position, up to this time, has been somewhat indefinite or indeterminate and has led to inefficiency and led to people getting legal aid who are not really deserving of it—which is the claim—or if they are deserving of it, are not deserving of it to the extent of the benefit being conferred upon them. In other words, their repayment to the cause is very small.

Mr. E. Sargent (Grey-Bruce): Most of the winners are the lawyers in that legal aid deal.

Mr. Lawlor: Well, I do not know. You cannot escape the rascals no matter what you do Eddie, so you may as well bow your head against the storm. You are the first one to run to them when you are in difficulties.

In any event, just what new criteria are envisaged in this regard, if anything definite has been yet obtained, particularly with respect to the disposable income and liquid assets. For instance, if a man owns a motor vehicle at the present time, is he obliged to pledge it any way in order to raise the funds? If he owns a home is it necessary in his own right exclusively, is he under obligation to place it under mortgage? Just how are you handling legal aid applicants?

I think the amount of their earning capacity is extremely low—it is at $1,200, I believe, that they become eligible—where they get total assistance. But I could be wrong on that. I would ask the Minister to straighten me out.

I am terribly humble tonight. I do not know why. The day has brought about its afflictions.

In any event, the particular area I would like to bring to the surface and have it known to members of this House and in *Hansard* is how that is being handled.

There is another matter I would like to bring to the Minister's attention, about item number 4. It is in the first annual report of the advisory committee, this is a separate document, what I call the red report of 1968. At page 7 it makes mention of a study being conducted.

> First of all it was recommended that a study be conducted by the welfare officers of The Department of Public Welfare designated by the Minister of Public Welfare under the statutes in conjunction with the law society, to discern the basis of the judgment of welfare officers in determining whether or not an applicant can pay no part, some part, or the whole of the cost of legal aid which he applies for, and the sum of any that he is able to contribute towards the cost thereof, by re-examining the cases dealt with during the first year of the operation of the plan, and to date and to determine to what degree uniformity has been achieved in the application of the criteria which form the basis of the judgment referred to, and the policies that may have developed in assessing this criteria.
>
> In our view this study should be a continuous one and use should be made of the data processing equipment for continued comparison by case and area.

I would like to ask the hon. Minister how that study is coming along? When is it expected to be completed? If there is any knowledge at his disposal immediately? If you have reached some partial determination, some conclusions, kindly tell us what they may be, and if not, then how long, oh Lord, will it be?

The last item that I want to bring to the Minister's attention in the conduct of the plan from his point of view is the business of the liaison with duty counsel.

Under the earlier report it reads as follows, at page 35, this is 1967, of the *Gazette*:

> In the same connection, arrangements were made in the case of applications received by mail from lawyers offices for a clerk in the welfare group to contact the lawyer and fix an appointment time for

his client to attend at the area office for the purpose of an interview to determine the financial situation. In times gone by, we developed other means of working closely with The Department of Welfare. We would, for example, go out to meet the applicant as a team at the family court.

Is this a common thing? Do you do this? Do you do it not only in the city of Toronto, but in other metropolitan areas, and do you work as a team to any extent up in the more rural areas of the province?

I understand that in the metropolitan areas, certainly in Toronto, you have your legal aid people immediately in the area offices. I would like to know the number that you have presently in the Toronto office, and what they do there, and what function they are really carrying out in these offices.

But apart from that, this business of a team going to the family court in the special facilities available at a certain room at the Old City Hall, and while I do not suppose you have got too much to do with the actual renting of space, you may have noticed that in this plan at its inception, 2,500 square feet of space was made available at the Old City Hall but was not accepted by the legal aid people. Perhaps it is more the Attorney General's problem. You can tell me that.

I wonder about the legitimacy as this was virtually free rental accommodation as against having to hire facilities on University Avenue or on Richmond Street as is presently done.

But passing that over, they go out to meet the applicants as a team in the special facilities available in room so and so so at the Old City Hall, the jail, the Mercer, Mimico Reformatories and the Ontario Hospital on Queen Street. To continue:

> Thus the early problem that we had to deal with in losing contact with an applicant between his initial interview by duty council, the financial investigation and the eventual matching of the two reports in the issue of the certificate has been partly overcome.
>
> It cannot be said, however, that all such problems have disappeared, because we have had to deal with a new situation arising daily, as for instance when the same applicant somehow manages to institute two or even three, and in one case, more files by repeated application in the bullpen, the jail and the area office.
>
> Unless the welfare interview can be co-ordinated with duty council work, the department is likely to encounter difficulty in locating the individuals for the purpose of checking out the financial situation. Sometimes certificates are sent to a lawyer giving the name of the applicant who has chosen him, and because he moved or the address proves unreliable the lawyer cannot find the individual involved.

Well, I think the hon. Minister well understands the various kinds of problems that I have brought to his attention this evening.

The final matter that I would like to discuss just briefly is what kind of instructions are the interviewers given? Do they know in advance what the type of case of the individual coming before them is? Do they know what the probable cost of, say, in the case of civil litigation, what the probable total cost of that litigation is likely to be? Have they got a schedule?

I believe that the law society, through certain of its officers, has drawn up a schedule for criminal cases, and I believe that the fee schedule on the tariff on civil matters is still under discussion. Have you a determinate tariff? Do your people know? Not having been trained in law and therefore completely in the dark as to what the machinations of legal costs may be, are they exposed to the knowledge? Are they given any idea in advance as to what a particular case is likely to cost, and who gives that information? Does it come from the area director or from one of his assistants from the legal side of the fence? And what is your liaison within the office with the legal fraternity—are there roundtable discussions and daily meetings to exchange and co-ordinate information?

There is a certain tendency to selfishness if you are living in Metropolitan Toronto. Always having lived there one becomes, perhaps, a little obtuse with respect to the outlying areas and how these things are handled. I would ask you to give some adversion to that too. Up in Penetanguishene, for instance, just how is the matter handled as to how the legal people and your people reach determination? For the nonce, I believe that covers the ground pretty well.

Hon. Mr. Yaremko: The hon. member has very fully and very capably outlined the work of our branch in the ambit of legal aid. He used the expression "commendation where commendation is due," and I agree with that expression. I should like to make mention of the fact that Mr. Borczak, who is the associate deputy Minister, has played a very significant role right from the very beginning. This goes back prior to the inception of the legal aid plan, and he has continued to this day to play

a significant role, although we now have a director of the legal aid assessment branch.

Our contacts are primarily with the area directors. It is the area director that we deal with back and forth, and he is our liaison, so the exchange of information is at that level. We do not participate in any collections; that is not within the scope of our responsibility.

With respect to the criteria, that matter continues to be under discussion and review at this time. Actually there are two series of discussions going on; I think there is a series of discussions going on between the legal aid director and the legal aid assessment director at his level to deal with those matters which fall within the ambit of his responsibility.

Mr. Borczak continues to play a role with senior officials in The Department of the Attorney General, in the broadest sphere, and this will continue for the next little while, to deal with some of the matters that both the law society and the advisory committee have brought forward.

I do not have the criteria before me, but I do have a breakdown which is of interest. This was a breakdown of a certain 72 per cent figure that we had. It was the opinion that the whole of the cost of legal aid could not be paid in these cases. I will not go in to all of the details, but with respect to real property, there was 9.5 per cent on real property under $10,000 used as a residence, and 2.4 over that figure, and 88.1 on no interest in real property. Then with respect to income, 90 per cent had a gross monthly income under $500, and then a significant portion—eight per cent—had an income between $500 and $650, and a very small number was over that amount.

I do not think the difficulty is with the broad range of this type of applicant. It is difficult to establish criteria which will enable this particular social service, as it is still envisaged at the present time, to be brought to those who actually have a need for it. As to the tariffs, both the criminal and civil tariffs are set out in the regulations book.

I do not know, but I think that covers most of the salient points that the hon. member asked. As to the nature of the trial, we do not participate in getting any of the details of that. With respect to the probable costs, the area director guestimates some figure and lets us know that this is the range of probable cost. That information is made known to us.

Staff procedure is very flexible within the Metropolitan area, where there are 17 full-time staff. They, of course, carry out their duties in order to be able to achieve the most within a working day. If they achieve more by going out, they will do that. Otherwise they go back and forth in whatever the most feasible way is. That may not be as possible out in the outlying areas where some of the staff are on a part-time basis.

With respect to how this backlog—if I may use that term—was dealt with, it really, if I may use the expression, entailed a heroic attempt on the part of certain members of the staff. We embarked on legal aid, and we were involved in legal aid assessment at the same time that we were involved in the tremendous change-over of our categorical maintenance roles to the family benefits, which involved the changing of tens of thousands of cases. This was a mammoth job in its own right, and involved a great many nights and weekends of work. Then we had thrust into this, this additional aid, and I may say that the members of the department who were involved carried on nobly. They were faced sometimes with the problem of whether they were going to deal with family benefit applications or with legal aid applications, and I think it must have tried their patience and ability in order to be able to cope wih that particular period of time which, of course, even though it is less than two years ago now, is ancient history. But I took the opportunity a year ago of commending the staff, and I repeat the commendation because they did carry out their duties over and beyond the call of duty, I think.

Mr. Lawlor: Mr. Chairman, I would like to know again, touching criteria; have you a scale and what is the ceiling and what is the floor for an individual coming in and asking for legal aid? He is making, say, $3,200 a year and he has a case that involves an expenditure in legal costs of $800 guestimated. He is expected to repay at least the whole or some portion of that. How do you determine that; how is it worked out by your people?

Hon. Mr. Yaremko: It is very flexible. We consider a great many items as disposable assets. A car is considered as a disposable asset, but that does not mean that a man has to sell it or dispose of it. However, it is considered as a disposable asset.

If I may just outline the type of thing. We take under consideration the income of the applicant and the dependents, the living expenses of that particular family and the dis-

posable income, of course, is the difference. Then we take the liquid assets—life insurance, real property, other real properties, motor vehicles, and then change is expected in the near future. In the initial stages, of course, it was a very flexible type of thing.

Mr. Lawlor: If I were making $7,500 a year and was launched on a legal action of some kind—some civil action, let us say, in which the costs were going to be atrocious as usual—and if I came before one of your officers, I suspect I would be swiftly jettisoned from the office. You say, "Well, you do not qualify for this sort of thing at all, you are one of the affluent middle class." On the other hand, if someone is making $800 a year, I would think they probably would qualify without having to repay anything to you at all. Somewhere in between the $3,200 situation, a single man, let us say—I feel it is always a fallacy in using this particular kind of individual case because it pinpoints the reply to a great extent.

What I am after here is to see what considerations go into making a decision about, first of all, whether they have to pay back anything at all; secondly, and this intrigues me even more, just when they say, "Well, you are going to have to pay back 50 per cent of this on the basis of what your financial situation is." How does an officer of your department have that authority; I mean, how does he gain that? He must have some rules of thumb. I heard the hon. Minister say that he did not have the criteria immediately. If that is the case, I would just as soon leave the matter over and have him supply it to me. There is always another year. I do not suppose any great harm is going to be inflicted in this sphere of time. On the other hand, if the Minister has a fair knowledge of how individual cases are handled within the ranges that I have tried to indicate, I would like a clearer answer.

Hon. Mr. Yaremko: I indicated the large majority—this 72 per cent. Within the 72 per cent were 1.9 per cent of the cases that did have a gross monthly income of over $650 a month which works out to, as it happens, just about the figure the hon. member used. But two per cent of this 72 per cent of the cases, that is, 10 per cent of the applications—we made a sampling of 10 per cent of the applications of this 72 per cent—came within that category.

We examine the assets or income of an applicant. It is the area director who exercises the discretion. We supply the information, the area director exercises the discretion. We do not exercise the discretion.

Mr. Lawlor: You have not got final discretion in the matter? However, I guess what you say would carry a good deal of weight. If one of your officers says this person can very well afford to look after himself, there is no reason why we should be involved, then that would be the end of the matter. By the way, is the appeal there?

Is there appeal from the Minister's decision within the legal aid set-up, where he can go to the area committee about being rejected on the sole ground, not of the legitimacy of his case under law, but as to his financial situation? Or would this also be a case of resorting to the review board that was previously mentioned?

Leaving that question to be answered, I hope, in a moment, I think the hon Minister will agree that if somebody is making $8,000 a year he would hardly be a beneficiary of your assistance. If that simple, somewhat categorical, fact can be confirmed, then I would shade down and say, where does it begin? Therefore, to say that it is highly flexible is hardly an answer. While there is an area of flexibility, I daresay, it has some kind of ceiling under which your people are operating and I would like to know what that ceiling is.

You say 72 per cent of the people cannot pay it all. That leaves 28 per cent who can and, by the way, who do not. But then it is all graduated, I think the Minister will agree; some people can pay one-third, some people can pay 5/16ths. I do not know how it is graduated and I would like to learn how it is graduated.

At this stage, I am not pressing the Minister with respect to the precise criteria which goes into the graduation. But if somebody is said to be earning $5,722 and he is, somehow, eligible for the plan and he has a case that is going to involve a certain sum of money, how much is that individual expected to pay back to the plan? How is that arrived at?

Hon. Mr. Yaremko: Mr. Chairman, the appeal proceedings are in, I believe, section 14, subsections 2, 3 and 4, and the regulations relating to it are regulations 107 and 108. It goes from the area director to the area committee; from the area committee to the director of legal aid. You get that chain.

Mr. Lawlor: For the purposes of financial decision?

Hon. Mr. Yaremko: For the purposes of whether a certificate of eligibility will be issued.

Mr. Lawlor: How about the second part? I am still pressing, Mr. Chairman, on the business of how you arrive at the repayment situation that the people are expected to make to the plan, in order that it will not be a means test. I mean, there are $1 million outstanding under this plan at the present time and owing to it, about $943,000, as I recall. That has been determined by some rule of thumb. I wonder what it is.

Hon. Mr. Yaremko: There is a formula which has been explained to me; you take the disposable income, and multiply it by 18. That is the maximum contribution that he could make with respect to the costs. But the area director makes the final decision. I think, since we have moved into the area dealing with the area director, the matter should be taken up with the Attorney General.

Mr. Lawlor: I am not going to press much further on the matter, Mr. Chairman, I think the Minister will be relieved to learn. It is just that the Einsteinian possibilities of the theory of relativity have suddenly been visited upon me. I mean, is that the maximum that would be expected? I suppose, then, it is. Again after this graduation, it would be 16 times 11, times what not, depending upon the income potential of the individual. Is not work relative to the income; does this factor of 18 alter it?

Hon. Mr. Yaremko: No. It is related to what we call disposable income.

Mr. Lawlor: So the one factor, utilized over disposable income, is 18 always? The only variable in the formula is the disposable income; the 18 remains. Where did it come from?

Hon. Mr. Yaremko: The judgment that was exercised was that no person should be expected to pay something which would be taking more than a year and a half to pay. Eighteen months.

Mr. Chairman: Is there anything further under provincial allowances and benefits?

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister a couple of questions on this item before it is closed. Under dental services—payments on behalf of certain beneficiaries. Who are the certain beneficiaries who are entitled to that type of dental service?

Hon. Mr. Yaremko: These are all family situations where there are children, which stands to include both the adults and the children.

Mrs. M. Renwick: Does the Minister have a figure of how many people that covers? I believe he mentioned earlier that the premium system was the system used and that it had gone from 90 cents to $1.10. I might have roughly calculated even by 90 cents, but I would be interested in knowing how many people that covered.

Mr. Chairman, if it is simply that figure divided by $1.10 I can determine that all right. Is that how simple it is?

Hon. Mr. Yaremko: That is the figure.

Mrs. M. Renwick: That is the figure. Then last year, Mr. Chairman, when the figure was 858,000, was this simply an increased number of beneficiaries, plus the 20 cent increase?

Under the allowance in accordance with The Old Age Assistance Act and under the phasing out where the sum of $20,000 is estimated in 1969-1970—whereas last year I believe the estimate was $1,314,000—I wonder if the Minister would tell me if there was some of last year's estimate that was unexpended?

Hon. Mr. Yaremko: We have not sorted out those figures as yet, so we do not have them.

Mrs. M. Renwick: I will start at the beginning, Mr. Chairman, in case I am confused. I sometimes get that way when I am trying to work from this year's and last year's public accounts, because the public accounts have listed this, I believe old age assistance, all in one place. I cannot locate it under public accounts so I am asking the Minister the difference between the figure under this year's assistance, in accordance with The Old Age Assistance Act, and last year's figure? Is the reduction phasing out, Mr. Chairman?

Hon. Mr. Yaremko: Yes, the reduction is just phasing out; I think we have just completely phased out.

Mrs. M. Renwick: Were there some unexpended moneys then in that vote from last year, that is what I am trying to find?

Hon. Mr. Yaremko: You will find in the public accounts that there was an unexpected figure of $475,000.

Mrs. M. Renwick: Is that on page T6, Mr. Chairman?

Hon. Mr. Yaremko: I do not have the page number.

Mrs. M. Renwick: I wonder, Mr. Chairman, if we could interest the Minister in the fact that perhaps something could be done by the province of Ontario in the way of a supplement to the old age pensioners who are having such a difficult time to live on the federal pension? I realize that they can get some health benefits through the health scheme, but we heard earlier in the debate pitiful requests for lower TTC rates and so on. Until we embrace a firm form of guaranteed income for these people, I would ask the Minister that instead of all of us coming along and asking for lower TTC rates, for some drug costs, and for some form of assistance and that since his own responsibility for the old people is getting to be pretty small with the $20,000 figure estimated for next year—and I suppose it will disappear altogether—I wonder if the Minister has considered or would consider some form of assistance from this province for the old people, even if it were to offer some sort of grant to the TTC if they are going to forever stand off and say that somehow they cannot allow some form of reduced tariff for old age pensioners. Does the Minister think it is possible that something might be done for the old people?

I have a letter, and I will not belabour the House with the whole letter because the first part refers to the TTC, but it is an example, Mr. Chairman, that I guess I hear 20 times a week. It is more pitiful somehow from these old people than from the younger ones where there may still be hope that their life situation might change through employment, through marriage, through retraining.

But the old age pensioner writes, and the old age pensioner is confused in this case, and rightfully so, because she is writing to a government, when at the door she has a student from a university, and the student at the door is asking the old age pensioner what they need and what they want and how they can best get some assistance.

So the lady writes that she has suggested to a person who is taking a social course for the university that what they need and want need not cost the government so much, and if this programme is being phased out, Mr. Chairman, certainly it does not have to cost this government so much now.

The lady refers to the wish to travel on the TTC in the off hours and to use the tickets accordingly because she says that she cannot possibly buy the tickets at the price they are. She says four times a month to church and it is gone.

I think if the Minister would consider some way to assist these people he could make it something that would be moveable, that could cover prescriptions, or could cover some form of special need for an old age pensioner, something in the way of a federal supplement once their fixed situation is determined, something on a fixed basis.

I do not like to think that the only way these pensioners could get prescriptions would be to go to general welfare assistance to have their prescriptions covered.

A lady writes: "Last year I went to a doctor, got a couple of prescriptions, but never got them filled, the price was prohibitive." This would be a beginning anyway, she said, for health.

The question the college student asked her was: "Are you satisfied in your own home?" Answer: "Certainly, if I can manage." "Would you sooner be where you can be looked after, have all the things provided like activities, games, bowling, shuffleboard, and so on?" Answer: "No, not until I cannot do it for myself." "What do you like best to do in your own home?" "I can't do an awful lot. I had a stroke three years ago and I am just beginning to be able to handle my own work, make meals and try to get laundry to the laundromat and keep the house clean. I am unable to do what I would like to do. I cannot get out because I cannot walk well and cannot afford bus fare."

Interjections by hon. members.

Mrs. M. Renwick: Mr. Chairman, I know it is not proper to speak to interjections, but I think that is what we are trying to say. There is something wrong with our system, and I hope the people who have the power to move it will move it. The lady writes that taxes, phone, Hydro, insurance, fuel—

Hon. Mr. Yaremko: On a point of order, the matter with which the hon. member has been dealing does not fall within the ambit of provincial allowances and benefits.

Mrs. M. Renwick: Would it come under general welfare assistance, Mr. Chairman?

Mr. Chairman: I was having difficulty in knowing just what the hon. member was speaking about. I do not believe it comes under provincial allowances.

Mrs. M. Renwick: Well, I was trying to promote a provincial allowance, a dignified

permanent allowance, instead of sending old age pensioners to welfare, Mr. Chairman.

Could I ask two questions about the Act, Mr. Chairman? Maybe three or four.

Mr. Chairman: Would the hon. member indicate the Act she has reference to?

Mrs. M. Renwick: I just started, Mr. Chairman, I said under The Family Benefits Act. I am sorry I coughed in the middle. Under The Family Benefits Act, Mr. Chairman, is there any form of special assistance?

Hon. Mr. Yaremko: No.

Mrs. M. Renwick: Is there any drug provision made under The Family Benefits Act?

Hon. Mr. Yaremko: No.

Mrs. M. Renwick: So a family benefits recipient to receive some assistance with drugs has to go to the welfare office?

Hon. Mr. Yaremko: Yes.

Mrs. M. Renwick: Are the recipients aware that this is how they can get drugs, because every week I am dealing with families under this Act who are in need of drug assistance and do not know that they could get it by going to the general welfare office. Is the Minister finding that his workers are telling them that this could be done?

Hon. Mr. Yaremko: Yes.

Mrs. M. Renwick: Under the eligibility, is there some explanation, Mr. Chairman, why under the category of a mother with a dependent child who would be eligible for assistance, she is eligible if her husband has deserted her for three months or more, but under a dependent father with a dependent child, he is eligible if his wife has deserted him, no time limit?

Hon. Mr. Yaremko: That is the case.

Mrs. M. Renwick: Is there an explanation? Why would we say that a mother and child can only come under this Act when her husband has deserted her for three months or more, and yet we say a dependent father with a child could come under this Act if his wife has deserted him with no time limit? Discrimination! Is there any reason? No reason?

Well, the same thing follows true, Mr. Chairman, and I would just like to draw it to the attention of the Minister that the mother with a dependent child falls under The Family Benefits Act if her husband is imprisoned in a penal institution and at the date of application has a term of imprisonment remaining to be served of six months or more, but a father under this Act, whose wife is imprisoned in a penal institution, does not have a six months' time limit.

Hon. Mr. Yaremko: The significant difference is that the father has to be disabled in order to qualify. That is the distinction. The mother can be perfectly well, but the father in order to be a dependent father has to be disabled, and that is the distinction.

Mrs. M. Renwick: So, therefore, without the mother in the home, he immediately becomes in need. Thank you.

Mr. Chairman: Is there anything further under the provincial allowances and benefits?

The second programme under vote 2002 is municipal allowances and assistance, carried?

The hon. member for Scarborough Centre under municipal allowances and assistance.

Mrs. M. Renwick: Some questions of the Minister. In Mr. Ingit's department on George Street, how many people are working and what are they doing?

Hon. Mr. Yaremko: That information does not come within the ambit of this vote, Mr. Chairman. That is purely at the municipal level.

Mrs. M. Renwick: Well, Mr. Chairman, could I ask how many people you have working in the job of rehabilitating people at that address? I understand it is three professional and three others, but that information of mine is six months old. Surely, the Minister is aware of what people are hired to assist people to find jobs in Toronto.

Mr. Chairman: The matter of finding jobs does not seem to come properly under municipal allowances and assistance.

Mrs. M. Renwick: Well, I believe, Mr. Chairman, that Metro welfare received 50 per cent financial support from the province for any expansion of services which I understand were these counsellors. I wonder if the Minister would comment on that.

Hon. Mr. Yaremko: I am sorry, my attention was diverted for a minute, Mr. Chairman.

Mrs. M. Renwick: Well, I was asking, Mr. Chairman, if the counsellors on George Street who attempt to rehabilitate people in receipt of general welfare allowance—

Mr. Chairman: Rehabilitation comes under vote 2003. We are dealing with municipal allowances and assistance.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member's remarks in this case would be quite appropriate. The rehabilitation referred to in vote 2003 is at the provincial level.

Mrs. M. Renwick: Thank you.

Mr. Chairman: The hon. Minister comments that the hon. member for Scarborough Centre can talk about rehabilitation under municipal allowances and assistance.

Hon. Mr. Yaremko: Rehabilitation at the municipal level.

Mr. Chairman: Right. The hon. member for Scarborough Centre may talk about rehabilitation at the municipal level.

Mrs. M. Renwick: Could I ask, Mr. Chairman, first of all, how many people are doing this sort of rehabilitation at the municipal level? Are they all in Toronto? Are they the three men and their three assistants on George Street?

Hon. Mr. Yaremko: Mr. Chairman, we do not have the details of the staffing at individual municipalities throughout the province. Although I may say that this is a figure which, once we get our statistical set-up, should prove of assistance to us.

Mrs. M. Renwick: Would the Minister have information as to how many homemakers are being used by Metropolitan Toronto for rehabilitation in the home?

Hon. Mr. Yaremko: Again, the answer is similar to the previous one; that information is at the local level. We participate; they submit their accounts and we participate in the financing of whatever they do within a particular field.

Mr. Chairman: The hon. member for Wentworth was on his feet.

Mr. I. Deans (Wentworth): Mr. Chairman, I would like to ask the Minister, in relation to a question that was asked of him on February 26, by the member for Brantford (Mr. Makarchuk). He asked at that time, I will read from *Hansard* so that we know exactly what we are talking about:

> Does the Minister intend to approve, under section 5 (1) of The General Welfare Assistance Act, the appointment of former Victoria County warden, Everett Cameron, as social investigator for the county?

And it goes on to say:

> bearing in mind references that this particular person made to welfare recipients, naming them as bums and leeches on society.

At that time, the Minister answered that he was, and I quote:

> I am, however, looking into the situation and if it has any validity I will consult with county authorities on the matter.

I would be most interested in knowing from the Minister exactly what the outcome of his enquiry was; whether or not he has been able to ascertain if there was any validity and what the outcome was at that time.

Hon. Mr. Yaremko: Mr. Chairman, we were in contact with the senior welfare administrator of the county of Victoria welfare unit. We could not find any evidence that Mr. Cameron had referred to welfare recipients in the terms stated in the newspaper article or in any terms that were offensive. Mr. Cameron is serving as a subordinate member of the welfare staff of the county of Victoria.

Mr. Deans: Just so that I am perfectly clear on this. In other words, the story in the *Telegram* must have ben erroneous and he did not, in effect, make those statements that are attributed to him in this particular story of February 22? Would this be true? Would this be what you have said at this time?

Hon. Mr. Yaremko: I think we had to accept these details as hearsay evidence.

Mr. Deans: It surprises me, really, because it is not often—and I do concede that occasionally—the press misrepresents things unintentionally. But it is not often they misrepresent them to such an extent as this that they quote someone as having stated they referred to persons as "bums and leeches on society" without some foundation.

It strikes me—when you conducted the investigation was there any indication of what, in fact, was said at that time, rather than what was reported as having been said?

The reason I ask, and I make this point for the Minister, is that it seems to me that if a person were to feel this way, if he felt that this was, in effect, the proper way to describe persons on welfare, then he would not be a very suitable person to have working on behalf of these people and attempting to rehabilitate them.

I think the Minister would agree with me on that and it bothers me. I find myself disturbed by the thought that a person who

would make this kind of a reference would be in a position of dealing with the very people whom he obviously disliked and had very little use for. I am just curious now. I would like to be assured by the Minister that this story is absolutely false, and that this person did not say anything even remotely like what was reported in the *Telegram* of February 22.

Hon. Mr. Yaremko: Mr. Chairman, I think I have given an answer that should be acceptable here. So far as we are concerned, this is the information that has come to us. I do not know of any of the details of anything that Mr. Cameron is reputed to have said. I am advised that anything that he may have said was mild. We have contacted the senior administrator, who is aware of these allegations and the public interest in the matter, and I think it would be a matter for him to keep an eye on and exercise his own judgment with respect thereto.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I would like to go back to this question of the availability of prescribed medication and drugs to recipients of the social and family benefits. Is it correct that when the municipality allows it, the same cost formula is used—80 per cent paid by the province and 20 per cent by the municipality?

Hon. Mr. Yaremko: Special assistance is 50 per cent.

Mr. Gisborn: I take it that the municipality would have to pay 50 per cent of the cost of drugs given to those recipients?

The first thing I would like to say is I think it should be made known to all of the recipients that they are entitled to prescribed drugs and medication through that avenue. Many are not aware of it and complain of spending a portion of their benefits for prescribed drugs and medication.

I think they should be notified in a regular fashion, similar to the kind of a programme we have been talking about for the last few days, concerning the review board. They should be well aware of their rights. I think there should be a more regularized programme. First, I think this government should pay the whole cost of that kind of special assistance to take away the reticence of the municipalities in their purveying of prescribed drugs.

I have had stories told to me that the beneficiaries are given a prescription to get so many pills and it is marked on their envelope. They are short-changed in a sense; there are ten pills short in their packages and that sort of thing. I do not want to make any accusations but I think there should be better control over this kind of thing. It should be more regularized. I think the best start would be for this department to take over the full cost and to have their own representatives in the clinic seeing to it that the people are getting proper medication, and controlling the whole thing. If we are going to say they are allowed that kind of assistance, because when we give them money from social and family benefits, it is done on a set basis and we do not expect they have to spend this for such a high-cost commodity as prescribed drugs.

I would ask the Minister to comment on this and to give some consideration to this problem.

Hon. Mr. Yaremko: First, Mr. Chairman, the adoption of a plan of that kind would involve government policy.

Mr. Gisborn: I am well aware of that, Mr. Chairman, I am well aware of that, and the Minister helps to make policies, I am sure. What does he think about the system of purveying of prescribed drugs to recipients? He says they are entitled to them. I say that not all of them know they are entitled to them. Many people who are receiving benefit through this department are spending some portion of it for prescribed drugs and medication. First, I think they all should have specific knowledge that they are entitled to them, and again I say there should be more control by this department and I think the department should take over 100 per cent of the costs.

Mr. Chairman: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I will try and elicit some information from the Minister in connection with the municipal welfare officers. We have been discussing from time to time during these estimates some of the activities of these municipal welfare officers. The fact that they spend 80 per cent of the department's money indicates that they do have a fairly onerous responsibility in this regard. I am just wondering if, in fact, this department prescribes any particular criteria as to the appointment of these people. Do you have any say at all as to who is appointed at the local level?

Hon. Mr. Yaremko: In the county and district welfare administration boards, we do

have representation on the selection board, but not in the municipalities generally.

Mr. Gaunt: So that if an area were to go to a county system of welfare, you would have representation on the board? Otherwise, you have no control or no say over who is appointed? Is that so?

Hon. Mr. Yaremko: That is correct.

Mr. Gaunt: Well then, Mr. Chairman, if I may pursue this, I understand that the department is very interested in, and indeed promotes, the adoption of the county welfare system. I am not exactly clear as to the basis upon which it does this. Is this through an attractive grant system? Do you give a more attractive grant system where a particular county enters into an agreement to look after welfare on a county basis, rather than on the basis of a municipality?

Hon. Mr. Yaremko: Actually the advantages, by way of a carrot—if I may use that expression—are not very great. However, we have been spreading the gospel of the benefits and the advantages of a county system. We have proven and persuaded people that this is the best method of delivery of services; it provides for a more equitable distribution within the county and you do not have the variation from municipality to municipality. Also, the larger unit enables the setting up of a staff which will not only send out cheques but will be able to cope with counselling, rehabilitation, prevention, and the whole range of services that are available in order to assist people to help themselves. This is the basic reason why we have been promoting this. It takes no effort, really, to sit down and write out a cheque—anybody can do that—but that achieves no purpose, as we have seen by some of the stories we have recounted. But the setting up of a county unit has those advantages, which a considerable number of counties have accepted, and the units are working exceedingly well.

Mr. Gaunt: So, hopefully, all of the counties across the province of Ontario will eventually adopt the county system. If they do so, then it would also be presumed that many of the abuses and attitudes which prevail at the local level, insofar as the municipal welfare officers are concerned, would disappear, hopefully at least.

I leave that point, Mr. Chairman, I want to pursue another point for a moment, if I may, and it is in relation to the amount or the ceiling paid by this department insofar as the care of people in nursing homes is concerned—that is to say, people who cannot afford to pay their own way. I understand that this department shares the cost of that on an 80/20 basis. I believe the rate is $9.50 per day. How is the rate established?

Hon. Mr. Yaremko: Mr. Chairman, that rate was established in conjunction with The Department of Health. There was a study made of the matter and the conclusion was that the $8.50 should be raised to $9.50. We participated in discussions that led up to that sum being fixed, and that is the figure we use for the purposes of our subsidy of 80 per cent.

Mr. Gaunt: I am interested in how this department and The Department of Health arrived at that particular rate of $9.50. I know, for instance, that a study was done by the nursing home association. That study was conducted, I believe, by Woods Gordon in 1967, and it indicated a per day, or overall per day cost of $10.58. That was in 1967, and this is 1969. The level of care has risen, hence the cost has risen, and I would be very interested to know the factors that went in to make up that rate of $9.50. Frankly, I do not think it is very realistic, and I cannot understand for the life of me why that type of rate was established. I think what the department has done is effectively pass on any added expense or cost to the municipality, because you will only share the cost on the basis of the $9.50 per day rate. If, in fact, the nursing home rate happens to be $11, then of course the municipality has to bear that extra cost.

I know the department also had a study done regarding cost. I am not exactly clear on what the rate per day was established at from that study, but in any case I suggest to you that the $9.50 per day rate is not sufficient. I would hope that there would be some other basis other than an *ad hoc* basis upon which this particular rate could be established. For instance, I am thinking in terms of perhaps establishing the rate on the basis of a percentage of the hospital care cost in a particular area. In this way you do not do it year by year; it is done automatically, there is no negotiation, it is a fairly automatic thing.

I think that if that percentage were established, it would be a constant relationship and there would not be this need for constant negotiation between your department and The Department of Health, and between the nursing home association and both departments.

It seems to me that that would be a much fairer way to do it and would be much more satisfactory, certainly from their standpoint as well as from your standpoint. Would the Minister like to comment on that?

Hon. Mr. Yaremko: Actually, I was listening to the member with a great deal of interest. I think this is a matter which can be discussed in more detail with the Minister of Health. The whole concept of nursing homes rates and related matters.

We were in touch with the Minister of Health (Mr. Dymond) continuously through the studies, and we adopted the figure that was arrived at by the Minister of Health. I think that this discussion can be more properly and more profitably and in more detail discussed with him at the time. I am sure he will be prepared to do so.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, at the outset I would like to ask the Minister if I am correct in assuming that today the municipality is responsible for the welfare, regardless of whether the individual has moved into the municipality very recently? That is correct is it?

Hon. Mr. Yaremko: Yes, as long as he moves in, there are no residency requirements now.

Mr. B. Newman: Then I want to follow through with this, Mr. Chairman, because my own community, having been fortunate enough to have the auto trade pact cause an increase in employment, has suffered as a result of this clause, or the clause in The Welfare Act. Individuals from the length and breadth of Ontario have moved into the area seeking employment. Quite often many of these individuals had been on some type of assistance programme in another municipality.

Coming into the city of Windsor, they were immediately eligible for welfare assistance. We do not deny that they should get that assistance. However, this has thrown an added burden on to the community and I will illustrate.

In only one month, the month of October, in 1968, the increase over the prior year was from $83,336 to $129,932. So you can see that there was an increase of approximately $46,000. to the community. Now multiplying that by the 12 months of the year you can see the added burden that was put on to a community.

As a result of this added burden, Mr. Chairman, the community naturally will have to curtail other types of projects that they may have contemplated. From this I would conclude, Mr. Chairman, that the fact that you only provide 80 per cent, and require the municipality to pick up 20 per cent is not fair at all.

These new people have come into the community from other areas in the province and I think that up until the time they establish one year's residence in that community you should be picking up that burden. If you do not want to pick up that added burden on the community, then you should consider taking over the complete cost of welfare on the municipal level.

The municipalities can no longer stand the burdens of welfare, because just as you have changed the Act to allow an individual to move anywhere in the province, you are saying that welfare is no longer a municipal responsibility, but a provincial responsibility. If it is a provincial responsibility, then it is incumbent upon you to absorb the complete cost of welfare.

Is the department contemplating absorbing the complete cost?

Hon. Mr. Yaremko: The hon. member would know, having been in this House over a considerable period of time and being interested at the local level, that if there were some Solomon with a proper data processing machine he would find the province is picking up by and large—if I may use the figure as a yardstick—80 per cent on its direct subsidy of programmes.

But we have what are known as unconditional grants which The Department of Municipal Affairs hands out with its right hand, and I am convinced in my own mind that if there were some Solomon to finalize the figures of 15 years ago and the figures of today, that he would find two things:

1. That the package of social services available to the residents of the province of Ontario has increased considerably, and if he could trace the tax dollar which goes to pay that welfare cost he would find. I am sure, that 100 per cent is paid by the taxpayers' dollar from the provincial base.

Mr. Nixon: How can you trace how unconditional grants are spent that way?

Hon. Mr. Yaremko: I am just saying that it would be an interesting exercise some day to do this. At one time, the unconditional grants were not unconditional, they were

earmarked for health and welfare and similar services. I know that in respect of one municipality not too far from Toronto, I was very interested in seeing the slice of that pie that is used by treasurers to show money coming and money going out. The slice of the municipal welfare was just barely big enough to get on that map.

Mr. B. Newman: Mr. Chairman, let us assume that what you say is correct, but when there is an added burden in the community as the result of the fact that the individual no longer has to live in the community for one year, then your department should be picking up that added burden.

The unconditional grant will only take care of these other miscellaneous increases and programmes. In the city of Windsor in 1968, approximately 200 families applied for assistance. Previously this assistance would have been charged back to another municipality—

Hon. Mr. Yaremko: Which we have eliminated.

Mr. B. Newman: —and this is extremely substantial in terms of dollars and cents. Likewise, Mr. Chairman, the cost for rentals, because of the acute housing shortage, has gone up sky high in the municipality. This has placed an added burden. Sure, 80 per cent is paid by your department, but 20 per cent still is the responsibility of the municipality, and that is much too high and maybe, in some cases, more than they can actually absorb.

Mr. Chairman: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Chairman, if I could ask the Minister, the 20 per cent that the municipality is responsible for, it is only dispersed under the guidelines set down by his department. I think that is a matter of fact, is it not right?

Hon. Mr. Yaremko: The whole is dispersed in accordance with the regulations under The General Welfare Assistance Act, and then the municipality pays the whole thing and we reimburse it to the 80 per cent.

Mr. Sargent: So in effect then, it is an accepted theory by all of the people in government today that there is no relation to the tax on real estate for the cost of welfare. The Minister knows in his heart that 100 per cent of the cost should be paid for by the province.

But in this way you are charging the municipalities 20 per cent of the cost of welfare, regardless of these unconditional grants. That is another side of the coin.

You are asking municipalities, Mr. Chairman, through you to the Minister, to pay 20 per cent of this bill of $50 million. You are paying possibly $10 million out under guidelines set out by you over which the municipalities have no control. So, they are taking your guidelines to disperse their money.

I think somewhere along the line you should tell the House when you are going to take over 100 per cent of the cost of welfare, because you are directing how it shall be spent. Why should you not pay all the costs? You call the shots now, so why should you not pay for it? In our city, my welfare administrix cannot dispense $1 unless it goes along with your plan. But you are taking credit for this giveaway and you are taxing us 20 cents on the tax dollar for this dispersal. To my mind, I think your department does an overall good job from what I have seen of it, but I think somewhere along the line that you will have to—

Mrs. M. Renwick: Flattery will not get it for you, Eddie.

Mr. Sargent: I think we have to be realistic. I have been in this business a long time. I think they have a lot of problems over there and that they cope very well. But I want to say that I do not think there is any just charge against real estate for 20 per cent of the tax dollar.

In another area, if you are going to lay the guidelines down then you should pay for the salaries of the administrative people who do this job. You are taking over assessment, you are paying all of our assessment people, so why do you not go the whole route and pay for the cost of the administrators of welfare?

I would like to ask the Minister point blank if there is not logic in what I say. When are you going to take over the costs, as my colleague says?

Hon. Mr. Yaremko: I may say that that is not presently under consideration.

Mr. Chairman: The hon. member for Niagara Falls.

Hon. A. Grossman (Minister of Correctional Services): Where are we, on vote 4, Mr. Chairman?

Mr. Bukator: He just wants his name on the record. He came in for the first time

today, so he wants to be recognized, I guess. The man is here. I forget what position he holds. He finally made it at half past ten.

Hon. Mr. Grossman: Does the hon. member want to compare his record with mine?

Mr. Bukator: Mr. Chairman, my office in Niagara Falls is just on the other corner to the welfare office. If they do not get satisfaction there they walk into my office immediately. They spot my car and see me there and they say, "The welfare department did not give me what I think I am entitled to." So I give them this routine, and give the government, here, more credit than they deserve.

I want to put the record straight: I usually say, "Go down just one block to the city hall and talk with the mayor; tell him your problem. All they pay of the welfare that they give you from the city level is 20 per cent; the rest is paid by the province. If I can help you persuade the man on the other corner to give you the welfare that you are entitled to, or you feel that you need, or the mayor can, my job has been done because I am your provincial member. I do not get involved in this department unless it is an extreme case and I think I can do something about it." Having put the record straight, when that 80 per cent is paid by this province, or the whole dollar is paid by the city and you reimburse the 80 per cent, it costs the city 20 per cent. How much of that dollar do you actually get from the federal government?

An hon. member: That is a good question.

Mr. Bukator: Fifty per cent of the 80, or 50 per cent of the amount that it cost you?

Hon. Mr. Yaremko: Fifty cents of the dollar.

Mr. Sargent: So you are cheating 30 per cent then?

Mr. Bukator: Let us not confuse the issue. If you pay 50 cents of the dollar, then all it costs the city is ten per cent?

An hon. member: Twenty.

Mr. Bukator: All right, then the city pays 20 per cent, the province pays 30 per cent and 40 per cent comes from the federal government. Then, this is the point I am trying to make: Does the federal government make a larger contribution than the provincial government?

Hon. Mr. Yaremko: Fifty per cent is larger than the other two portions, yes.

Mr. Bukator: This, I hope, is in the records because I want to give the federal people a break in this House for a change. They contribute towards welfare more than the province of Ontario does?

Hon. Mr. Yaremko: In this particular situation.

Mr. Bukator: This is the situation I speak of; there will be others who will talk about it before the night is out. Anyhow, the province of Ontario does not make this contribution, although I have been telling my constituents that they pay the 80 per cent. They do, but they collect from Ottawa and they collect a greater portion than they pay. I think Judy LaMarsh had something to do with it, since when you mention her name in this House somebody tells you that she has not been doing the job that she ought to since she has been picking on people.

Hon. Mr. Yaremko: She did, and she acknowledged the contribution made by the province of Ontario in working out the scheme.

Mr. Bukator: It is as an exceptionally decent sort of a person that I remember Judy LaMarsh. She did a good job for her constituents.

To add just a little bit more coal to the fire, I understand that there is a federal government bill—they are just having a little conference there, Mr. Chairman, we will get back to the Minister in a moment; I will get my information another time, more of it—but did not the federal government pass a statute, a law saying that you no longer have to pass a means test to get welfare. It is a needs test; if you need the money to keep you going then the federal government will make its contribution, if the local government sees fit to allow that amount of money to be paid to that family. Maybe we have a solution to the problem that we have been talking about here in the last couple of days. If your investigators—is that what you call them, or inspectors, or what are they?

Hon. Mr. Yaremko: Field workers.

Mr. Bukator: If your field workers feel after they investigate that this money is needed, you naturally make the contribution and Ottawa pays 50 per cent of the shot. Do I have that in sequence now?

Hon. Mr. Yaremko: Actually, we have regulations which set up the criteria under which the field worker operates.

Mr. Bukator: Yes, I know that because when I look for more they say, "Well, my hands are tied. You legislators have not given us enough authority or enough money." Anyhow, I have put the records straight, I hope, in my own mind, and I hope many others have picked this up. The federal government does make a good contribution towards assisting in welfare cases and in the operation of welfare.

Hon. Mr. Yaremko: This goes back to 1959, I believe, when the unemployment assistance agreement was worked out.

Mr. Bukator: I believe that was the year I was elected. I must have had something to do with it.

Mr. Chairman: Is vote 2002 carried?

Mr. Nixon: No, there is another section on it.

Mr. Chairman: Is municipal allowance carried?

Mrs. M. Renwick: No, Mr. Chairman.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would like to talk to the Minister about the conditions throughout the province's welfare administration at the local level. I would like to look at the area of Victoria county. I quote from an article in the Peterborough *Examiner* on June 13, 1968:

> "Those men who failed to show up for work should be thrown in jail and we will keep their dependants," urged former county warden Kamick. Already recipients in Lindsay are required to report twice a week to the welfare office and give a detailed statement of their job-seeking efforts.

I presume this is the warden about when the hon. member for Wentworth was asking the Minister, the warden who is reputed to have been hired in a meeting closed to the press. I would like to show, as a contrast to how the provincial general welfare assistance Act is being administered in Peterborough, how it is being administered in Toronto. Then I would like to ask the Minister to comment on the difference. From the *Telegram* in Toronto, March 8, 1968, an article entitled "Welfare: Metro Cases Jump 2,500".

> The committee questioned Mr. Anderson on how he checks that welfare recipients classified as employable are trying to get work. He said he hasn't had the staff in the past to do as much checking as he feels is necessary but he is hiring more.

I would like to ask the Minister, how can we have a public announcement in Peterborough about throwing men in jail if they do not take the welfare work, and yet have this other example in Toronto where Mr. Anderson says he has not had the staff in the past to do much checking.

Hon. Mr. Yaremko: I do not understand the hon. member's line of reasoning.

Mrs. M. Renwick: Mr. Chairman, surely the General Welfare Assistance Act, being a law and being a right, should not be dispensed in one area of the province in a different fashion from how it is in another area. It is the Minister's responsibility, surely, to make certain that it is being dispensed in a proper way.

We spent a long time during the last estimates talking about the unemployed employables. The Minister intimated during those estimates that there was not much concern or much being done now to drive employables into work. Yet here we have in Peterborough a welfare administrator saying that the recipients are required to report twice a week to the welfare office and give a detailed statement of their job-seeking efforts. They are required to be at the office at nine in the morning and if they are late they lose a day's pay—I presume that means a day's allowance—if they should fail to show up for work, if they had a work project, they should go to jail.

Yet in the Metro area of Toronto, we have 3,565 people classified as able to work and this administrator does not do any checking on them. I do not understand the difference because this is an Act and a law under general welfare assistance. If the Minister can explain any difference, I would be interested in knowing it.

Hon. Mr. Yaremko: Mr. Chairman, the Act is explicit in that a person in need means a person who, by reason of inability to obtain regular employment, is unable to provide adequately for himself, and so on. One of the duties incumbent upon a welfare administrator, the local administrator, is to satisfy himself that there is an inability to find employment; that a person is in need because of inability to find employment.

Mrs. M. Renwick: Mr. Chairman, in the last estimates the Minister intimated that

that part of the Act was not being carried out. I said, "Well, if it is not being carried out, let us delete it." We find it is being carried out with a vengeance in one area and it is not being carried out in Toronto because of a lack of staff.

I am concerned that the Minister is not concerned that The General Welfare Assistance Act is not administered the same way throughout the whole of the province, being an Ontario statute. With all due respect, I am surprised to see the Minister have to rise and read that section of the Act. Even after just one year I am getting to know the sections by heart, and that one is a particularly grievous one.

From the Peterborough *Examiner*, June 15 —reduced payments are proposed:

> County council decided to register a strong protest with The Ontario Department of Social and Family Services over mandatory welfare payments. One reeve asserted that if this were not effective, he would reduce his undefeated motion to pay recipients two-thirds of the rate set down by the province. Other reeves suggested trying to raise low-area wages.

Mr. Chairman, part of the problem of that type of statement coming out of an area is that the municipalities cannot afford it—and we will go into that in some detail later.

From the Peterborough *Examiner*, October 9, 1968:

> County council endorsed a motion to take action to rectify the apparent inequities between low wages and welfare payments in the area. They heard that welfare costs that July totalled $27,859 compared to 417,629 from July, 1967.

I think that must be an error. It should probably be $17,000. Mr. Chairman, I will check that. I think the dollar sign is a "4".

> The welfare advisory committee was criticized for not discussing the matter with provincial officials as directed by council.

The welfare advisory committee, Mr. Chairman, are not talking to the Minister and the Minister is obviously not talking to the administrators.

Hon. Mr. Yaremko: That is not so, Mr. Chairman.

Mrs. M. Renwick: If it is no so, Mr. Chairman, could I ask, with all due respect, if the Minister has discussed the strong protest to the Ontario government over mandatory welfare payments from Victoria county. Has that discussion taken place?

Hon. Mr. Yaremko: Just as recently as yesterday. What is today, Tuesday or Wednesday?

Mrs. M. Renwick: Tuesday.

Hon. Mr. Yaremko: Tuesday. As recently as 36 hours ago.

Mrs. M. Renwick: That is most encouraging to me, Mr. Chairman, because when I see this provincial scene of general welfare administration, I wonder why it is not all under one Act, where it can be directed properly from this level.

From the Lindsay *Post*,, November 23:

> More investigation needed. Members of county council came in for a share of the blame for high welfare costs. Some reeves maintained it was their duty to assist the welfare administrator. Council moved to hire an additional field worker to concentrate in the north end of the county where administrator Robert Martin claimed, "We do not have the help for in-depth investigation of every case."

From the Lindsay *Post*, November 27, and I have marked this one "attitudes":

> County council moved to send a delegation to talk to the Premier about their feelings on welfare.
>
> "These people who are receiving more from welfare than they can earn at a local job are being deprived of the opportunity to contribute to society," said Reeve Childs.
>
> The motion passed, despite the statement by the administrator that only 18 or 19 employable heads of families were on welfare out of 400 or 500 on the rolls.

So the mandatory nature of the payments again came under criticism.

I can see, Mr. Chairman, why the Minister might very well have been talking to them recently.

From the Lindsay *Post* coming up as recently as January 28, 1969, "A brief to government":

> A special committee of county councils prepared a brief to be submitted to the Ontario government in somewhat more sophisticated form than the general level of debate within the council over the past few months.
>
> The brief called for:
>
> 1. Raising the minimum wage to $1.50 an hour.
>
> 2. To encourage recipients to work—a small percentage of temporary money

earned not to be deducted from welfare benefits.

3. Permitting the municipality to bill a recipient for welfare benefits once he is re-established in an adequate paying job.

4. More courses for rehabilitation of unemployed persons.

Might I ask, Mr. Chairman, if that brief has been received?

Hon. Mr. Yaremko: Thirty-six hours ago.

Mrs. M. Renwick: Thank you. The next item, Mr. Chairman, on Reeve Everett Cameron, has been dealt with at an earlier time.

So then we will move along in the province, Mr. Chairman, because that way we will get some idea whether it is working in some parts of the province and not working in others.

Interjections by hon. members.

Mrs. M. Renwick: In Cornwall, use by the municipality—

Interjections by hon. members.

Mrs. M. Renwick: Mr. Chairman, could I please ask for order in the House?

Mr. Chairman: Order!

Mrs. M. Renwick: Thank you. Use by municipalities of their discretionary powers to determine when a welfare applicant has made a reasonable effort to secure employment. These areas, Mr. Chairman, cover Cornwall, Welland county, Victoria county, Hamilton, and Hastings county.

1. The case of the city of Cornwall. Cornwall *Standard Freeholder,* May 28, 1968:

> Spurred on by welfare administrator Francis Flannigan, and welfare chairman Norman Barrow, city council last night declared war on single men who are able but unwilling to work, and men who refuse to support their families.
>
> Motions to amend The General Welfare Assistance Act will be presented to the June annual meeting of the Welfare Officers' Association of Ontario.
>
> Alderman Barrow recommended that all single men be refused welfare assistance until such time as they have proof of employment, and then assistance would be granted only until that person receives his first pay.

And so the war begins, Mr. Chairman, on the single unemployed.

Cornwall *Standard Freeholder,* January 9, 1969:

> Welfare administrator Francis Flannigan denied reports that her department harassed welfare recipients through compelling them to report on certain days of the week. She said, "This is wrong. The city has had 235 employable males on welfare benefits since last April. It was decided to channel some into the labour force by having them report daily and advise them of jobs as they became available".
>
> The number of days recipients report has since been reduced to three times a week. Since the programme has been in progress, the number of unemployed has been drastically reduced. The figure in the month of November, 1968, was down to 95 re-employable males.

Mr. Chairman, I would like to say to the Minister that if we are going to have this type of activity on the municipal scene, then we have to have it clearly outlined by law in the Act as to how many times these people are to report for work, and to whom they are to report.

To continue:

> In response to a question in the Legislature from Donald MacDonald, leader of the NDP, Mr. Yaremko replied that the Cornwall programme was developed to assist recipients in achieving independence. Mr. MacDonald agreed that it is desirable to find employment for recipients, but by the same token he did not agree that a recipient is a second class citizen or a parasite, or that he should be harassed into taking employment where his wages are only to going to give him a substandard living, where there are no means available to subsidize his income.

That is the point, Mr. Chairman, that the Minister has to make under the provisions of the Act—that you cannot force people into taking any job—and if we are going to have this system which he has allowed under his General Welfare Assistance Act, in spite of the fact that the Canada Assistance Plan does not designate that sort of activity, then it is up to the Minister to outline exactly what steps the municipalities may or may not take.

From the *Globe & Mail,* January 24, 1969, the comments of two Cornwall welfare recipients:

> It costs me $4 every two weeks to get across town every day to that welfare office. I would not mind doing this if it would get me a job, but so far there has not been any.

> After a while you feel as if you are no good. First you feel that they think you are no good, then you start getting that feeling yourself.

So, Mr. Chairman, as I say to the Minister, if we are going to have it mandatory that some people are going to consider what employment, then we have to consider what it is costing them to get there, especially in the case of an area where it was cut down to just three times a week. That is shocking.

From a Cornwall welfare recipient:

> It has more or less made you feel like a second class citizen; as if some of your rights were being taken away from you. Let us put it this way, it is not only a hardship, it is an embarrassment.

The Toronto attitudes are different and this is what I would like to point out to the hon. Minister. In both Toronto and Cornwall, employable recipients must report at least twice monthly to local Canada Manpower centres, but in Toronto they have to visit the welfare office twice a month at the most, according to Raymond Tomlinson, director of welfare administration.

There are still people who think you should treat them as nasty as possible and they will stay away from you out of sheer fright, but we do not operate that way. We believe in giving them what courtesy we can and I would say, Mr. Chairman, the onus is on the Minister to see that the Act is administered in that fashion throughout the province. In Welland county, the attitude toward recipients:

> People on welfare and able to work should be employed by government as labourers, instead of sitting around with their feet in the air and having their bills paid for them.

So suggested Fort Erie Reeve, Clare Berger, at Welland County Council during discussions on a report which showed there were 256 employable men on the county welfare roles in April, 1968.

However, social service administrator, D. C. Gordon, pointed out that the majority of people on welfare have trouble getting work because they are unskilled, yet they have so little education they cannot even receive job training.

So there, Mr. Chairman, council wrote to The Ontario Department of Social and Family Services asking for comment on their work-for-welfare proposal, and the reply stated that the department was now discussing the possibility of such proposals, but at present time such an arrangement is not possible.

So to go back to the two points of view that we see between the Fort Erie reeve and the social welfare administrator. Obviously the administrator is more modern and more up to date in his view on social assistance, and the reeve is probably plagued, Mr. Chairman, by watching the dollars. So I would like to ask the Minister that in this reply stating that the department is now discussing the possibility of such a proposal, is the province considering work for welfare?

Hon. Mr. Yaremko: Mr. Chairman, the matter which was referred to in the correspondence relates to that programme which is called "Work Activity Programmes under the Canada Assistance Plan". These are things which will be worked out with the federal authorities, and they are based not merely on the idea of finding employment for people, but to create, to deal with the persons, and to re-instill, or instill, the inclination and desire to work in those people who, by reason of circumstances have lost that initiative or that desire to work. One of the main projects is how you get that person motivated to go back to work, and that is the type of programme referred to.

Mrs. M. Renwick: Mr. Chairman, I would like to read into the record the work activity projects from the Canada Assistance Plan. It is a brief paragraph, section 14.

An hon. member: Is that necessary?

Mrs. M. Renwick: Well, I read it in last year and nothing happened. Maybe if I read it in again this year something will happen.

Interjections by hon. members.

Mrs. M. Renwick: Mr. Chairman, work activity projects were very carefully outlined in the Canada Assistance Plan and section 14, item (a):

> In this part, work activity project means a project the purpose of which is to prepare for entry or return to employment, persons in need or likely to become persons in need who, because of environmental personal or family reasons, have unusual difficulty in obtaining or holding employment, or in improving through participation in technical or vocational training programmes or rehabilitation programmes their ability to obtain and hold employment.

That does not mean putting people into a plan that is already in existence, such as the

federal retraining programme. This means the provincial government, which is receiving millions of dollars under the Canada Assistance Plan, has, as its responsibility, a system of rehabilitating persons, and not only those, but the persons likely to become dependent.

To wind up this, Mr. Chairman, the city of Hamilton, is a little more sophisticated—

Mr. Chairman: This is repetition now. The hon. member has related to the committee, the situation in several different municipalities. Now there must be some limit to the number of municipalities in which she is going to recite the circumstances that exist.

I feel, as Chairman, that I have been very, very lenient in permiting all hon. members to pursue their debates in this manner. However, it does seem to me that the hon. member for Scarborough Centre is becoming repetitious in repeating all of this information about so many different municipalities.

Mrs. M. Renwick: Mr. Chairman, I think the important thing we have to understand, Mr. Chairman, is whether this is a local administrative problem or a problem of a poor county. We have to understand whether it is a system that is prevalent throughout the province. I did not take, by any means, the number that are available. I took Cornwall—yes, there were three in Cornwall—and secondly Welland. I cancelled one in Victoria county titled "Worker Jailed", because it had been dealt with. The city of Hamilton, Mr. Chairman, and Belleville will wind up my remarks and I would ask your indulgence—Not my remarks, Mr. Chairman, but my remarks on this particular problem.

An hon. member: Oh, you had us hopeful!

Mrs. M. Renwick: The item on the city of Hamilton, 120 special cases—120 special—

Hon. Mr. Grossman: You're nagging again, Margaret!

Mr. Chairman: Well if the hon. member is going repeat similar circumstances in another municipality, it is repetition and rule 17, I believe, relates to the matter of repetition.

Mrs. M. Renwick: Well all right, Mr. Chairman. Fortunately for me this is not repetition in any sense because this is now dealing with the fact that some municipalities have what are called "special cases".

Hon. Mr. Grossman: Fortunately for you, but what about the rest of us?

Mr. Lewis: Why do you not repeat what you said last night?

Hon. R. S. Welch (Provincial Secretary): Mr. Chairman, this might be a good point at which to move that we rise and report.

Hon. Mr. Welch moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will go to the order paper to consider legislation that is ready.

Mr. J. Renwick (Riverdale): Mr. Speaker, perhaps the House leader would advise us of what legislation is ready?

Hon. Mr. Welch: Anything that is on the order paper.

Mr. J. Renwick: Anything on the order paper?

Mr. D. C. MacDonald (York South): Well, could we, for example, have some guidance as to whether or not we are proceeding with the cats and dogs since the Minister indicated to us that he would not proceed until he had received representations from the Humane Society?

Hon. Mr. Welch: I doubt if we will reach that particular legislation.

Mr. S. Lewis (Scarborough West): What about The Professional Engineers Act, are we likely to reach that tomorrow?

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:05 o'clock, p.m.

No. 93

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Wednesday, April 23, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Wednesday, April 23, 1969

Ontario liquor laws and regulations, statement by Mr. Welch ... 3455

Federal-provincial conference in June, questions to Mr. Robarts, Mr. Nixon and Mr. MacDonald ... 3457

Bell Telephone rate increases, questions to Mr. Wishart, Mr. Nixon ... 3459

OHSC and wage increases, questions to Mr. Dymond, Mr. Nixon ... 3459

Master-Met Cobalt Mines Ltd., question to Mr. Robarts, Mr. Farquhar ... 3460

DDT concentrations in Lake Michigan, questions to Mr. Robarts, Mr. Paterson ... 3460

Output at Douglas Point, questions to Mr. Simonett, Mr. Ben ... 3461

Sales tax regulations on restaurant food purchases, questions to Mr. White, Mr. Ben and Mr. Jackson ... 3461

Sulphur dioxide emissions at Copper Cliff, question to Mr. A. F. Lawrence, Mr. Martel ... 3462

Hydro and telephone rates at Lakehead city, question to Mr. McKeough, Mr. Knight ... 3464

Northeastern psychiatric hospital, questions to Mr. Dymond, Mr. Ferrier ... 3464

Cooks in northern Hydro camps, questions to Mr. Simonett, Mr. Stokes ... 3464

Master-Met Cobalt Mines Ltd., questions to Mr. Yaremko, Mr. Jackson ... 3465

Drunkenness in a public place, question to Mr. Wishart, Mr. Lawlor ... 3465

Justices of the peace, questions to Mr. Wishart, Mr. Bullbrook ... 3466

Mr. Joseph Viner, questions to Mr. Wishart, Mr. Makarchuk ... 3467

Inquests into infants' deaths, questions to Mr. Wishart, Mrs. M. Renwick ... 3469

Inquest into death of Mr. William Smith, questions to Mr. Wishart, Mr. Shulman ... 3471

Heat provision in OHC units, question to Mr. Randall, Mrs. M. Renwick ... 3471

City of the Lakehead, bill respecting, Mr. McKeough, on second reading ... 3471

Motion to adjourn debate, Mr. Knight, agreed to ... 3500

Motion to adjourn, Mr. Welch, agreed to ... 3500

LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 23, 1969

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Our guests this afternoon in the Speaker's gallery are members of the Peace Bridge Area Women's Liberal Association in Fort Erie; and in the east gallery students from Malden Public School in Amherstburg and members of the Current Affairs Club, Hill Park Secondary School in Hamilton. In the west gallery are students from Sir Wilfrid Laurier Secondary School in London and Fairbank Senior Public School in Toronto.

Later this afternoon, in the east gallery, we will have students from Walkerton District Secondary School in Walkerton and from Vincent Massey Secondary School in Windsor.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

The hon. Minister of Mines.

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, I merely wanted to point out to you, sir, and to the House, a fact I am sure you know, that today is St. George's Day.

On St. George's Day, sir, I think it is traditional that we salute Englishmen and the people who have come from England. After all, sir, in this House and in this country—for that matter, throughout the English speaking world—the Englishman has been traditionally looked upon as the advocate of all that is fair and equitable and all that which stands for justice.

I wonder if I may ask the members of the House who would like I am sure, with one or two exceptions perhaps, to join with me in a salute to the Englishmen today.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I want to join with the comments made by the Minister of Mines. He comes from the constituency of St. George, and I happen to live in the village of St. George. The only thing I have to mention is that Englishmen and those of English descent have now joined the mainstream, I suppose, of the population mix in this country, except for this interesting fact: While it is no longer possible for individuals in politics or in the community to express or even hold any views that would tend to be prejudicial against any particular group, the only one that is now permissible is an attitude, openly stated, against Englishmen and so this is the progress that we have made over the years.

Mr. D. C. MacDonald (York South): Mr. Speaker, lest silence would be interpreted as being opposed to all Englishmen on St. George's Day I hasten to add my words to those of the hon. Minister of Mines and the leader of the Opposition.

Perhaps this is a point in which I might confess, in spite of the name Donald Cameron MacDonald, I am more English than Scottish. My mother was born in England and I have to go back three generations for Scottish birth.

Mr. Speaker: The hon. Provincial Secretary has a statement.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, in keeping with the spirit of St. George's Day; I would like to advise the House of a few matters. Indeed, as a result of the Cabinet committee review of Ontario's liquor laws and regulations, the government has authorized the chairman of the Liquor Licence Board of Ontario, His Honour Judge W. T. Robb, to announce the following changes, which will become effective on Monday, May 12.

Mr. Nixon: If they are bad ones, the Provincial Secretary should announce them himself.

Hon. Mr. Welch: Mr. Speaker—this will be a matter of value judgment as to whether they are good or bad. In fact, I would be interested in having that on the record.

1. The 11.30 p.m. Saturday night closing hour will be extended to 1.00 a.m. on Sunday. Such extended hours will apply to all licensed facilities.

2. The hours of sale and service of liquor in all licensed premises will be uniform, namely, 12.00 noon to 1.00 a.m. Monday to Saturday.

Mr. B. Newman (Windsor-Walkerville): Is that daylight saving?

Hon. Mr. Welch: The time recognized by the municipality.

Mr. B. Newman: What if a municipality recognizes both?

Hon. Mr. Welch: It cannot, officially.

3. The hours of sale on Sunday of liquor with meals will be extended so that sale and service will be during a continuous period from 12.00 noon to 10.00 p.m.

4. The sale and service of liquor with meals which prevailed on Christmas Day, 1968, will be applicable in future to Good Friday. The hours of sale on both Christmas Day and Good Friday will be treated as Sunday sale, 12.00 noon to 10.00 p.m. and under the same circumstances as Sunday.

5. Special occasion permits will be issued for the sale of liquor with or without meals on Sunday for international, national and provincial conventions between the hours of 12.00 noon and 10.00 p.m. Special occasion permits may also be issued on Sunday to other than the aforesaid international, national or provincial conventions provided that they meet the Sunday regulations with respect to meals.

And No. 6, with the upcoming summer season, the board will now proceed to give consideration to the licensing of patios. Also, Mr. Speaker, I should mention that in the near future necessary changes will be made to provide for unrestricted seating of male and female patrons in beverage rooms and public houses on application to the board.

Mr. Speaker, this is an ongoing review under continuous study, and I want to underline that. Many matters are yet to be considered and reported upon, including the requests which are contained in the brief of the Royal Canadian Legion. The whole matter of licensed designations and, indeed, the many other matters which have been brought to our attention by interested individuals, associations and groups throughout the province in response to the invitation by the government to the people of Ontario to share with us, their views on this whole matter of our social customs and individual behaviour in this subject.

Mr. G. Bukator (Niagara Falls): A question of the Minister pertaining to this. Could the Minister advise me whether it is acceptable at this time to apply for a permit for a Liberal rally on a Sunday afternoon, through you, would that be acceptable?

Hon. Mr. Welch: I think that if it is, was—what is the name of that group again you wanted to—was that a small "l" or a big "L"?

If it meets the qualifications of a federal or provincial convention I am sure it would qualify from what I have said; otherwise, it would have to serve a banquet as part of its meeting.

Hon. A. Grossman (Minister of Correctional Services): How do you hold a convention in a telephone booth?

Mr. T. P. Reid (Rainy River): Call it a Tory convention.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, would the Minister on a matter of clarification, advise what consideration was given to the repeal of the local option in tourist resort areas, like the great Bruce Peninsula and Owen Sound—what consideration?

Hon. Mr. Welch: Mr. Speaker, I might say, because of that very objective question which has come from the member opposite, that the whole question of local option and the matters relating thereto—particularly those he mentioned – are still included on the agenda of things yet to be considered and finalized.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Speaker, I beg leave from the House to withdraw resolution No. 17 standing in my name. I would ask the unanimous consent of the House to allow me to withdraw this resolution.

Mr. Speaker: Has the hon. member the unanimous consent of the House to withdrawal of this resolution standing in his name?

Unanimous consent agreed.

Mr. Speaker: I would like also, before the orders of the day, to draw the attention of the members to the memo from Mr. Speaker's office on your desk with respect to the visit to the McLaughlin Planetarium a week from

tomorrow evening, Thursday May 1. This is a courtesy extended to us by the board of directors and director of the museum and planetarium. I am sure that most members will wish to avail themselves of it, and I have arranged with the party leaders that we may rise that evening from six until 8.30, which I am assured by Doctor Swann is sufficient time to allow us to carry out the programme which you will find in the memo.

I would, however, ask that you let me know by the end of this week if you anticipate being there because it is necessary to have the numbers for obvious purposes over at the museum.

Mr. Nixon: Mr. Speaker, a question for the Premier.

Will Opposition representatives be invited as observers to the federal-provincial conference to be held in Ottawa in June?

Second, has the Premier been approached by representatives of any organization of municipal officials requesting representation at the federal-provincial conference on matters pertaining to local jurisdiction?

Hon. J. P. Robarts (Prime Minister): If the hon. member for York South could submit his question I will deal with them at once.

Mr. MacDonald: Yes, a simple question.

Is it the government's intention to include Opposition leaders in the Ontario delegation to the June Constitutional Conference?

Hon. Mr. Robarts: Mr. Speaker, I might say in answer to the first question posed by the leader of the Opposition and the question posed by the member for York South that I, too, read the press reports this morning concerning the attitude taken by the Prime Minister of Canada to this particular constitutional conference. It does seem to me that in reading those news reports there probably is likely to be some debate prior to the holding of this conference on just what form it is to take.

I think hon. members are aware of the fact that it has been suggested that this conference not be open to television, and I do not know whether this includes the press or not.

So I do not find myself in the position this afternoon where I can give a definitive answer, a yes or no answer. It seems to me that we are evolving this method of holding conferences. There have been changes made. As members recall, we opened up the Confederation of Tomorrow Conference to television. We thought it was a good thing to do and I still feel that way. The last two conferences in Ottawa have been held open to the press and I felt that it was the proper thing to do.

On the other hand, there has been the suggestion made that this conference to take place in June is a somewhat different type of conference, and I would want to see what are the attitudes of some of the other government leaders.

If you recall, at the last conference in February, you came in as observers and not as members of the delegation. Now the Prime Minister of Canada has said, if this news report is correct, that he does not propose to invite any members of the Opposition as observers from either the House of Commons or from any of the provinces as observers.

This would mean then, I suppose, at least one interpretation could be, that if anyone from the Opposition were to attend it would have him as part of the official delegation from Ontario. This would, in my opinion, pose certain difficulties, but I make these comments because I repeat that I feel we are evolving a form of consultation here, and I think it is going to take some discussion among the provinces.

I would like to know what the attitude of some of the other provinces is to the comments made by the Prime Minister of Canada. Certainly it is my own opinion that the greater participation there is in some of these discussions, the more valuable the discussions can be.

On the other hand it might be a little difficult if we faced a position where members of the Opposition were to take part in all the preliminary discussions of this government as part of the delegation that is going to the conference. I can see some real difficulties arising in a situation such as that. So let me just simply say that I would be happy to take this matter up with Mr. Trudeau, and I hope that I will have the benefit of the opinions of some of the leaders of the other provincial governments. We are only one of 11 participants in these conferences.

As a matter of general interest and general approach, I do not move from the position that we have taken consistently. One of my objections, of course, to having these meetings in private is that they are really not in private at all. It just happens to be who a reporter happens to talk to, and when he happens to leave the conference to make his comments, and it seems to me that everyone might be better served if the press heard

what was said themselves and made their own comments instead of getting it second hand.

On the other hand I think it must be obvious to anyone who is aware of what we are trying to do that there will have to be, at some stage of the game, in some form, some discussions that probably will not be open to the press, television, radio, and necessarily to the Opposition parties. So against that background I am going to proceed to discuss the whole procedure of this conference with those other leaders of government who will participate.

Mr. Nixon: Mr. Speaker, if I might comment on what the Premier has just said.

It was not my interpretation of the statement of the Prime Minister of Canada that he was not going to invite observers himself. I think he made it plain that he was not going to involve the Opposition parties of Parliament in the federal delegation, but the responsibility was for the provincial Premier to make their own decisions. I would agree with the Premier that when he states certain objections to including myself and the member for—

Mr. Speaker: Perhaps the hon. leader would recognize that this is not a debate; that if he wishes to ask a question he is entitled to do so.

Mr. Nixon: Perhaps I could preface this with some sort of an interrogative phrase, such as: Would the Premier not agree that there are certain difficulties in including people from this side in the official delegation? For one thing I would not want to be included in the official delegation, because it is my responsibility when called upon to do so to disagree with the stand officially taken by Ontario. Nevertheless I am sure that Mr. Speaker would—

Interjections by hon. members.

Mr. Nixon: Surely this is a matter of sufficient importance so that we can have an exchange of views in this question period. Would the Premier not agree, Mr. Speaker, that it is necessary for members on this side to be aware of stands taken by the government in these important discussions? I would certainly hope that he would give serious consideration to asking representatives of the Opposition parties to attend as observers, with the understanding that we have a responsibility similar to his in these matters.

Mr. MacDonald: Before the Prime Minister replies, may I just make this brief comment. As I understand what the leader of the Opposition has said, I would agree, but I think it is possible to make a distinction between being an official member of the delegation and being an observer within the delegation. The leader of the Opposition and I could go out for tea when the government has its secret meetings to decide on their strategy, and what it is going to present.

Mr. Nixon: No, we can go out for tea and—

Mr. MacDonald: But in terms of the conference itself, which I think is the important forum, we would be observers, but I suppose within the context that the Premier finds himself, we would be part of the Ontario delegation.

Hon. Mr. Robarts: Mr. Speaker, at the risk of offending the rules of the House I think this matter is important enough that it warrants an exchange of opinions such as we are having here. I just note, and as I say I am taking this purely from the press, that it does say, "Mr. Trudeau indicated that there would be no bar to individual provinces bringing members of their Opposition as part of their delegation." At the last conference there was a section in the conference room set aside for observers and there were observers there from a host of areas. I do not know at this stage of the game whether there is going to be any such physical accommodation.

Mr. Nixon: Sure, there will be.

Hon. Mr. Robarts: Well, all right, the leader of the Opposition speaks with such great authority, he probably has great influence with Mr. Trudeau.

Mr. Nixon: No, no; we will find a place.

Hon. Mr. Robarts: No, that is not my point. I make the point very clear, I do not have the conduct of this conference. It is not the responsibility of Ontario, we did not call the conference. I can say what my opinion might be and I can put opinions, but inevitably I will have to agree with either the government of Canada and the Prime Minister of Canada, the man who called the conference, or with some agreement that may be reached by all those participating.

I can tell you quite frankly I would have no objection whatsoever to inviting you to attend as observers; on the other hand, that does not mean that I do not recognize that some of these conferences are going to have to be held in private. But if the Prime Minister of Canada agrees with me and, let us

say, six of the other Premiers of Canada do not agree with me, it may be a little difficult for me to impose my will on such a powerful group of men.

So you see, I really have not the full decision myself. But I think my own position in this matter has been made very clear both, by word and by deed, over the period of the last few years.

One other question, Mr. Speaker, that I did not answer is whether I have been approached by representatives of any other organization. No, I have not. But I know that the Canadian Federation of Mayors and Reeves did, I believe, make some such representation to the government of Canada, to Mr. Trudeau, when they presented their annual brief. Then there is some discussion in this news report about that which obviously raises some constitutional difficulty. So I think we will probably have to have an exchange of correspondence in order to straighten this out.

Mr. Nixon: Mr. Speaker, I have a question of the Attorney General:

Does the Attorney General intend to intervene in the Bell Telephone rate increase application due to be heard May 20 in Ottawa?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, we filed notice of intention of intervention some time ago and we are preparing our case to that end.

Mr. Nixon: I wonder if the Attorney General can inform the House if the government of the province is going to assist the municipal leaders in the intervention that they are preparing as well? I think in the past the government did assist them in the preparation of their position.

Hon. Mr. Wishart: In a previous application where the company was seeking not an increase in rates, but an increase of return on capital investment, we assisted municipalities by financial assistance to their counsel and their expense. In this case, we are proceeding separately as a province to present the case on behalf of the public.

Mr. MacDonald: The first time since 1926.

Hon. Mr. Wishart: And the municipalities are proceeding, I assume, on a somewhat parallel course.

Mr. Nixon: If I could ask the Attorney General, are the terms of reference in the preparation for the intervention to blanket opposition to the position put forward by the Bell?

Hon. Mr. Wishart: I would not say it is expressed in those terms at the moment.

Mr. Nixon: Well, what are you going to do down there?

Hon. Mr. Wishart: Well, if I must reveal our case, which I am quite prepared to do as far as I can at this moment, we are asking for complete disclosure of returns of the nature of the industry, a segregation of the different types of industry that is carried on by this company, which is not only concerned with communication, but is also a manufacturer of various things. Then we will be able to assess the validity, the logic, the reason behind its application for an increase in rates.

So before we know whether we should entirely oppose it, we want to know whether their application is justified, and in order to know how far it may be justified we must have a great deal of information. That we are seeking. But our position is to protect the public in this whole matter.

Mr. Nixon: Where is the preparation carried out, in the department or has the Minister retained outside advice for this?

Hon. Mr. Wishart: We have retained outside assistance.

Mr. Nixon: Could the Minister tell us who it was?

Hon. Mr. Wishart: Perhaps I can get it for the hon. member.

Mr. Speaker: The hon. leader has a further question of the Minister of Health if he wishes to place it.

Mr. Nixon: Yes, Mr. Speaker. In view of the board of arbitration decision at Peel Memorial Hospital in Brampton to recommend wage increases beyond the maximum eight per cent allowed by Ontario Hospital Services Commission guidelines, what action will the Minister take to see that new pay rates do not have to be met entirely from local funds?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, I should point out that the Minister has no authority in this matter at all. That this is the responsibility of the hospital services commission under the terms of its legislation.

However, senior representatives of the commission will discuss with hospital officials

the cost of implementing the arbitration award, and review with them the extent to which funds can be provided from approved budget for 1969 by means of improved techniques, better methods and other management practices. When the internal savings have been jointly evaluated, then it may be necessary to review and revise the total budget.

Mr. Nixon: Might I ask the Minister if it is possible under these circumstances for the OHSC to depart from the guidelines if local conditions seem to warrant it?

Hon. Mr. Dymond: It could be, Mr. Speaker.

Mr. MacDonald: Mr. Speaker, I have a question which flows rather naturally from what the Minister has just been discussing—to the same Minister. It is in four parts:

1. Does the OHSC set ceilings on hospital costs by categories such as wages, food, etc?

2. Is it accurate that a hospital must get permission from the OHSC to switch funds from one category to another?

3. Was the Toronto General Hospital recently exempted from these procedures and given blanket authority to spend its budget as it sees fit?

4. How many other hospitals have asked for such authority?

Hon. Mr. Dymond: Mr. Speaker, may I take this question as notice? I was out of my office when it came in and I have not been able to get the information. I will have it tomorrow.

Mr. Speaker: The hon. member for Algoma-Manitoulin.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, I have a question of the hon. Premier.

Is the government prepared to provide $15,000 to 200 Cobalt residents who are fighting to save their homes which are located on a five-acre property belonging to Master Met-Cobalt Mines Ltd.?

Hon. Mr. Robarts: Mr. Speaker, I am not in a position to answer the question as phrased. I can only tell the hon. member that there is a meeting taking place now, or just recently concluded, with a group from Cobalt plus senior people from The Department of Municipal Affairs, and they are going into the problem. I have no personal knowledge of the problem that he mentions, but it is being dealt with at the moment in The Department of Municipal Affairs. No doubt an answer will be forthcoming in due course.

Mr. Speaker: The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question of the Premier of Ontario.

Was Ontario invited to attend a meeting of the governors of five mid-west states to discuss the health hazard brought about by DDT and insecticide concentrations in Lake Michigan?

Has an assessment been made by Ontario authorities of such concentrations in our Great Lakes water system?

Has Ontario been asked to participate in a monitoring programme to test the Great Lakes and their tributaries for pesticide concentrations in the water?

Hon. Mr. Robarts: Mr. Speaker, one year ago at a governors' meeting a committee of experts was established to report on pesticide problems in Lake Michigan. A representative of the OWRC served on that committee of experts to provide what expert information he had and could contribute. Information that he was able to give to this committee was part of the presentation made by the committee to the second governors' conference held in February, 1969, so that is our involvement with the governors' conference.

In answer to the second question, there is a co-operative monitoring programme at present under way in Ontario among the OWRC, The Department of Lands and Forests, and The Department of Agriculture and Food. To date, some 50 lakes and rivers have been examined and this monitoring programme is on a continuous basis.

In answer to the third question, yes, we have undertaken investigation of a monitoring programme to test the Great Lakes and tributaries. This is being done as part of our contribution to the studies of pollution in Lakes Ontario and Erie, and those studies are under the jurisdiction of the International Joint Commission which is carrying out a broad study of pollution in these international waterways. The information that we have been able to gather through that monitoring programme forms part of the report which is being submitted, probably today, by a board of technical advisors to the International Joint Commission which is meeting in Washington.

Mr. Paterson: Mr. Speaker, as a supplementary question, might I ask the Premier,

of the 50 lakes that were studied, has it come to the attention of the government that any one or more than one these lakes might have had a higher than normal concentration of DDT?

Hon. Mr. Robarts: Mr. Speaker, I do not know that I could answer that without going into a full study of what they have found. There is no doubt about it that the presence of DDT in some of our lakes is a matter of real concern. I would not attempt to say that it was not, and that is why these programmes are being carried out. It has not been brought to my attention that we have yet discovered levels that would cause us greater than, should I say, general concern. The general concern is probably that we cannot continue doing what we have been doing for these many years, but on the other hand, I am not aware of any specific case where there is cause for alarm.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management.

How many kilowatts have been produced at Douglas Point?

What was its peak and what was the longest continuous period of operation to date?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, Douglas Point has produced approximately 951 million kilowat hours to date. Its peak output has been 222 megawatts gross. Its longest single period of continuous operation to date has been 21 days.

Mr. Ben: May I ask a supplementary question of the Minister? When did it first come into operation? When was it scheduled to come into operation?

Hon. Mr. Simonett: Mr. Speaker, I am sorry I do not have that information in the House. If you would like to call Hydro, I am sure they would give you the information you are requesting.

Mr. Ben: Mr. Speaker, I have a question of the hon. Minister of Revenue.

Does the Minister believe that racial discrimination is being practised when take-out orders of fried chicken are exempted from the new 10 per cent sales tax, while take-out orders of pizza and egg foo yong are not exempted from the same tax?

Secondly, why is chicken chow mien not exempted since it contains chicken?

Mr. Speaker: The hon. member for Timiskaming has a similar question.

Mr. D. Jackson (Timiskaming): Why are take-out chickens exempt from the sales tax placed on all other restaurant food purchases of over $2.50, whether eaten on the premises or taken out?

Mr. Speaker, why is the Minister "chicken" about chicken?

Hon. J. H. White (Minister of Revenue): Well, Mr. Speaker, I think it might be reasonable to try to deal with the question of the hon. member for Timiskaming first.

We do charge the tax if chicken is sent with gravy and/or cole slaw and/or potatoes. We deem it to be a meal in those circumstances and, therefore, taxable. I would remind the House that the select committee said that they could see no difference from a tax point of view between meals eaten on the premises of the vendor and meals taken out and eaten elsewhere.

So this was an attempt to meet that particular recommendation and, in fact, we have the support of the industry generally speaking, because the onus has been on the vendor to prove that the meals were taken off his premises. This was very difficult for him to do on occasion. Therefore, he was left bearing some or all of the costs.

Generally speaking, the application was, I think, recommended and well accepted.

There are a small number of instances where this is somewhat troublesome, and now, dealing specifically with take-out chicken as I mentioned, if it is chicken and something else it is classified as a meal and becomes taxable. If it is a large mound of chicken and nothing but chicken, it is considered bulk food as if one had bought the chicken in a supermarket.

This is the interpretation that has been placed on this—

Interjections by hon. members.

Hon. Mr. White: —placed on this in every other jurisdiction in North America so far as we have determined, and it seems to be a rather reasonable application of the tax.

I think that this is not a form of racial discrimination. I myself had take-out Chinese food last Saturday night with some friends of mine in my own home. I think there is no strong positive correlation between one's racial background and the type of food that

one consumes, and so my answer to the first part of the question from the hon. member for Humber is no.

Why is chicken chow mien not exempted? Well, it would be if it were sold as a bulk food in a supermarket or some such place, but if it constitutes one of the several elements in a take-out order it is deemed a meal and is taxable for the reasons I gave earlier.

Mr. Ben: I wonder, Mr. Speaker, would the Minister accept a supplementary question?

As I said before, I think he is taking orders from Colonel Sanders, but does the Minister know anyone who has had egg foo yong with gravy and cole slaw?

Hon. Mr. White: No, I do not.

Mr. Jackson: Mr. Speaker, does the Minister not feel that it is ridiculous to tax food stuff in any form?

Hon. Mr. White: We are not taxing foods as you know. The select committee certainly did not recommend that meals be exempted. The Treasurer's (Mr. MacNaughton) objective was to exempt necessary meals, if I may express it in those words, and to tax the more expensive luxurious meals. I infer from certain remarks from the hon. member for Scarborough Centre (Mrs. M. Renwick) yesterday that she thinks it is entirely appropriate that these relatively luxurious meals should be taxable. I do not know if there is a little division in your caucus on that or not.

Mr. Jackson: Mr. Speaker, does the Minister believe that the $2.50 meal is luxurious?

Hon. Mr. White: Well, where I come from you can buy a very good meal for $2.50 and that is exempt. As a matter of fact, I was in a local emporium a week ago Saturday and I had a very decent full course meal for $1.25.

Mr. Speaker: Order! The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, a question of the Minister of Energy and Resources Management.

Because the construction of a new stack by INCO at Copper Cliff will not reduce the amount of emission of sulphur dioxide in the air, and because INCO announced its intention recently to increase its production by 30 per cent, will this not increase the amount of SO_2 being discharged into the atmosphere?

Did the Minister of Health issue a certificate of approval to INCO, as referred to in secion 7 of The Air Pollution Control Act, of 1967?

Is this not a licence granted to INCO to continue its policy of pollution?

Hon. Mr. Simonett: Mr. Speaker, I think that question should be directed to the Minister of Health as he is still administering that Act.

Mr. Martel: Will Mr. Speaker redirect it tomorrow?

Mr. Speaker: The hon. member for Sudbury East has several questions. Is it agreeable to the hon. member for Sudbury East and the Minister of Health that this be transferred as a question for tomorrow? The hon. member will continue.

Mr. Martel: Question of the Minister of Mines:

Has The Department of Mines ordered a monitor for sulphur dioxide for the Copper Cliff Smelter? If so, how many sample points can be connected to the analyzer and what did this machine cost the department?

Hon. A. F. Lawrence: Well, Mr. Speaker, the House may not appreciate that on my assumption of this office I attempted to find out various levels of concentration of sulphur dioxide in the Copper Cliff smelter. Quite frankly, sir, I was appalled to find that there was no constant monitor of sulphur dioxide levels in the Copper Cliff smelter itself and, therefore, it seemed to me that both management and labour, under these circumstances, and certainly the government, was at a distinct handicap.

From that time, I have placed a great deal of my own time and those of my officials over the last year in going about attempting to find if such a monitor was available. I should relate to you, sir, that each research lab that we have gone to has indicated to us that certainly there should be such a monitor in existence.

Unfortunately, they have not particularly heard of one. I have gone around to most of the equipment and instrument makers in North America, all of whom say that such a machine should not be hard to locate. The only trouble is that they do not sell one.

With that in mind, and in view of the matter, we have also retained the Ontario Research Foundation for advice and we have

been getting the same line of argument from them. We have finally indicated to an instrument maker just exactly what we want.

We want a portable monitor. We want a constant monitor. We want to be able to have control of it ourselves, and move it around ourselves. We have now ordered a portable SO_2 analyzer recorder, but I am not quite sure in my own mind if it is exactly what we want. I do not know if it will meet some of the requirements of what the union desires either, but we have ordered it at a cost of $3,212.

The difficulty with it is that only one sample can be taken at a time. But it is portable, and we want to see how it works out before we start attempting to lay down our rules and our regulations in respect of the use of it. We are looking at this quite frankly, and I think the US Bureau of Mines will be watching our experiments quite closely, too, to see if it really does fill all the requirements for everybody concerned.

We have ordered it; we have not yet received it. The difficulty is that only one sample can be taken at a time, but being portable the monitor can be moved from place to place as required. We have not yet received delivery of it.

Mr. Martel: Well, a supplementary question, then, Mr. Speaker. Would the Minister, again going back to Friday's question, be willing to accept the offer by United Steel to purchase a couple of these monitors to assist his staff. They could be located under jurisdiction of The Department of Mines, since it has exclusive rights to handle this, and two or three of them could be located throughout the plant, rather than just the one.

Hon. A. F. Lawrence: As the hon. member knows, I have asked the union to furnish me with the particulars of the type of monitor they have in mind. So far, I have not had a reply, but then they have only had my letter for a few days. As soon as I find out what the union has in mind I would be glad to discuss this with them.

Mr. Martel: Question of the Minister of Mines:

Can the Minister assure the workers at Inco and Falconbridge that they will not be penalized by the employer if, for reasons of health, they refuse to work in gas concentrations which go beyond the safety level of five parts per million of sulphur dioxide, and remain off work until the gas concentrations are reduced to the threshold limit?

Hon. A. F. Lawrence: Mr. Speaker, I had no notice of this particular question. I am sure that it was received in my office at a late hour, but I was not able to be there. If the hon. member will permit me to answer it without consulting my advisors, may I merely say that I feel the concept of our safety legislation is exactly this—we have safety and health legislation for the workers, for both Inco and Falconbridge.

Therefore, if one of our engineers finds a situation, whether it be SO_2 or anything else, that at his discretion he feels warrants the closing of the plant, or feels some immediate substitution of procedures, or methods or rectification is warranted, he is at liberty at that point—and as a matter of fact it is his responsibility—to see that those changes are immediately made. If there is a stoppage of work because of our engineer's report, then this is certainly a matter that should be dealt with as far as negotiation between management and labour is concerned themselves, and something that I do not feel that The Department of Mines should be injected into as far as those circumstances are concerned.

Mr. Martel: A supplementary question, then. Is the Minister aware of the fact that the men are regularly confronted with the problem of an excess of concentrations of gas of 50 to 200 parts per million, and it is a grey area in that they do not know how to react to the problem? Would the Minister, then, undertake to advise them of their legal rights to leave the job and not be jeopardized by having their jobs taken away from them?

Hon. A. F. Lawrence: I can merely reiterate, Mr. Speaker, that if levels of that concentration of that particular gas were found by our engineer—and so far they have not, as the hon. member knows—but if they were found at those concentrations, and as a constant concentration, if I make myself clear, in the working area, then it would be the duty or our engineers to close the place up and send them all home, or else require management to immediately rectify the situation. So far our engineers have not found those circumstances to be present, so it is a hypothetical question.

Mr. Martel: I do not want to pursue it, but did I understand the Minister correctly when he said that gas concentrations of 50 to 200 parts per million were not found in either the Copper Cliff smelter or the Falconbridge smelter?

Hon. A. F. Lawrence: Let me clarify my statement: I said that constant concentrations which would endanger the health of the workers in the working areas have not been yet found by our engineers, and if were found, management would certainly be required to rectify the situation.

Mr. Speaker: The hon. member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, thank you. I have a question for the hon. Minister of Municipal Affairs.

Is the Minister prepared to include an amendment to Bill 118, which would equalize Hydro and telephone rates in the Lakehead city as of January 1, 1970?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the rates to be charged for Hydro and telephone are matters to be settled by the Hydro Electric Power Commission of the Lakehead and by the city council respectively, and it would be neither necessary nor desirable in our opinion to include a rate structure in the bill itself. I am given to understand that the officials of the utilities and of the city are both studying the effects and are receiving a report from Ontario Hydro as to the implementation of equalization changes and charges.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Minister of Health.

How many patients are at present under active care at the Northeastern Psychiatric Hospital? What is the maximum capacity of this hospital, and when will this hospital be able to operate at full capacity? How many vacancies exist on the medical staff, and when does the Minister expect these vacancies to be filled?

Hon. Mr. Dymond: Mr. Speaker, there are 60 in-patients at present under active care at Northeastern Psychiatric Hospital. I do not have the numbers for the out-patient or day care case-load. The maximum bed capacity is 250. It is not known when the hospital will be able to operate at full capacity, but a goodly portion of the building is at present being used for other purposes. One vacancy exists on the medical staff and we are in negotiation with a prospective candidate to fill this position.

Mr. Ferrier: I wonder if the Minister would accept a supplementary question. Is the Minister satisfied that the province is getting a sufficient return by way of services from this $5.5 million complex?

Hon. Mr. Dymond: Yes, I think we are, Mr. Speaker.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question for the Minister of Energy and Resources Management.

In view of the Minister's statement yesterday that cooks employed in Hydro construction camps are paid under the minimum wage law, as it refers to the hotel, motel, tourist resort, restaurant and tavern industry, would the Minister indicate in which category he places Hydro construction camps under section 1(e) of the regulations made under The Employment Standards Act, 1968, particularly since he states earlier that these cooks do not pay for their meals. If I might add further; 1(e) states that hotel, motel, tourist resort, restaurant and tavern industry means—

Mr. Speaker: Order. The rules regarding questions in this House state that they are not to include any statement of fact, and the hon. member is now attempting to do that. I think the Minister is quite capable of finding the necessary reference.

Hon. Mr. Simonett: Mr. Speaker, I did not state yesterday that cooks employed in Hydro construction camps are paid under the minimum wage law as it refers to the hotel, motel, tourist resort, restaurant and tavern industry. I stated yesterday, and I will read my answer again:

> The rate negotiated between the Ontario Hydro and the Hotel and Restaurant Employees and Bartenders International Union for the lowest level of third cook is $64.15 per week, increasing to $71.93 after six months, plus the value of free board, which for tax purposes is valued at $17 per week for a 44-hour week.

I think, Mr. Speaker, that $64.15 for a 44-hour week works out to $1.46 an hour, which is over the minimum wage.

Mr. Stokes: As a supplementary, Mr. Speaker, the Minister said earlier that they were not being deducted for the value of food and lodgings in the earlier part of our—

Hon. Mr. Simonett: No. I said plus.

Mr. Stokes: No, but the Minister said it was not being deducted, so it was not a part of the hourly wage.

Hon. Mr. Simonett: It is not.

Mr. Stokes: I have cheque stubs that show they make $1.20 an hour, so how does the Minister explain that?

Hon. Mr. Simonett: Mr. Speaker, I said that we were paying them $1.45 an hour at the lowest rate, plus they get free board and room. If the member knows a case of someone who is a "cookee" or third grade cook with Ontario Hydro and is getting less than that, Hydro would like to know about it and so would I.

Mr. Stokes: Will the Minister assure me that if I provide him with the proof that they are being paid $1.20 an hour he will take action?

Hon. Mr. Simonett: There is no need for me to take action. This is a rate negotiated by the union representing these people. If you can provide me proof that somebody is getting less I would like to know about it and so would Hydro.

Mr. Stokes: Well, with what they are being paid, and what the Minister says they are obligated to pay them, there is no relevance at all, so I will furnish him with that proof.

Mr. Speaker: The hon. member is now getting quite out of order. The hon. member for Timiskaming.

Mr. Jackson: Mr. Speaker, before the orders of the day I would like to rise on a point of order.

On April 15 I placed a question with the Minister of Social and Family Services concerning the Master-Met Mining Company and several welfare recipients who will be evicted as of today, providing they are unable to raise the $1,000.

The Minister took it as notice. It is some time since the question was put to—

Mr. Speaker: The hon. member is not raising a point of order at all.

Mr. Jackson: Well, Mr. Speaker, my point is this. Is there not something that you can do to ensure that questions are answered while they are still pertinent to the situation that exists?

Mr. Speaker: There is nothing that Mr. Speaker can do other than as he has in the past to direct these questions be answered. The answering of questions lies under the rules I think quite properly and fairly, with the Minister to whom they are directed.

Mr. Jackson: Well, Mr. Speaker, as the Minister is now in the House, is he prepared to answer the question today?

On April 15, Mr. Speaker, I placed a question with the Minister of Social and Family Services concerning the Master-Met mining property and the eviction notices have been issued to several of the residents.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, the hon. member and I have been in the House simultaneously on a number of days.

Of the approximately 50 homes in the Master-Met property, three are currently occupied by recipients of family benefits and general assistance. There are, in addition, several recipients of old age security.

I am informed—and this is as of April 18—that the town of Cobalt is most concerned to arrive at a solution, and to this end has been working closely with a committee of the residents of this property and The Department of Municipal Affairs. These meetings are continuing and The Department of Social and Family Services will be involved in the discussion of any aspect of the matter which relates to the interest and circumstances of recipients of assistance.

Mr. Jackson: Will the Minister accept a supplementary question?

Today is the day of eviction. A notice has been issued to that effect. Are they to be evicted, or has the department made other arrangements?

Hon. Mr. Yaremko: I have not been advised of any actual evictions. As I say, I had the answer here as of April 18. That is the information I have as of April 18, but I imagine my people would have kept me advised.

Mr. Jackson: A further question, Mr. Speaker. Will the Minister look into the situation as of today?

Hon. Mr. Yaremko: Yes, my people will be keeping me informed.

Mr. Speaker: Perhaps the hon. Minister might, outside of the House, communicate with the member with respect to this matter?

The hon. member for Lakeshore?

Mr. P. D. Lawlor (Lakeshore): A question for the Minister of Justice and Attorney General.

Will the Minister give consideration to changing the law so that drunkenness in a public place is no longer an offence?

Hon. Mr. Wishart: Mr. Speaker, the Alcoholism and Drug Addiction Research Foundation has been studying the matter of the chronic drunk situation with respect to persons addicted to drunkenness for some time, and I am awaiting the report upon which I would then act. I have sought to have the report hastened. We should have it soon I trust.

I might say in answer to the question I am not entirely satisfied with the present treatment which we afford to persons suffering from drunkenness, and particularly the chronic drunk who returns to court. But I should like to await the study which is being done by the alcoholism research foundation, and I think we should have that soon.

I might say, too, I am not altogether satisfied that the action taken by some of the western provinces, of which I am aware, in giving the policeman the sole judgment as to when a person is drunk and to pick such person up, how long he may keep such person and then let him loose.

I am not sure that placing the matter outside the law to that extent will prove altogether satisfactory. I think it is certainly open to some abuse. I think it is open to an ineffective method of treatment to say to your police people: "You may judge when this person is drunk; you may take him in; you may keep him until you feel he is dried out, safe to return, or he is over his spell."

I am not sure about the rights of the person who is being picked up, apparently for his protection. Perhaps they are being trespassed upon. I think there is certainly an opportunity for abuse, and I think there is opportunity for neglect.

I say I am not satisfied, I am not happy, with our procedure, but we are having a study done and I would like to wait until I get it.

Mr. MacDonald: Mr. Speaker, I wonder if you might be able to clarify a point, or if not you, through to the Prime Minister.

My colleague this afternoon asked a question, with regard to air pollution, that was directed to the Minister of Energy and Resources Management who said that his falls under the jurisdiction of the Minister of Health.

I assume that technically that switch in jurisdiction does not take place until the bill that is now on the order paper is passed. But may we have some clarification? With which Minister will air pollution be handled in this year's estimates? Or is that likely to switch depending upon when the estimates are called and the bill is passed?

Hon. Mr. Robarts: Mr. Speaker, it will be in the estimates of the Minister of Health as they presently stand. Once the bill becomes law transferring it in the estimates, the money voted on the one estimate will be transferred for expenditure to the other department. At the present rate of progress I would hate to make any estimate as to when we would complete the estimates of the Minister of Health, or even reach them.

Hon. Mr. Wishart: Mr. Speaker, I have two or three questions which I took as notice, some of them running back a few days. I should like to answer if it is in order.

I have one from the hon. member for Sarnia (Mr. Bullbrook) which he asked on April 2. The question is: In view of the increasing responsibility of justices of the peace as a result of proposed current and past legislation, would the Attorney General advise as follows:

1. What criteria has his department established in evaluating the qualifications of persons appointed to such office?

2. Is there any programme of continuing education and training afforded to justices of the peace?

3. What type of examination or review as to competency is conducted by the department?

Mr. Speaker, the answer to question 1 is that the requests are received in my department for appointment for justices of the peace, either as a replacement or additional appointments to service the needs of the public. They are received from the police, sometimes from the Crown Attorneys and from other interested parties.

We then attempt to establish the need for the additional appointment and for the service, and when the need has been established the name or names of those recommended are checked in the local area. They are then refered, in accordance with the provisions of section 2 of the Justices of the Peace Act, which in RSO 1960, chapter 20; they refer to the local county or district court judge who examines the applicant and if he finds him qualified for the position he issues a certificate to that effect.

To the second part of the question, is there a programme of continuing education and training, the answer is yes. A manual for

the justices of the peace was prepared by the senior Crown Attorney in 1968, and it was something I had been seeking some time prior to that date. We had the manual prepared in 1968. It was distributed to all justices of the peace. I am going to make a copy of that, Mr. Speaker, available to the hon. member.

Mr. V. M. Singer (Downsview): Is it available to me too?

Hon. Mr. Wishart: There is a manual and the forms which accompany it. If I might have it delivered to the hon. member for Sarnia.

Mr. Singer: Does the hon. Minister know if they read it?

Mr. J. E. Bullbrook (Sarnia): That is the next part.

Hon. Mr. Wishart: Oh, I think so. Copies of that manual are distributed to all justices of the peace, also copies of the Canadian Criminal Code have recently been distributed to the offices of the Crown Attorneys in the various counties, and in the districts, to all justices of the peace. Meetings have been held by the Crown Attorneys at the instigation of the senior Crown Attorney. It is intended that such meetings will be held at regular intervals in the future.

I would add that it must be remembered that the duties of the justice of the peace are carried on within the framework of the administration of justice and are therefore subject to the scrutiny and review, not only of the other Crown officers but also of the judiciary.

I think I may say generally we have done a good deal to train, to educate, to assist and to keep up to the mark the Crown Attorneys and the justices of the peace which we appoint.

Mr. Bullbrook: If the Attorney General would permit by way of supplementary, Mr. Speaker, the third part of the question I felt to be the focal point. I must say most respectfully that I think the answer falls down there. Is there no system of continuing review by your department as to the adequacy of the talent and knowledge of these justices of the peace? Must we rely purely upon local Crown Attorneys and so on?

Hon. Mr. Wishart: Not just on local Crown Attorneys—although the Crown Attorneys, do not forget, are members of the department and they are part of the administration of justice. We do review all matters with them. They do report. They do inform us and, as I say, the judiciary itself lets us know from time to time the qualification or the ability, the capability of our justices of the peace. We have a pretty capable and pretty thoroughgoing knowledge of the situation with respect to these gentlemen. Those who are not of higher capability are not assigned the higher duties that some of them carry on.

Mr. Singer: Are the transcripts in the *Telegram* about a justice of the peace being unaware of a witness' right to affirm, rather than swear, correct?

Hon. Mr. Grossman: An unofficial question.

Hon. Mr. Wishart: I have a question on that. Mr. Speaker, a question was asked on March 28 by the hon. member for Brantford (Mr. Makarchuk), question number 1044. The question was:

> Is the Minister aware that Mr. Joseph Viner of 14 Major Street, Toronto 4, appeared before Judge R. K. Hirtle in court "K", old city hall on March 24, on a traffic offence and was refused by the judge to make an affirmation instead of an oath and consequently lost his case because he was unable to plead?

That is not a factual statement. The question is wrong in that respect. However, I will read the second part as it was given:

> Is it not mandatory for judges acting in Ontario courts to accept an affirmation when the person to be sworn in, refuses to take an oath under section 18 of The Evidence Act?

The third part of the question is:

> If so, will the Minister instruct Judge Hirtle to reopen Mr. Viner's case so that he may have a court hearing in the proper manner?

I should like to answer, Mr. Speaker. I did answer part of this question at the time it was asked.

The answer was that I took notice of the question on March 28 and my advisors have looked into the matter and I have read the transcript of the proceedings.

Mr. Viner refused to be sworn on the Christian Bible, that is the first one. Section 18(1) of The Evidence Act of Ontario states the grounds upon which a person may make an affirmation rather than take an oath; but it must be noted that there are specific grounds which permit this alternative. After considerable discussion with the court and after a Hebrew Bible had been produced

for the witness he still insisted that he would swear on his honour.

Mr. Singer: Because he said he did not believe according to the story in the *Telegram.*

Hon. Mr. Wishart: He said he would swear on his honour. The justice of the peace asked him the specific question, "why will you not be sworn?" Mr. Viner replied, "I don't have to give you a reason" and, he would not give a reason.

Mr. Singer: He did at one stage in the transcript say he did not believe in the Bible.

Hon. Mr. Wishart: I have read the transcript, I have in here in front of me. His answer was, "I don't have to give you a reason. Listen, I am not a liar, I am talking on my honour."

Mr. H. Peacock (Windsor West): Read his explanation.

Hon. Mr. Wishart: That is the transcript I was quoting from and it was in this context, Mr. Speaker, that we find the facts. Had Mr. Viner given his reasons and provided an answer to the question, quite properly put by the justice of the peace, then the matter would have been resolved. It is not mandatory for a judge to accept an affirmation unless it falls within the circumstances of The Evidence Act under the section I quoted.

The justice of the peace attempted to get the reasons but these were refused. I do not intend to take any further action in the matter which, in my view, is the situation created by the attitude of the defendant as it is disclosed by the transcript.

I would note further, Mr. Speaker—as I read the transcript—that Mr. Viner did examine his witnesses and did present the evidence of his witnesses, but he refused to give any reason why he would not either swear or affirm. He did not, therefore, come within the section of The Evidence Act.

Mr. Singer: Mr. Speaker, on a point of order, there was an article—I do not have it in front of me—but I think it was in yesterday's *Telegram* which purported to quote extracts from that transcript. At least one sentence in the extract that was in the paper, quoted Viner as saying, "I do not believe and that is why I am not going to swear on the Bible." Now further than that he did—there were parts that read the way the Attorney General said they did.

Mr. Speaker: Is the hon. member disputing the statement by the hon. Attorney General?

Mr. Singer: Yes, I am sir. Yes I am sir. That is my point of order.

Mr. Speaker: The hon. the Attorney—Order!

Mr. Singer: —and I say the Attorney General should quote all pertinent parts of the transcript.

Mr. Speaker: Order. What is the member's point of order, first?

Mr. Singer: My point of order is that the Attorney General has not completely quoted from the transcript. He selected a section which gives a wrong impression of what happened in that case.

Mr. Speaker: Actually the point of order then is that the hon. member is alleging that the Minister is misleading the House. It is not a point of order that he has not read correctly from the transcript. Perhaps the hon. the Attorney General would wish to speak to the point of order which I believe is one that he has been misleading the House.

Hon. Mr. Wishart: Well, Mr. Speaker, I do not quite get the hon. member's objection if that is what it is. I have the transcript here. I have no objection to reading it all if the House permits, if the rules permit. It is not very long.

The clerk of the court said: "Take the Bible in your right hand, sir."

Mr. Viner said: "I don't want to swear on the Bible, I will take it on my honour."

The court: "Why, why won't you swear on the Bible?"

Answer: "Because I don't believe in it."

Mr. Singer: There.

An hon. member: That is the one.

Hon. Mr. Wishart: I am not hiding that. He said that—

Mr. Speaker: Order. The hon. member will let the Attorney General continue.

Hon. Mr. Wishart:

The court said: "What is your religious faith?"

Mr. Viner said: "Hebrew."

Court: "You can be sworn on the Books of the Old Testament, can you not, the Books of Moses?"

Mr. Viner said: "Do I have to swear on the Bible?"

The court: "On the Books of Moses, that is the Old Testament."

Mr. Viner: "I know it is the Old Testament, I don't believe in it."

The court: "You don't believe in the Books of Moses, is that right?"

Then the transcript says his answer was indiscernible and the court's reply was indiscernible and the matter went on:

The court: "Do you believe in the teachings of the Books of Moses?"

Mr. Viner said: "I do not believe in the Bible."

Mr. Singer: There it is three times.

Hon. Mr. Wishart: Now:

Mr. Viner said: "Yes, I will swear on my honour."

The court said: "The court will not accept that. You do not believe in the Books of Moses, is that correct?"

Mr. Viner: "I don't believe in the Bible."

The Court: "I am not asking you to be sworn on the Bible, I am asking you to be sworn on the Books of Moses."

Mr. Viner: "No sir, I am not going to take the oath on the Bible, I will take it on my honour."

Then a Hebrew Bible was produced, but he refused to take the oath and he refused then to give any reason why he would not swear. It says:

The Court: "Why will you not be sworn?"

Mr. Viner: "I don't have to give you a reason."

Mr. Singer: He has given it four times.

Mr. Bullbrook: The justice should have given him a reason—

Mr. Speaker: Order, order!

Hon. Mr. Wishart: No, The Evidence Act says—

Mr. Speaker: If the hon. member wishes the floor of the House he will rise on a point of order.

Hon. Mr. Wishart: He says, "I don't have to give you a reason," and he repeats that. The court says, "Yes, you do," and he says, "No, I don't have to give a reason and I won't give a reason." And that was it.

Now then, he must state, according to The Evidence Act, that on grounds of conscience he will affirm, but he would not give any reason that he did not believe in the Bible.

Mr. Bullbrook: Mr. Speaker, am I entitled to ask a question of the Attorney General?

Mr. Speaker: Not unless the hon. member has a point of order.

Mr. Bullbrook: I can raise no point of order that I see available to me, sir.

Mr. Speaker: The hon. member for Brantford has the opportunity of asking a supplementary question.

Mr. M. Makarchuk (Brantford): Would not the Minister of Justice agree that this is sort of a grey area, that there is a reasonable area of doubt as to what Mr. Viner was saying and what the judge thought he was saying, and that under those circumstances the Minister should try to reopen this case and have it tried properly?

Hon. Mr. Wishart: Having examined the case, and having read the transcript, I do not think that I would feel there was any miscarriage of justice which would justify the reopening of the case. I do think that perhaps the justice of the peace might have gone a little further than he did, and said, "There is a right for you to affirm, but you must give a reason why you do not wish to be sworn."

Mr. S. Lewis (Scarborough West): He gave the reason.

Mr. Singer: The Minister should have that in the first place.

Hon. Mr. Wishart: Perhaps, but I think there was no miscarriage of justice here.

Mr. Speaker, I also had a question asked on March 26 by the hon. member for Scarborough Centre, and I should like to answer it today. The question was:

> Would the Minister advise the House of the findings and recommendations of the coroner's jury in each of the three following inquests into infants' deaths in Toronto: (a) Carol Ann Young, (b) Patrick Carr, and (c) the Ambing infant born of two mental defectives?

And then the question continued:

> In the Ambing infant case was testimony received that conception probably took place at the Toronto Psychiatric Hospital at 999 Queen Street West?

Mr. Speaker, I took notice of that question which was number 1026 and I would now like to reply.

The answer to the (a) part of the question —Carol Ann Young, aged five months—is that

the jury found from the evidence submitted that Carol Ann Young came to her death from accidental asphyxiation, at 1316 Queen Street East, in Toronto. The recommendations of the jury were as follows:

> We, the jury, protest the obvious lack of complete communication and action, particularly in areas where the needs seemingly fall outside the main jurisdiction of the welfare agencies. We consider this death unnecessary.
>
> We urge that the administrative head of the welfare agencies be instructed to recommend and take whatever steps are necessary to improve the communication and resultant actions of the agencies to achieve results more in keeping with the true needs of the individual.

That was the full recommendation by the jury.

The (b) part of the question was with respect to Patrick John Carr, aged 20 months. Mr. Speaker, the jury found from the evidence submitted, as follows:

> That Patrick John Carr came to his death as a result of the misuse of restraining harness (to prevent him from falling from bed), which became entangled around his neck, causing strangulation at 800A Bloor Street West, at about 12.13 p.m. on January 5, 1969.
>
> Although there was misuse of the harness, and temporary lack of supervision on the part of the parents, we find that there was no deliberate intent on their part.
>
> We, the jury, recommend greater stress and control be exercised over the sale and advertising of baby restraining harness of the various types currently available, to ensure their proper application.

The third part of the question was relating to William Frederick Ambing, aged five months, and the jury in that case found, as follows:

> We the jury find from evidence submitted that William Ambing, also known as William Frederick Torrie, came to his death by asphyxia, due to regurgitation in his crib, sometime after 4 a.m. and before 7.30 p.m., on December 10, 1968, at 61 Springhurst Avenue, Toronto, Ontario.
>
> Even considering the mental condition of the parents, there was a basic neglect on the part of the mother, Miss Patricia Ball, which we feel could have been a contributing factor to this child's death. We recommend that she have further psychiatric treatment.
>
> Another contributing factor could have been the lack of communication on the part of all agencies involved in not recognizing the situation and not taking positive action, with the exception of the public health nurses, who we feel are to be commended for their sincere interest and actions to the full extent of their authority.
>
> We would like to recommend that a newborn child of the mother, with the past history of mental illness, should automatically be considered for protective care or supervision by the children's aid until the parents have proven their ability to properly care for the child. A hospital where the child will be delivered will automatically alert the children's aid based on the mother's past medical record. In such cases there should be an immediate, written cross-reference between the children's aid and (1) the public health nurses, (2) the welfare department, and (3) the Ontario Hospital or origin of mental treatment.
>
> It is our recommendation that the children's aid society jointly establish a central communication file system in all welfare services, so that there will be no delay in ascertaining the needs and history of the recipients. We recommend that Ontario Hospital re-examine its present policy of internal supervision, in an endeavour to prevent a situation such as this arising again.

Mr. Speaker, in answer to the last part of the question, "Was testimony received that conception (probably) took place at Toronto Psychiatric Hospital?" I can answer that in the course of the inquest it was not definitely determined where the child was conceived. The purpose of the inquest was to establish when, where, how and by what means the deceased child came to its death, not to establish where the child was conceived.

Mr. Speaker, there was one further question that was asked by the hon. member for High Park (Mr. Shulman), on April 2, at which time I took notice.

Mr. Speaker: Perhaps we could ascertain if the leader of that party would wish this answer given. The member for High Park is not here; there is an answer to a question, please.

Hon. Mr. Wishart: Perhaps I could help, Mr. Speaker. The answer was simply as to whether an inquest was being held.

Mr. MacDonald: Could we put this on the record, and if there is a supplementary the hon. member could ask it later?

Mr. Speaker: I would not allow it to be done on that basis. A supplementary question, so far as I am concerned, can only be asked when the answer is given, and that is why I am trying to protect the members.

Mr. MacDonald: Mr. Speaker, call it a supplementary or what you will. Another question will be asked if need be.

Hon. Mr. Wishart: The question was:

> Is an inquest going to be held into the death of Mr. William Smith of Oakville, whose car collided last week with a tanker on the Queen Elizabeth Way? And second, will the Minister direct the coroner's office to hold an inquest without delay, as has been requested in an editorial in the Oakville *Record* of April 1?

I took notice of that question, Mr. Speaker, and my officials made a thorough investigation into the matter. As a result of that investigation, an inquest commenced, as of this date, in the municipal town hall of Oakville.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I have the answers to two lengthy questions, 983 and 982. I will file them with the Clerk.

Mr. Speaker: In order that there may be no misunderstanding in connection with a memo from the Speaker concerning the visit to the planetarium, the invitation is for the members of the assembly and staff—and that is members of the assembly staff, not members of the staff of members, whether they be Ministers or leaders.

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, I have a question for the Minister of Trade and Development, question No. 1266.

For what months is heat provided to tenants in Ontario Housing Corporation units?

Hon. Mr. Randall: Where heat is provided by Ontario Housing Corporation in those buildings which have central heating systems, adequate temperatures, in accordance with municipal bylaws, are maintained during the periods January to June, and September to December, inclusive, in each year. In the case of those units with individual furnaces, where the rental rate is inclusive of heat, the tenant controls this himself.

Mr. Speaker: Orders of the day.

CITY OF LAKEHEAD

Hon. W. D. McKeough (Minister of Municiapl Affairs) moves second reading of Bill 118, An Act respecting the city of the Lakehead.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, I rise to oppose this Legislature's giving approval in principle to this Bill 118, which incorporates the city of the Lakehead, because it does not include provision for the citizens of Fort William, Port Arthur, Neebing and McIntyre to express their opinion on the matter in a plebiscite or referendum, after they have repeatedly, in numerous ways, specifically requested that right.

Mr. Speaker, I find myself here today as one of two members from the Lakehead. Our people are 900 miles away, but they are very concerned about this bill. I would say with a reasonable amount of authority that at least 78 per cent of Lakehead people want to be able to vote on this matter in a plebiscite before it is passed by this House. These wishes of my people have been put to the hon. Minister and the government in a variety of ways, and yet the same answer keeps reverberating back: No, no, no.

Perhaps it is because the government looks upon my people as so many facts and figures. The fact that the hon. Premier (Mr. Robarts) is leaving the House at this moment as I prepare to present the voice of the people to this Legislature perhaps is confirmation of our suspicion that they simply do not have time down here in Toronto to think about people's feelings.

Now, Mr. Speaker, I would not like the members of this Legislature of the people in southern Ontario, who have given this Conservative government a mandate to rule, to think that I am just a voice from the north trying to stir up trouble down here, and the government is trying to maintain order in the province and move ahead with what they believe are progressive programmes.

Mr. Speaker, I was at the Lakehead not more than two days ago and it was rather sad to speak to people in many places and to hear them say: "Keep up the fight Ron, you are our last hope; we must have the right to vote on this matter. Do not let the government take this right out of our hands".

How can a member who feels the responsibility of his office turn a deaf ear to that kind of a plea? Mr. Speaker, there are many other pleas of this nature upon which I have affidavits which I feel should be presented to this Legislature.

I do not think this bill should receive approval in principle until it includes measures to allow the people to vote on the matter. Before this legislation moves any further, I plan to make it my business to make sure that this House knows just how many people there are at the Lakehead who are requesting this vote.

I plead with this Minister, with this Premier, with this government and the people of Ontario who gave this Robarts government the mandate to rule, not to perpetrate this highest of insults upon the Lakehead people; not to force your wishes, your principles, your designs upon this beautiful people up there. Up until now the Lakehead, the north, has held a special significance to our people; people over the years who have had the courage, the backbone, and the sense of adventure, to travel into the northern part of this province, and to find something very special there, and to stay there and to develop that area when others did not have the backbone and the courage to go north.

This is the kind of people that you are telling now—even though you ask, you may not decide your own affairs. Yet this is a people which has always really decided their own affairs, and this is the greatest insult you can perpetrate upon them.

The issue at the Lakehead today is no longer one of amalgamation—will we merge —but one of democracy. It has become a question now of who decides whether the Lakehead municipalities of Fort William, Port Arthur, Neebing and McIntyre should be merged into one city. Who decides it? Does this government decide it, or do the people there decide it?

Has it never occurred to this government, to this Minister, has it ever occurred to them that the Lakehead people have always felt that this would be their decision? Does it not occur to this government that they may be removing this mandate from the people and assuming more responsibility than they should assume?

I accept the fact that this government does have this authority. I accept the fact that having been elected by the people that there are certain things the government has authority to do. But when a government has indicated the intention to do something like in the case of Bill 118—to merge these four municipalities—and there has been such an outcry from the Lakehead people saying let us do it, please give us the voice in this matter, how can a government turn around and say no, we take that responsibility from you.

Has it ever occurred to anyone here, Mr. Speaker, that perhaps the Lakehead people want to accept that challenge? Perhaps they do not want to lean on somebody else to fight their battles for them or to decide these matmatters for them? If I know the Lakehead people like I think I know the Lakehead people, then they maintain the right to decide this matter themselves.

I suspect, Mr. Speaker, that perhaps the reason that this has been taken out of the hands of the people at the Lakehead by the government is that the government is afraid that the Lakehead people will vote it down. This is where I disagree with anyone who feels that the Lakehead people would not pass this. We have affidavits to prove that they would.

I can recall back in 1963 conducting a radio programme. During the course of a full day we took phone calls on nothing but "are you in favour of amalgamation or not?"—700 phone calls, and at the end of the day, 78 per cent of the people were in favour of amalgamation.

At the beginning of this year, in January, Professor Ron Taylor of Lakehead University announced the results of a survey which he had conducted with some of his students. He told the Lakehead people that he had analyzed, or had surveyed 1,000 homes in the Lakehead, let us say 1,000 taxpayers, a good broad cross-section of the Lakehead.

Then he gathered in the material and put it through a computer in order to analyze it and break it down and he announced his findings. Mr. Taylor said that of the 1,000 persons surveyed, 79 per cent were in favour of amalgamation. So how can anybody say we are afraid the Lakehead people might not approve this?

Of those 1,000 surveyed, 78 per cent felt that there should be a vote on the matter. In other words, the people should retain their own self-determination. He said the main reason given by most of these people—90 per cent of these people—was that they felt that this legislation was being jammed down their throats, and I think that supports my argument that the Lakehead people are big enough, are intelligent enough, to do this matter on their own.

They do not want it to go down in history for all posterity, for their children and their children's children, to think that Lakeheaders who live in this day and age, 1969, did not

have the courage to take this step and their own, in the interests of their children, because they could not part with the past, or they could not accept change, or they could not face the future.

The responsible adults at the Lakehead today would like to assume this job themselves, and they need no one down here to come to the Lakehead and take the job away from them.

Mr. Speaker, I would like this House to give very serious consideration to this plea from the Lakehead. In the course of the next little while I hope to be able to present sufficient affidavits to convince this House that there is no question of a doubt that the Lakehead people want this right. Many demand this right. This government is, in effect, enforcing and coercing the Lakehead into something which they would like to do on their own.

Now, Mr. Speaker, I have a wheelbarrow full of affidavits, as I said. I have a petition bearing the signatures of 6,292 Lakeheaders who do not say they oppose amalgamation, but simply say whether for or against the incorporation of this new Lakehead city, we demand our democratic right to vote on it in a plebescite. 6,292 names. Consider, Mr. Speaker, these petitioners, those Lakehead freedom fighters had the backbone, the initiative and the courage to get out to plan, to draw up, and then to circulate a petition.

We are not allowed to place that petition in supermarkets, department stores, the Lakehead labour centre, and other such places where people gather. You will realize what interference there has been with democratic process, because those people who are pushing amalgamation so quickly, what are they afraid of? Are they afraid to know what the Lakehead people really want? Are they afraid to allow those people to register their feelings and their names?

Why would not, Inter-City Shopping Plaza, for example, allow this petition to just simply sit there for people to sign or not sign? This petition is a way of giving the Lakehead people a change to express their opinion through this petition. But these people were hampered in their efforts to circulate a simple petition.

One of the groups of Lakeheaders who so strongly worked—not necessarily against amalgamation, although to be fair I will say they did in some ways work against amalgamation, but they primarily worked toward getting to the Lakehead people the right to make this decision—was the Fort William taxpayers association. It was later called just the taxpayers association to permit membership by anyone across the Lakehead who would like to join it. An association which started out with a few men, then a hundred, and at this point 700 hard-working busy bees. It is those busy bees who went out and gathered most of these signatures that we have on this huge petition that I have here in the House today with me, and which I hope to be able to table later.

The president of that association is Mr. Arthur Fish, and I would just like to give the House some idea of the thinking of Mr. Fish and the Fort William taxpayers association. It reads, this address which he gave to the Fort William city council on Tuesday evening, February 11, 1969:

> Mr. Acting Mayor Neilin and council members, ladies and gentlemen, I am speaking tonight on behalf of Fort William taxpayers association on the urgent matter of a plebescite for the citizens of our city on amalgamation. Before I go on, Mr. Mayor, the Fort William taxpayers association would like to make one point very clear to some who may not take us too seriously. We are not a fly-by-night outfit, and will not be dictated to by self-appointed representatives of the people, who in our opinion try and set policy in favour of the minority group which they truly represent, the minority group.
>
> The greatest issue at stake right now is not amalgamation, but the right of the citizens to decide their own future by a vote. If any person can argue this principle without being biased they do not fully understand our democratic system. Some people who claim that the average person would not have the intelligence to treat the issue of amalgamation wisely are the same people—whether they know it or not—who are moving us in the direction of a complete bureaucratic government, and in this type of government our vote would become useless.
>
> The proposed amalgamation of this area is the first big example of bureaucracy the people of Fort William have had to face. We cannot let this happen.

Who are we in this House, Mr. Speaker, to question the credibility of these people? Who are we to say that their interests are not as sincere as are ours when we deliberate the province's business?

We cannot question it. I know the executives of this association. While not being a

member myself, I naturally became acquainted with them inasmuch as they found my views were somewhat similar to theirs.

These men have worked hour after hour after hour. They have put up funds. They have gone out of their way. They have done everything they could possibly think of. They sent letters to every member of the House, as far as I know. They have sent second letters. They have gone to every public meeting to express their views. They have done everything in their power, not to disrupt the business of the province, but to communicate to this government the feeling, not only their feeling, but the feeling of so many people at the Lakehead.

As I said before, in this survey by a neutral person, Professor Taylor of Lakehead University, 78 per cent of the people wanted a vote on this matter. So that this little group which was out working was actually working on behalf of 78 per cent. As I recall, Professor Taylor also said that with 78 per cent of the people asking for this vote, actually if this were expanded to the whole Lakehead, it would hold just about 90 per cent accuracy.

Mr. Speaker, I was talking about the hard work that this group has done and I received a letter just today from one of the group, the secretary, Mr. Vic Grainger, and Mr. Grainger, who is well known as an old railroader, an old conductor, a man who gets involved in issues, who is not afraid to take a stand on just about anything.

Well, he was the sort of the backbone of this group. He kept them going, and when it became discouraged, when they heard the 4000th no from the hon. Minister of Municipal Affairs (Mr. McKeough), Mr. Grainger still said: "Let's keep going. Let's fight this thing to the end."

And here is the letter I received from him today after all the petitions were in, after the bill was here, after I had made by last visit to the Lakehead before this bill was coming up:

Dear Ron:

Sorry we did not have time for a visit as I had a lot to talk about. Art Fish was the one who suggested a meeting with you, but he had to work overtime and was unable to get over. Ernie Tremblay had many questions to ask you, but the pressure was too much for him and he is afraid of another heart attack. He has carried a very heavy load for the taxpayers and I advised him to look after himself for a change. Many times I have had to just get away from it all myself for a few days as I was exhausted from the pressure.

I don't think you realize just what is happening at the Lakehead, so I thought I had better let you know.

Then he goes on to talk about CNR. Because of unification going on at the Lakehead, certain people are losing jobs and so forth. He also goes on to say:

I know many pensioners who have been able to get by on their small pensions, who say they will not pay any more taxes as they have reached the limit and in three years the city can have their homes and they will go to the old folks home. Many people I know have bought property outside the city limits and will build out there. Many more like myself plan on leaving the Lakehead as it doesn't mean anything to us.

Having a government force amalgamation on us without a vote is just too much, and I and many more don't want any part of it. I know many more who will retire in two or three years and they plan on selling out and moving out. The Patterson elevator has been leased to Richardsons and no doubt some staff will be laid off.

I have lived here for over 67 years and of course it is with some regret that I leave, but I have lots of friends in the east and relatives too. The politicians had better look around this country and see what is happening. Taxes are too high and our governments at all levels have lost their sense of values. The people are rebelling and if the government don't start to listen there will be more violence and probably bloodshed.

This is a so-called supercity. I am afraid it is getting away to a bad start and it could be in real trouble in a few years time. By 1971.

He goes on in his letter, Mr. Speaker, of course, to lambaste this government. And he ends up by saying:

We have a dictatorship in Toronto and this could and be the turning point.

Sincere regards,
Mr. Victor Grainger.

He is the kind of fighter who did not hesitate to allow me to use his name and his letter in this particular fight.

Going back to the Fort William taxpayers group, Mr. Speaker, the members of this House may recall receiving this particular letter, which is signed again by Mr. Arthur

Fish, the president. I will just take one quote out of that second letter. Mr. Fish says:

> It has also been said that all labour unions which represent the majority of the people are for amalgamation without a plesbiscite. This is not correct. In fact, we are advised that this matter has never been mentioned to the union members, and they have just published through the paper and radio that they demand a plebiscite and, in addition, would like information about what this amalgamation is all about.

I bring that matter up at this time, Mr. Speaker, because as I recall, the Minister of Municipal Affairs, when explaining to one meeting at the Lakehead why the government had to decide, and when he decided that the government should go ahead without a plebiscite, it was at a time when he was talking to members of the Lakehead labour council I believe at Inter-City.

The Lakehead labour council way back when Mr. Eric Hardy, the commissioner, first began his review to prepare the Lakehead local government study, the Lakehead labour council took a stand immediately at that time that they were opposed to a referendum and, of course, this was their privilege at the time.

However, Mr. Speaker, as these things have been brought to light in the course of the last few months, other labour unions have come out and announced: "No, we just simply do not agree with this stand. We feel that the people should have a choice in this matter."

I can quote you a story from one of our local newspapers of recent date and I will in the course of this argumentation. Mr. Speaker, I think it should be made absolutely clear, and I am leading up to this point, to have labour at the Lakehead split, you see, because there has not been a vote. You have one powerful voice for labour, the Lakehead labour council—I know the party to the left will be interested in this—saying "no vote", but then you have another labour group, the Port council which represents, I am told some 5,000 workers at the Lakehead, saying, "yes, there should be a vote;" and a very powerful union at the Great Lakes paper mill, numbering over 1000 members, have come out very firmly with a resolution and a story in the local press stating that they feel the people should have a vote.

As we go through these affidavits, Mr. Speaker, the House will see that the Lakehead people, rather than being united in this battle, are being divided. I can show you all kinds of reports through the press and through editorials as to how one council is going one way and another council is going the other way.

There are charges of conniving from persons on the city of Fort William council toward the mayor and the councillors on the Port Arthur city council.

Simply by slapping this all together and saying, "There you are, you have a city, follow Bill 118", that is not going to solve it because the Lakehead people are people who think too strongly, they feel too deeply about life.

Of course, they want to hand on a great heritage to their children and those who will come after them, but they do not want it to be some creature that has been forced upon them, something that was not of their making, but of Toronto's making.

Mr. Speaker, the group I was referring to a few moments ago, the Fort William taxpayers association, very recently sent a resolution to this government which I believe was addressed to the hon. Premier. It was sort of their last guns firing off in the hopelessness that the Minister's latest statements had made. Hopelessness sort of clings in the air up there at the Lakehead right now, hopelessness as to whether people will able to determine this matter themselves, and this is this resolution.

> Whereas the Ontario government through The Department of Municipal Affairs, without allowing a plebiscite, is forcing the amalgamation of municipalities in areas which cannot afford this form of administration and,
>
> Whereas the equalization of taxes brought on by the amalgamations will create discrimination on taxpayers in those poorer pockets of the communities, causing further hardships to those already in distress, and,
>
> Whereas the Ontario government through The Department of Education by amalgamating school boards and by unrealistic programmes has allowed the costs of education to escalate beyond the ability to pay of the great majority of taxpayers and,
>
> Whereas government spending generally has raised taxes and created a provincial debt which can no longer be accepted with confidence by the voters of this province;
>
> Therefore be it resolved, that the Ontario government resign and state its case before the people for their ratification before any further action is taken in presently advocated government programmes.

That is the height of frustration that this particular group was forced to by this government. I wonder if the hon. Minister has ever sat down with these people in one of their meeting halls and listened to what they had to say. I wonder whether he would be able to continue to exude that air of confidence, that arrogance that he shows so often.

I do not think so, Mr. Speaker, because I have sat down with them whenever I have had the time up there and I have come away with a very saddened heart. I just cannot understand, Mr. Speaker, why those people cannot have a vote on this matter. I will never understand it.

I wonder if the hon. Minister and the Premier and the government members on the other side are aware that the federal member for Fort William, Mr. Hubert Badanai, has come out publicly stating that a vote in this matter is the people's right. I do not think I should have to tell the members of this House, Mr. Speaker, just what a wonderful man he is, or of the many years he has served as mayor of the city of Fort William and the many years he has served in Ottawa on behalf of his people.

Let me tell you what Mr. Badanai's statement was in regard to this, and I should point out that Mr. Badanai is of an ethnic origin which is highly representative of a good number of Lakehead people.

Mr. Badanai says in reply to an editorial in Friday's issue of the *Daily Times Journal* headed "Calling all Members" requesting a statement from local federal members.

> My stand on the question of a plebiscite, whether the people of Fort William should have a voice in determining whether or not they should amalgamate, I say most emphatically that this democratic right should not be denied to the citizens of Fort William.

And Mr. Badanai's statement goes on.

> A few years ago, the voters of Fort William expressed their disapproval of amalgamation in a plebiscite. Is there an elected representative here in Ottawa? I feel my responsibility is to protect their right to vote on this question. I am amazed at the unseemingly attitude bordering on arrogance of the Minister of Municipal Affairs in refusing such a legitimate request which in this day and age should not be questioned.
>
> The real issue, as I see it, is not whether amalgamation is good, bad or indifferent, but rather whether the democratic rights of the people are to be preserved or carelessly trampled.

Mr. Badanai's statement concludes:

> I express the sincere hope that Premier Robarts, who has been silent in this issue, will use his common sense and power, and without delay intervene to give the people of Fort William the chance of registering their wishes at the polls.

That is the position of Mr. Hubert Badanai, the federal member of Fort William on this matter.

To divert from the ratepayers association, I have given you the views of labour at the Lakehead, at least part of the labour group at the Lakehead. I have spoken to you about this hard-working group of busy bees numbering some 700, the Lakehead taxpayers association. I should, I think at this point, bring to the attention of the House the feelings of the council of Neebing.

The council of Neebing and the people of Neebing voted over 90 per cent against amalgamation in the first place and then over 90 per cent—and I am talking about voting for a plebiscite—in favour of this matter being submitted to a plebiscite prior to being acted upon by the government.

At one point we get a headline in the Fort William *Daily Times Journal*, "Neebing Council to go to Court".

That is the height of frustration in that community.

I read the story as written by Cory O'Kelly and Ad. Taylor of the *Daily Times Journal* of Fort William:

> Neebing councillors, fuming over an early election called for officials of the new amalgamated city government, said today they would seek determination of the matter at high court. Reeve T. Tronsen of Neebing township said today he has not changed his views on amalgamation, and he and his council are working now to obtain legal advice with respect to taking the matter to a higher court. "I have attended every meeting but the one held in February, and nothing has been proven beneficial to us by the Hon. Darcy McKeough or his committee," Mr. Tronsen stated.

I presume by that, Mr. Speaker, that he means nothing beneficial to the township of Neebing. And, of course, Neebing is one of the municipalities in this province which is in that very favoured position of having a tax, a mill rate which is reasonable, to say

the least. They are in a very comfortable position, so it is obvious that they would be opposed to the fact they are going to be lost, swallowed up, by the big city.

I do not necessarily support their stand that they should not join the city. I feel they should join the city, but I feel that they should have a right to the full measure of the democratic process to fight, and they cannot have that right when the government steps in and decides the issue.

I do not have to tell this House that there has been friendly competition between Port Arthur and Fort William for many, many years, and that the cities in many matters have voted in opposite ways, but I have always felt that it was friendly competition but, Mr. Speaker, I would never have imagined in a million years that anybody from down here would go up there and take the matter of solving that issue out of the hands of the people. This is unbelievable. You have to remember, Mr. Speaker, that the Lakehead cities, Port Arthur and Fort William, have fielded many a champion team, and many great stars, including hockey stars in the NHL. They are a sports-minded city—minor league, baseball, hockey, you name it. This is a sporting city, so we are producing sports-minded citizens.

Mr. E. Sargent (Grey-Bruce): No fair play over there!

Mr. Knight: You know as well as I do, Mr. Speaker, what happens whenever the referee steps in to award a game to one side or the other, and both sides have not had a complete and fair hearing. Naturally, those on the Fort William-Neebing side at the Lakehead feel that they have not had a fair chance in this friendly battle, which has gone on for years. As far as I can see, Mr. Speaker, the government feels that it is going to take over this battle. It is going to settle it once and for all. It is going to go in on the side of Port Arthur and McIntyre. I wonder what would have happened if Eric Hardy had advised no merger. What if he had suggested things remain as they are? How would those in the riding I represent on the Port Arthur side, and I feel I can speak for them, because I was elected by them to speak for them—

The Port Arthur people would be very very disappointed, believe you me, as would I, because I have been fighting for amalgamation for nine years. It goes back to December, 1959, when I first went to the Lakehead from Ottawa, and the hon. member for Fort William (Mr. Jessiman) can back me up on that. I have always been a very loud advocate of amalgamation. But, I have always respected those people who were so hospitable to my wife and me and our children to such an extent. I would never think of imposing it upon them, never in a million years.

This has got to be their decision. That is the way the ball game goes, it has got to be, in any group of people working together. Take a share corporation. After the board of directors has decided on a course of action, say a merger, or something, it always goes back to the shareholders for a vote. Any union negotiating team, before saying, "We have reached a decision on this matter and we can speak for the men," goes back to the men and lets the men speak for themselves. They take a vote. This is the way of the democratic society, or what are we hanging those flags up there for?

Mr. R. Gisborn (Hamilton East): Too simple.

Mr. Knight: Mr. Speaker, I cannot understand this government; I just do not know what they are trying to do. Sure they have got the mandate from the people and they have the right, but the people are saying, "Let us do it." Why do you keep saying "no"? I cannot understand it. Mr. Speaker, if you go down through the ages, you will find that every governmental regime that has gone down, in most cases has gone down because it has abused the mandate given to it by the people. And this is where this government is headed.

Don't you ever think for one minute that the people of southern Ontario are not aware of it. Mr. Speaker, I was getting my hair cut in Trenton the other day—and I just bring this in to give an example—by a barber whom I have never seen before in my life, and I do not know his political background. I said, "I am from the Lakehead," and he said, "Oh yes, that is where they are rolling out the barbed wire in the street to try and stop Queen's Park from forcing them into a merger." It is a long way, about 1,000 miles, from Trenton all the way up to the Lakehead, but the word is around about what you are doing to my people. You are forcing them into this thing.

Mr. Speaker, this is going to sound corny and hammy, believe me. But I sat at my typewriter last night reviewing all these facts, and trying to find a way to convince this government to be men; to say, "All right, Lakehead, we have faith in you. We believe in you. We think that you people are intelligent

enough to do this yourself. You can have the plebiscite. Now go on out there and show them. Show the rest of this country that you can resolve this matter yourselves."

Mr. Speaker, I thought about individual cases of people who came up to me, and said, "You know, Ron, you are our last hope, get up there and fight." That was last weekend—clerks in the hotel, in the restaurant. Believe me, that is sort of a Conservative type of hotel up there, Mr. Speaker, the Prince Arthur. I think it is. But, you know, people came up to me and said, "Fight man, you are the last hope we have." So I am down here fighting, Mr. Speaker.

Someone told me, "It is no use, Ron, when this government makes up its mind on something, you cannot change it." And I said, "Well, I have got to try. I have got to at least convey to this House, to this government, to this Minister, all of the stories, all of the Lakehead voices, to the best of my ability, as they have been conveyed to me. I have to make these legislators understand that my people want to vote on it."

It is not complicated; they want to vote. What do they want to vote on? The 36 recommendations in the Hardy report, or all of the sections in this bill? No. All they want to do is to say, "Yes, we shall get together. We shall be one city." Mr. Speaker, I can guarantee to this House that it is going to pass. Even though the Minister has bungled it. Oh, he has been crude.

Mr. Sargent: That is nothing new.

Mr. Knight: I do not blame the Minister too much. He is a young, vigorous Minister, Mr. Speaker. He has shown an awful lot of courage. An awful lot of people give him credit for his courage, because he came into something he did not know. He did not know what he was going to find up there, because remember, the Lakehead people are the kind of people who a few years ago stood on the tracks during a railway strike in this country and blocked a train—union men who felt that their rights were being violated, and they got right out there and tried to stop that train. That is the kind of people they are, the kind of people who will block trains going from west to east, and hold up the whole country's economy if they have to, if they feel that their rights are being violated.

Fortunately, Mr. Speaker, in this case the Lakehead people have shown quite a bit of self control, and I admire them a great deal for the self control that they have shown in the face of some of the statements which have come out from the Minister, or even from the commissioner who conducted the study, Mr. Eric Hardy—things like, "Well, the people or common man can never understand what is going on there." Did anybody stop to think that maybe we should educate them, maybe we should do our best to try and make them understand? In any election, or in the one when this government received its mandate, October 17, 1967, do you think everybody who voted knew everything there was to know about every candidate, or knew all the issues, or everything? No, but they were able to gather—

Hon. A. Grossman (Minister of Correctional Services): Is that how you got elected?

Mr. Knight: The Minister is asking why I was elected? Mr. Speaker, simply because I took the time to get to the people, and let them know me as I am. It is the key to any successful election.

Mr. Sargent: It could happen to the Minister too.

Mr. Knight: Mr. Speaker, I do not hesitate to say this—it is in the streets, it is in the bar rooms, it is in the coffee shops—this Conservative government is committing political suicide at the Lakehead. I say this with all due respect, because I sat with the hon. member for Fort William, but you do not know what you are doing to him. I say this because he cannot say it for himself. He has had it. And this too, is an echo of Lakehead opinion.

Mr. J. Jessiman (Fort William): Mr. Speaker, on a point of order, may I ask the hon. member a question?

Mr. Speaker: No, the hon. member may only rise on a point of order. If the hon. member for Port Arthur will take a question, then the hon. member may ask one. The hon. member for Fort William has the floor.

Mr. Jessiman: From Christmas up to now, I cannot recall the member for Port Arthur being at the Lakehead other than this weekend, and I was not in conversation with him during that time. He is just saying that he was in conversation with me.

Mr. Knight: Obviously the member for Fort William is trying to put me on the spot, and I am not concerned about me, really, or him. I am concerned about the Lakehead people and that their opinion be conveyed to this House. I could not care less what the hon. member does with his spare time and whether he comes to the Lakehead or does not. What I care about is whether this House is going

to get approval in principle today or not, or tomorrow or the day after, or the day after that, because that is what 78 per cent of the Lakehead people care about.

Mr. Speaker, I would have been very happy to entertain a debate with the hon. member for Fort William on the matter in hand, as to whether the Lakehead people should have this vote or not. I will do anything, really, to get this to the Lakehead people, because it means so much to them. Mr. Speaker, I was starting to talk about the Neebing council and I think at this point I have conveyed their feelings pretty well.

There were a few more things. Here is an article in the Port Arthur *News Chronicle,* dated February 20, 1969, headlined, "Article Sets Up Laskin as a Dictator—Signed Tronsen." Laskin, of course, is his worship the mayor of Port Arthur, and Tronsen is his worship, I suppose, reeve of Neebing. Do you see what has happened here? This type of thing is on the front page of the paper—one of these municipal leaders drawing charges like this against the other. If the government had said from the outset, "If the Lakehead people want to vote on this matter we will let the people decide it," you would not have things like this going on. I will read the article for you, Mr. Speaker—

Hon. Mr. Grossman: Imagine what would happen if you had a plebiscite.

Mr. Knight: At least it would be the democratic way, would it not?

You see, Mr. Speaker, it is easy for me here to stand and speak on behalf of the Lakehead people because I am willing to submit my whole career to them for approval once every four years and I have faith in that vote. I cannot understand why you cannot have faith in their good opinion.

Mr. Speaker, I was about to read this article in the Port Arthur *News Chronicle* and I will read just a portion of it to give you an idea of the trouble and the confusion that is going on up there as a result of the manner in which the Minister has handled the bill.

> Neebing Reeve Tom Tronson today accused Mayor Saul Laskin of Port Arthur of setting himself up as the little dictator of the north.
>
> Mr. Tronson's statement came on the heels of an article appearing in the March issue of *Maclean's Magazine.* A section of the article is titled "Saul Laskin's Lakehead, First of Mid-Canada's Big Cities."
>
> Tronson's statement reads: "This heading in a news story in *Maclean's Magazine* clearly and truly brings to light the true facts involved in the proposed amalgamation issue. Saul Laskin, the mayor of Port Arthur, has set himself up as the little dictator of the north absolutely ignoring the wishes of the majority of the people.
>
> "Why did *Maclean's* editors interview only one elected official and absolutely ignore Fort William, Neebing and Shuniah? When did this interview take place and why so much hush-hush?"

It goes on and on with similar accusations, Mr. Speaker and you can see the kind of trouble that has been nurtured by this government in its bureaucratic, dictatorial and arrogant manner of doing business.

The article goes on—

Hon. Mr. Grossman: With all the barbed wire "and bloodshed" you are scaring me.

Mr. Knight: The Minister should be, believe me. Mr. Speaker, really I think the hon. Minister should go to the Lakehead and talk to the people if he wants to be scared. He will get a far different opinion. Until he has talked to them and discussed this matter with them I do not see where he has anything to say in the House regarding this matter.

Mr. Speaker, this matter is so important to me that the members on the opposite side can say whatever they like. I shall go on talking until I have conveyed the complete, the full and the whole battery of information and affidavits that I have from the Lakehead people. This, to me, is a scared charge. It has all been given to me to present to this House. They cannot do it themselves, they are nine hundred miles away. I will do it for them.

Reeve Tronson—

We are referring to Reeve Tronson in this article, the *News Chronicle* again the Reeve of Neebing:

> —attacked the Port Arthur mayor in relation to a quote contained in the magazine article in which Mayor Laskin outlined his reasons for opposition to a plebiscite on amalgamation. "What good is a plebiscite when the young people whose future is being decided would not have a vote? Why should older people adjudicate their future?" the Hill city Mayor is quoted as saying.

Reeve Tronson is quoted as saying:

> In other words, Mayor Laskin is saying anyone over 21 years of age is not intelligent enough to decide any issues.

I think that is just about the attitude of this government, that no one at the Lakehead is really intelligent enough to decide this matter themselves except for a chosen few, a small clique, the business element and some of the elected officials, they are reliable. Their opinion, their feeling, this is reliable but the rest is not.

Mr. Speaker, I would like to quote from another article which appeared up there. I like to quote from these articles Mr. Speaker, because then people cannot say this is just the word of the hon. member for Port Arthur. This is public information that has been printed and read. By conveying to you what has been written in the newspapers I am giving you the same impressions of these things that the people at the Lakehead have, who have had to rely pretty much on the news media to know what has been going on in this entire issue.

This one is headlined "Mickey Blasts Committee" and it says:

> The inter-municipal committee which met yesterday at Fort William City Hall, in the opinion of the Fort William Alderman, Mickey Hennessey is, "nothing but a show piece.
>
> "This committee has no authority", the stormy alderman charged today. "We cannot legislate. We can only make suggestions. The Minister and the government will legislate. They will do what they want. We cannot make resolutions and we have nothing in writing. All we can do is suggest and if the government decides black is white, that is the way it will be", Mr. Hennessey concluded.

Well, this gives you an idea of what one of the members of inter-municipal committee felt. Alderman Mickey Hennessey of Fort William, felt that the committee was really just a sort of a front piece for The Department of Municipal Affairs, its experts and its bureaucrats, who pretty well had this whole thing planned, I think in advance, Mr. Speaker.

I think perhaps that at this point, the Minister and the department and the government are somewhat afraid of this Lakehead opinion as it now stands.

I think that this is the reason why this is rushed so quickly. The election following the passing of this bill was to be held in the Minister's first statement, on September 15, 1969. A short time ago the Minister decided that he would move it up three months to June 23 and I say, why the rush, Mr. Speaker? Why does the Minister not give the people a little more time to absorb this thing?

Mr. Speaker, you know money is usually at the root of all evil and is at the root of a lot of the trouble that is going on at the Lakehead. I suspect that one of the reasons the provincial government wants to force these four municipalities into one unit as quickly as possible, is that they think they will save money, not for the people who live up there, but for the government. I get some feeling that perhaps, through the grant system or something, they will find a way of not putting so much money into the Lakehead area on a per capita basis.

As for the Lakehead people themselves, this is what they are worried about. The average man up there is at a point now, of paying taxes and trying to cope with high costs, Mr. Speaker where he does not know whether—you know, he just does not know where to turn. You heard the letter that I quoted earlier from Mr. Vic Grainger in which he indicated some Lakeheaders will be leaving there and old pensioners will not be able to keep up their homes and so on.

That is especially true up in that northern area where we pay higher costs and for a number of items like gasoline and other consumer products and so on that have got to be brought a long way and we have higher transportation costs.

Well the Lakehead people are worried about costs. So, of course, when Eric Hardy, the commissioner, came to make his report he was queried on how much is it going to cost us. Is it going to cost us more to run the Lakehead this way or is it going to cost us less to stay the way we are? Mr. Hardy could not tell them. Later on when Mr. Hardy released his report—Mr. Hardy was not there to release it himself, so the hon. Minister of Municipal Affairs and one of his attendants, Mr. Pearson I believe it was, released the report at the big meeting at the Lakehead University on March 11, 1968.

Well, of course, the matter of costs was the thing that a lot of those attending looked up very quickly in this report which I hold in my hand now. Mr. Hardy, I think sums it up in item 153 on page 47 in which he says:

> In short, the financial consequences of a merger are complex and far reaching and incapable of precise measurement.

Even the great Mr. Hardy could not really give any good idea, although he said in a very general way, "we do not think that it is going to go up."

Further on he says:

> From all that has been said it should be plain that the predictions of the financial consequences of boundary changes are not easy. It may not be entirely accurate and cannot readily be related to the new financial circumstances that in fact emerge after the boundary changes have taken place.

Well, Mr. Speaker, that is what Mr. Hardy said. A little bit later on someone asked the Minister of Municipal Affairs, while he was at the Lakehead about this matter—I think it was February 21. I have a report of that meeting in the *Times Journal* of February 21. —The Minister was asked—I am quoting from the article now:

> The Minister was asked once whether his department had any idea of what amalgamation will cost (and he is quoted.) "Sure it will cost, but no one knows how much until the first tax bill goes out in 1970 through to 1975. How can this be determined when we do not know what salaries will be set up by the new council for staff or when we do not know how many fire trucks they might have to buy?"

I thought that was a good answer from the Minister, Mr. Speaker. He does not know, nobody knows, none of us know. Now can you see why the Lakehead people want to decide this matter themselves? They do not know what they are going into and the cost factor is one of the most important things.

But you know, Mr. Speaker, it is not the most important. For the Lakehead people there is nothing more important than their children and the future of the Lakehead—and I say this in all sincerity—Lakehead people have sacrificed an awful lot in the interest of their children, their children's education, that they will grow up like proper citizens, happy and so forth. But, if somebody is going to take a gamble on behalf of those children with the Lakehead taxpayers' money, then it should be the Lakehead taxpayers and not this government.

That is the kind of argument you get from a man on the street up there at the Lakehead. We do not mind approaching a precipice and having to decide whether we are going to jump down there or not, even when we do not know what we are jumping into, but we do not like the idea of being pushed into it.

If we are going to jump, we are going to jump together and because most of us want to do it. Coercion, that is what they rebel against, Mr. Speaker, and I think it is a very good argument at this time. Nobody can tell them what it is going to cost. What kind of reports are they getting? They are getting very strange reports from various municipalities who are now feeling the effects and the crunch of the new county school board system. For example, the municipality of Oliver, Oliver Township, where I have been told on the week end that their education costs, they expect, will go up 500 per cent over last year. When Lakehead people hear this kind of thing they say: "Wow, that is what unification in education is doing to us, what in the world will unification at the municipal level or full unification, produce?" And it is a legitimate question.

Mr. D. C. MacDonald (Yorth South): Is the member in favour of amalgamation?

Mr. Knight: I am completely in favour of amalgamation and I always have been, Mr. Speaker.

Mr. MacDonald: Well, the member is presenting all the arguments against it.

Mr. Knight: Mr. Speaker, I am glad the hon. leader to the left has brought up the question. I have gone on record for many years favouring amalgamation and I still do. I have already said that 70 per cent of the Lakehead people do, but the qualification is the way, who decides it? I have said that Lakehead people do not know—

Interjection by an hon. member.

Mr. Knight: I will tell the member what I mean if he will listen. It is strange, Mr. Speaker, that the leader to the left here is all of a sudden speaking because he has been quiet for a year and a half on this issue. All of a sudden he shows up at the Lakehead and all of a sudden he is interested, Mr. Speaker.

Mr. MacDonald: I was up there last week.

Mr. Knight: I have a little story to tell, Mr. Speaker, in relation to that matter. I would like to relate a few incidents that have occurred, but I am interested right now in convincing the government on the other side to give our people a vote on this matter.

I was talking about costs, Mr. Speaker. We all make cost gambles in our personal life, but we like to reserve the right to decide on that gamble ourselves. These Lakehead people, who I say 78 per cent of them are in

favour of amalgamation, they do not know what the cost is going to be. They know it might be terribly exorbitant, but they are still willing to go ahead if they can make the decision and not have to forfeit the right, forfeit the responsibility to this government. It makes sense to me, Mr. Speaker, I do not know if it makes sense to anybody else.

Many people today, Mr. Speaker, like to find the easy way out. They are burdened with all kinds of problems and responsibilities in the fast-moving, fast-changing world, and so are the Lakehead people. But the Lakehead people still have not lost that yen to do things right. If they are going to fix a door then fix it right; if they are going to go hunting, they want to know how to hunt; they want to know what the laws are, they want to do it right.

In other words, they are people who still like to walk in this fast-moving society and hold their head up high and feel independent, feel responsible. That is the attitude of the majority of the Lakehead people. That is why they resent this government walking in.

How many times have the people of the Lakehead asked for a vote on this matter? Do you know how happy this government would have made the people of the Lakehead if they had said yes? They would have been dancing in the streets; the sun would have shone in; democracy would have been born again. The Minister shakes his head, he still does not understand.

Mr. MacDonald: Hallelujah!

Mr. Knight: Well, Mr. Speaker, I mean what I am saying, I mean every word of it. It will be too late once the bill has been passed to look back. Sure, we will go back to the Lakehead and say, "All right, come on Lakehead, look up and smile." I have said it lots of times before and I am willing to say it again. We will go back and pick up the pieces because I believe in unity, I believe in our people working together.

Fort William and Port Arthur are not opponents, they are communities living side by side. Their competition is in Winnipeg and Toronto and other such communities, it is not there at the Lakehead. But if once and for all this wedding is going to happen, let the bells ring for something.

I do not see how the wedding bells can ring up there when the government has dared to come in. I can remember the days when the advocates of amalgamation told the opponents of amalgamation, "You had better get moving because that government in Toronto is going to come up here and force it right in on you." It is happening.

I would never have believed it in a million years. If I go back to those days, Mr. Speaker, when I used to write editorials and run these hot line radio programmes, I was all in favour of amalgamation and I tried to do my bit to educate the people, to make them understand why, I would never have imagined that I was helping, in those days, to ready this way of doing things, this wrong way.

Well, Mr. Speaker, I think I mentioned a little bit earlier that the township of Neebing council was all set to go to the supreme court. If I did not, I mention it now. They were going to see if they could not stop this government somehow and protect their rights. Well, a little while ago a story appeared on the front page of the local paper, the Fort William *Times Journal*, that says:

> NEEBING TO DROP THE PLAN
>
> The Neebing council could defer a proposed plan to appeal to the supreme court against this amalgamation of Fort William and Port Arthur without a plebiscite.
>
> Reeve Tom Tronson said earlier this month that his municipality would seek determination from the high court as to whether or not his municipality could be forced into the merger without a vote of its residents.
>
> Acting through Liberal MP Hubert Badanai of Fort William, the municipality approached the Solicitor-General, George Mcilwraith, and asked for suggestions on the move.
>
> At Neebing council's regular meeting on Thursday, council was informed that the Solicitor-General was quoted as saying, "The ballot box is your only weapon" so they dropped the plan. They have chosen an alternative, the ballot box, so stand by for the people in Neebing.

Mr. Speaker, I remember going up to the Lakehead one day in February for a specific reason—

Interjections by hon. members.

Mr. Knight: I think the hon. member who is laughing in the corner is from Fort William, Mr. Speaker, and would have more cause to laugh if he could get up and say what his people really want him to say here.

Mr. Speaker, a meeting was held by the Minister with the so-called intention of informing the Lakehead people of the first draft

of the legislation for this very bill, Bill 118, which was to be introduced at the time. The people, of course, came in large numbers because they wanted to answer the Minister's questions.

At that time they were not given the opportunity, although I understand that after the hall was empty the Minister came out of a side room and offered to answer their questions. Unfortunately they had already gone home, but on that occasion somebody came up with a float.

Just to show you how deep feelings can run in this kind of an issue at the local level, they had a float with a sign and written on it, "Lest we forget, RIP, Neebing—born 1881, assassinated 1969".

I do not think that that suggests that the Minister has found a way to deal with the people in the township of Neebing. He has found no way whatsoever of convincing them that this amalgamation will in the long run be to their advantage. The Minister has failed to do that, and I think that was part of his responsibility as a responsible Minister. If he was not going to give the people a chance to fight it in a democratic way in a vote then he should have at least bent over backwards to make them understand and convince them, and this bill should not go through until he has, or until somebody has.

This is no way to go into a brand new city. You know, Mr. Speaker, sometimes I do not think the government realizes the importance of the Lakehead cities. I do not think they see the fantastic strategic location of this city. Is anybody here aware that the cities I represent, Mr. Speaker, are at the hub of an area of some 670,000 square miles. I am taking in a little bit of northeastern Ontario at the same time. Texas is only 664,000 square miles, but that area, when you consider the pre-Cambrian shield—the Mines Minister (Mr. A. F. Lawrence) can back me up on this—the tremendous ore values that lie there.

You will know, Mr. Speaker, that someday this Lakehead is going to be a great hustling, bustling city, there is no question about it. But you cannot build what it is going to be on legislation. You have to build it on people, in their feelings, on their pride, on their history, on their background. The day that this bill passes without a vote, Mr. Speaker, will be a sorry day. It will be a black mark on the whole history of the Lakehead.

All you have to do is to read a bit of the history of those people, the kind of people who went through there and the courage that they had. It is nostalgic, it is fantastic.

I know that there are legislators in this country today who say forget about the past. How can we forget about the past? Today is tomorrow's past, and what we are doing today will be the past 100 years from now. I certainly hope that our followers, our ancestors, our children, will not have reason to regret the actions in this House. The people must be given a right to express their feeling on this matter on a democratic vote.

The people of the Lakehead, as I mentioned before, have very strong feelings, and one of the examples of this strong feeling came around February 14, during the course of the Neebing Winter Carnival, in which one of the floats appeared with a group of models or dummies, as it were, launching in effigy the hon. Minister of Municipal Affairs to the moon.

An hon. member: He did not get very far—

Mr. Knight: That does not impress the hon. member. Well, we will try something else.

These pleas have continued ever since the Hardy report was released, Mr. Speaker, for the people to have a vote on this matter. We get to February 21, 1969, a great big headline in the Fort William *Times Journal*, "McKeough rejects demands for a vote, stands firm on merger." This article says in part:

> Mr. McKeough said work is continuing at a steady pace. I do not think the Minister has ever had time to stop and really take a good look at this whole business of holding a referendum and holding a plebiscite on this matter. I do not think he has.
>
> I think he has thought about it, discussed it probably with the Premier in Cabinet, and they reached a bang bang decision, "Got to move ahead on this thing, don't let these people block us on this, got to get it going and here we go."

Steady progress, so steady in fact, Mr. Speaker, that because the elections for the mayor and the council are already announced for June 23, that is why the Minister has got to rush and get this through the House, so he can get everything ready to keep that deadline.

Yet some time back when, just shortly after I guested the Minister's first visit or so, after Mr. Hardy's report was released at the Lakehead, he was asked whether he had a sort of a time table, a schedule to be followed before implementation of this. He said, "We do not follow timetables for people participation." We have got to play this by ear, you know; we have got to go along as we are

ready; we must not rush this thing. Was the work of the intermunicipal committee, which Alderman Hennessy has lambasted so strongly, was it so effective, Mr. Speaker, that they could move the election three months?

Mr. Speaker, I do not buy that; I think there must have been other reasons.

There is another article, Mr. Speaker, which is entitled "McKeough confident Neebing to go along". He was confident some months ago that Neebing would go along. It has never gone along, because after that they went on to say they were going to go to the supreme court; it was after that that they launched the hon. Minister in effigy to the moon. They did not make it to the moon, but they were well intentioned.

Mr. Speaker, I think it is time that I go to another voice of the Lakehead; I am thinking now of the editorial voice of the Lakehead. You know, Eric Hardy did not like these newspapers too much, because I can recall reading the review that he really lambasted them. He lampooned them as a couple of media that did everything in their power to keep these cities from amalgamating and he was right, they did.

I can remember days when I had to fight with them. I was so discouraged at these two newspapers at one time, Mr. Speaker, that I went on television. I said that I am so convinced about amalgamation, I think we should put it all together tomorrow and call it Port Arthur. The only reason I was doing that at the time, Mr. Speaker, was to get people interested in the issue.

Of course, what I was saying was nonsense, but it caused the newspapers to start saying, "Wait a minute, we do not have to amalgamate these cities. All we have to do is start working in greater harmony." I accomplished my purpose anyway; but now, of course, these newspapers and myself are aligned to some extent in our thinking on the matter of a plebiscite. The Port Arthur *News Chronicle* is not so much as the Fort William *Daily Times Journal,* as some of these editorials will show. The Port Arthur *News Chronicle* seems to have that feeling of resignation, "what can you do". Better get on with the job now, the government's doing it anyway" and so on. I do not admire that position at all.

The Fort William *Daily Times Journal,* on the other hand, has got more fight, more get up and go. To convey this to you, and to endorse some of what I have been telling the House this afternoon, Mr. Speaker, I would like to read an editorial from the Fort William *Daily Times Journal,* February 21, 1969. This one is by the publisher of that paper who, I understand, for some time has been noted as a staunch supporter of the government side of this House. First, the title is "Calling all members". This man writes well; this is a good editorial. You will notice that it is professionally done.

> Now that the combined efforts of a large representation of labour, half of council.

See, he is itemizing. He has already summed up the opposition to this bill, so listen to this, it is very important.

> Now that the combined effotrs of a large representation of labour, half of council, friendly Neebing.

It used to be friendly anyway—

> Thousands of private citizens and this newspaper, plus the timely appearance of an idiot article in *Maclean's Magazine,* has created a new opportunity for democratic expression. This is the time that we should be hearing from our politicians. Whether they are for or against amalgamation does not matter; what does matter is whether they are ready to stand up and be counted as representatives of the people who voted them into office.

Now what the editorial goes on to say is not really in the interest of the hon. member for Fort William, so I do not plan to go into that. However, further down the publisher of the Fort William *Daily Times Journal* concludes his editorial by saying, and he is obviously pleading to the member and to the elected people:

> How about helping the rest of us re-establish the principle of municipal self-determination? As for our mayors and reeves, the writing is on the wall. So unless those with a real feeling for their communities follow through now with a loud voice in favour of restraint and re-establishment of perspective in the matter of municipal futures, we might just as well fold up our tents and steal away into the night.

That editorial, Mr. Speaker, was addressed obviously to the people of the Lakehead, and more particularly to the people of Fort William, "we might just as well fold up our tents and steal away."

I have heard him speak, and I have seen him write other editorials in which he has spoken so proudly of that area and the history of his family. Having a name like Macgillivray, one would understand the tre-

mendous background that this man's family has in connection with the Lakehead. He is the man who had the coat of arms for the City of Fort William executed, and I happened to be the acting mayor for the City of Fort William on the day that he presented that coat of arms officially to the city. I recall his pride and when I think of him I think of him sending out an SOS to save democracy at the Lakehead.

I say to myself, a man like that has got to be saying "my goodness, what has happened to this place? What kind of a government would do such a thing?" I mentioned the Port Arthur *News Chronicle*. This is a very important matter Mr. Speaker, I do not know who has sent this up to me but apparently perhaps this should be sent down to Mr. Speaker.

This is an editorial in the Port Arthur *News Chronicle*, the counterpart of the Fort William *Daily Times Journal*, which, as you will see, does not entirely support the stand I am expressing today, but in many ways does.

> This is no time for the Lakehead to pout and pine for the good old days. Those days have drifted rapidly into obscurity during the past year, and a visit Monday by the Minister of Municipal Affairs Darcy McKeough virtually closed the door on yesterday. Government has issued its decree, amalgamation is a reality, a must. There have been those of us who disagreed with the government's approach, thought to secure greater participation on the part of the people. The result was not exactly what we wanted. The Lakehead must look towards tomorrow. It must gear into the future without leaning on the past for anything more than selected guidelines to be drawn from the depths of experience for the same time, for the struggle to get citizens to participate in public affairs can never end. It is essential that individuals take a hand in the shaping of a community's orderly progress. Their voices must reverberate with consistency. Their tones must echo with a clarity of an Alpine yodeler. Just around the corner lie important decisions.

And so on and so on, and the editorial wraps up:

> The Lakehead cannot afford a disinterested citizenry during an hour when all minds need to be sharpened to the task of creating, remodelling and stabilizing.

There is the voice crying in the wilderness, Mr. Speaker. It is, because the main issue is no longer amalgamation. He is telling a whole group of people, a whole community of people who are worried about their democratic rights, "concern yourself with amalgamation," when it is this very amalgamation that the people feel has caused a violation of their democratic rights, and the loss of their democratic rights. Naturally, the people are not going to walk around smiling, "We've got a city," and so on; when all the time there is something rubbing them inside saying, "We should have made this decision; this was taken out of our hands. It didn't have to be taken out of our hands, we could have settled it. Why didn't Toronto have faith in us? Why didn't they flatter our intelligence? Why did the Minister come up here like a general saying, 'It shall be, you will not vote'?"

You do not have to treat people that way, Mr. Speaker. And you know something? I think the people of southern Ontario, people in all the other municipalities in this province, are going to be able to identify themselves with this feeling of the people at the Lakehead. You do yourself no service by dictating legislation into being like this; by dictating the Lakehead city into being.

Mr. Sargent: Mr. Speaker, on a point of order, would the Speaker and the member permit me to announce that—

Mr. Speaker: Order! The hon. member has no point of order and he has interrupted a speech by a member of his party. I have already announced the presence of the people to whom he was referring earlier today, if the hon. member had been listening.

Mr. Knight: Thank you very much, Mr. Speaker.

We are trying to back up an argument on behalf of the Lakehead people. We are trying to convince the Minister of Municipal Affairs —and he is listening very well and I will be happy to tell the Lakehead people that he did listen very well, because then when he makes his decision he cannot say that he was not well informed. I have a lot of affidavits. I want to make sure that while I have him cornered in his seat over there, all of these messages get through to him. I think I owe this to the people I represent; that is my responsibility.

I was quoting editorials and I think editorials are important because in many ways they reflect the feelings of the community, the feeling of the people. Having written thousands in my time for broadcast purposes rather than journal, I think I would put an

awful lot of importance on these because the editorial writer usually tries to reflect his community.

He goes out in his community and hears all kinds of things and he assimilates this with his own background, his own experience and wisdom. Then he throws it back out to the people to see what they say. If these editorials were not right, there would be a tremendous outcry from the people; there usually is. Now, this editorial was published Friday, February 14, in the Fort William *Daily Times Journal;* it is entitled "Council action is questionable". We are getting around to the other argument that the Minister sometimes uses, Mr. Speaker, that why did the councils at the Lakehead not ask for this vote? If the people want the vote, why did not the municipal representatives ask for it?

The Port Arthur city council took a decision, I think, long before the Hardy report came out. It is interesting to note that in the last four years at least, the same people have sat on that council; the same 10 councillors. They all went back in the last election, and they sit for a two-year term, as did the mayor.

The positions they had earlier was they were not very likely to change and they did not change. For some reason they refused to go along or, at least, they just simply took the other opinion. That is their privilege. They took the other opinion that the people should not have a vote. I think the people will have the reaction on election day.

Now, getting back to this editorial, which is entitled:

COUNCIL ACTION IS QUESTIONABLE

By virtue of a tie vote, Fort William city council has refused to accede to a demand for a plebiscite on the question of amalgamation. In other words, half of the representatives elected by the people are preventing these same people from a democratic declaration of their desire, or lack of desire, to lose their corporate entity. What can their motivation be?

First of all they say we can't do anything, it is too late, and we agree that it probably is. But too late only because the same aldermen, in inviting take-over by the province, surrendered voluntarily the right of the members of their community to determine their corporate future.

Secondly, they say a plebiscite would cost $15,000 to $20,000, too expensive. Of whose money are these aldermen suddenly becoming so protective? Why, the money of these same citizens who elected them, and from whose ranks the demands are now being made for a plebiscite.

Other reasons for this aldermanic omniscience included a point by one that amalgamation will bring new industry. From another came the statement, "Sure, amalgamation will increase taxes, but even if we do not amalgamate you can be sure you will be hit anyway with an eight to ten mill increase about the same as you would expect by amalgamating. In the first instance,"

This editorial continues:

The alderman overlooks the fact that by amalgamation we only draw a bigger corporate boundary on the map. Can this be considered an incentive?

Moreover, six months of strikes here last year, coupled with transportation costs, has surely frightened away any near future potential industrial prospects.

As to the statement about taxes, the alderman poses a case that sofar as taxes are concerned, either the *status quo* or amalgamation will bring the same result.

Is this an argument on which to base resistance to a plebiscite? We don't think so.

And the editorial continues:

How come we are now being saved from ourselves after having been sold down the river with no recourse to an alternative two years ago?

After studying the situation, we wonder whether certain outside influences have not persuaded the anti-plebiscite group to the adoption of present attitudes. It is conceivable, for example, that close association with the Lakehead chamber of commerce has had its undue influence, for it is common knowledge that once merged the chamber had to live or die by its incomprehensive slogan "One voice instead of two".

We do consider the chamber to be an outside influence. Although it can be a power for good, it can also be a power for mischief if it is to have in future an undue influence on our mayor and council, the elected representatives of the people.

And the editorial concludes with this paragraph:

It is suggested therefore, that those who oppose the plebiscite, whether it be from fear of the province or from the fear of the electorate, be alerted to the fact that the

people whom they are denying the right of community expression, are those same people who seduced originally from the glib promise of a comprehensive regional government, and then coerced prematurely into an amalgamated municipality, will be the same people who will select the municipal representatives for the new so-called super-council. Fences rushed in undue haste are difficult to mend, and the mood of a people aroused is a difficult force with which to contend in the future.

And, Mr. Speaker, those sentiments I certainly very strongly concur in.

It is hard to understand why the Minister can move so quickly on this legislation when he knows how unhappy so many people at the Lakehead are because of his proposed legislation, this bill that we are discussing, Bill 118.

As a matter of fact, I have another editorial here in the local newspaper, the *Daily Times Journal*, that asks exactly that question. "Why the hurry with an election?"

The local taxpayers association hasn't made too much headway with its campaign for a plebiscite on the amalgamation issue, but there is little doubt that Hon. Darcy McKeough and local proponents of the merger, know it exists. Mr. McKeough's flying trip to the city Saturday to give a blessing to a June 23 election, which he had previously ordered for September, suggests he is anxious to have a *fait accompli* before the dissidents can interfere further with his plans. There seems to be an unseemly hurry all of a sudden to get the merger battened down.

And then the following editorial pertains to the same matter, Mr. Speaker, and it is entitled "He said that", and I think it indicates that perhaps the hon. Minister in the matter of Bill 118 is even moving too quickly for some of his underlings, some of the bureaucrats who advise him within his own department. Listen to this editorial:

We hope that when Municipal Affairs Minister Darcy McKeough got back to his office Monday someone showed him the news item out of Essex, Ontario, where one of his men made an observation Saturday which does not seem to jibe with Mr. McKeough's dogmatic pronouncements. Glen Morris of London, who supervises municipalities in nine counties including Essex for Mr. McKeough's department, was quoted in a Canadian Press story as saying, "Amalgamation of municipalities should be voluntary, not forced by The Department of Municipal Affairs."

He said further that consolidation should only occur when residents favour it. Maybe Essex and its environs has not yet invited The Municipal Affairs Department to prepare an Eric Hardy type report.

Well, Mr. Speaker, I do not know how much doubt you have to shed on a procedure of the government here, to make them change their mind. An honourable person, honourable governments, serving the people with honour and a sense of responsibility, should be willing to change its mind. The hon. Minister is not going to lose friends or go into disfavour, he is going to be admired if he has the courage to accede to this request of the Lakehead people to vote on this matter.

Well, here is another editorial, Mr. Speaker and this one is the voice of the people of the Lakehead and they are 900 miles away so I feel I have got to convey this entire message here before the very important bill goes through, because I would not want it to be passed without this House having all the information that I can get my hands on.

I want to make sure that they know in as much depth as possible the feeling of my people—our people. They are your people too. This one here is in the Port Arthur *News Chronicle*, we are back over to the hill city now of Tuesday, April 1, 1969 and it is entitled:

EROSION OF LOCAL THREAT IS A THREAT TO THE LAKEHEAD

Whatever happened to decentralization? Not too many years ago it was the fashion among politicians and a great many other groups to attack our ills by suggesting decentralization. Industry instead of being jammed up in only a few parts of the country would be decentralized and forced to spread out to various locations across the nation. Even government, centered in capitals long distances away from areas that it governs was to be decentralized."

Remember, when northwestern Ontario was promised its own mini-Cabinet and so on.

Well, apparently the pendulum has taken a wide swing, for there are growing indications on every side today that more and more power is being centralized in Toronto, and what the dwellers in the outback think is being listened to less and less. If the government thinks that something is good for us then that is the way it is going to be, whether we like it or not.

And this is the same message, Mr. Speaker, that I am trying to convey. The voice of the northwest, the Lakehead 78 per cent are not being listened too. The people want a vote on this matter and in this case, the Port Arthur *News Chronicle* agrees with me, so I agree with it.

It goes on to say certain things about the hon. member for Fort William, and here again I will refrain from bringing that matter up. But the editorial concludes:

> It is important that we keep all lines of communications opened to the provincial government, but this does not mean that we sit complacently by awaiting orders from that source. There will be more respect coming if we fully understand our peculiar requirements and state them clearly.

That is what I am trying to do here today, Mr. Speaker, is state very clearly my feelings on Bill 118, the feelings of many of the people that I represent.

Mr. Speaker, I think that letters are a very good source of public opinion, a very good way to find out about public opinion, because anyone who feels strongly enough about something to write a letter usually feels it very deeply. Here is a letter I received from a Lakeheader. He says:

> It is a shotgun wedding, you will hear
> some yell;
> From such a union spring trouble to quell.
> Yet others see amalgamation
> As the answer to future salvation.
> Of the Hardy report we should waive
> pros and cons;
> Thinking Canadians know it wrong to be
> told, "You will."
> Is this hypocrisy
> To Canadian freedom and democracy?

Here is another letter from a citizen, Mr. Speaker. I will not use their names; it is just voices, voices from the Lakehead.

> The local authorities see fit to allow us a vote on daylight saving time. Therefore, I cannot see why we are not allowed to vote on an important issue such as amalgamation.

I presume the Minister, when he speaks, will have answers to all these queries.

Here is another one, Mr. Speaker. It says.

Dear Mr. Knight:

> Sorry you are battling . . . and so on and so on . . . all alone. It is cut and dried now. However, you can be sure many will fight to defeat the Robarts government at the next election . . . and so on and so on.

Mr. Speaker, I said it before: The government is committing political suicide up there. The person who writes this letter is just an average Lakeheader with no great penmanship or anything else; he just put a feeling down on paper, his reaction to how amalgamation is coming about. It is a genuine reaction. He has no axe to grind except the fact of not having the right to vote on the matter.

There is nothing forced here. It is just a person's feeling. I have someone who feels he is being robbed of the right to decide his own destiny. Here is another letter:

> Please find enclosed one signed petition. However as we have a home in Port Arthur and another in McIntyre, which would involve more interest in amalgamation, we feel that we are in the dark as to what position amalgamation is going to leave us.

That is January 15, 1969, and believe you me, the people who signed that and who have written that echo the feelings of a lot of Lakehead people. They just do not know where amalgamation is taking them. So far, those who have been pushing amalgamation without a vote have failed to educate them and failed to inform them, and they are saying, "It is alright, someday you will know what it was all about; after you start paying the bills you will know. Right now, we have a dream, we have a plan, good system for government right across the province and you are a very important part of it. So you know, you will catch up eventually."

Here is another letter, Mr. Speaker, from a Lakeheader:

> Ron, at the rate we are going with amalgamation appointments and committees we will soon not have enough producers to keep the non-producers. With each new setup it takes more and costs more than a little improvement in the old setup. But as long as we have a quarter of the population who do not produce to look after the rest, we will be on a par with the Communist parties. I hope we get a vote on this amalgamation and I will get my franchise back and boy, will I use it. Real good of the government to say, "We make the setup; now you have the privilege of electing people to run it."

Here is a letter, Mr. Speaker, that has quite a bit of meaning. In this case it is from another member of the government party, and a very staunch supporter over the years, but the manner in which the Minister and government are handling this particular legislation has prompted her over to our side.

I have a note here which says, "Keep it short, stupid." Well, Mr. Speaker, I have been waiting for a long time—

Hon. Mr. Grossman: That must be from one of his own members.

Mr. Knight: No, definitely not.

Mr. Speaker, it is obvious that I am being heard and I am ruffling feathers and this is part of what I intend to do. If the government is allowed to force this legislation through, then surely I, as an elected representative of 55,000 of the people involved, have the right to stand here and speak on their behalf. Mr. Speaker, that little note means nothing because this matter of amalgamation has produced threats to my family and my family has not said, "Shut up" or "keep it short, stupid."

Mr. Speaker, I have spoken of Lakehead people. I said they have controlled their deepest and strongest emotions. But I will not speak for the future. To prove that they do feel strongly, I would like to go back—just before I read this letter from a Conservative in Port Arthur—to a front-page story in the *News Chronicle* of not too long ago and it is entitled, "No Violence, Says Mayor":

> Fort William Mayor Ernest Reed denied radio reports today that threats of violence against him made him change his stand on an amalgamation plebiscite. Mr. Reed said there had never been any threats made against him and he had altered his stand on the plebiscite over the past month "because I feel it my duty." Any talk of violence, he said, was foolish and would not accomplish anything.
>
> Mayor Reed said he was determined to do everything he could to see a plebiscite on the matter. "If provincial authorities were getting the same messages I am, they would say the same thing," he said. The mayor pointed out he was in a good position to get the feedback of public opinion, both the pros and the cons, "something The Municipal Affairs Department is not in a position to do." He said if a plebiscite was not offered to the people of the Lakehead and area it would be a tragic mistake.

Here is the case of the mayor of the city of Fort William, Mr. Speaker, who has changed his position. Earlier he said: "I endorse the Hardy report. Let us get on with it." But when the public started to say, "Wait a minute, Your Worship, you have made a mistake. Listen to our side of this thing," the mayor—who is a very good-willed type of person; I have known him for many years—turned around and said, "My goodness, I cannot shut off the voice of my people." So he decided to go in favour of a vote on this matter.

If we add the name of Mayor Reed of Fort William to the name of Reeve Tom Tronsen in Neebing to the name of Fort William MP Hubert Badanai to the name of MPP Ron Knight in Port Arthur to the name of at least six aldermen on the Fort William city council, I think we will find just how split, even in their elective representation, the Lakehead people are on the matter of going ahead with th legislation in this way. That in itself, Mr. Speaker, should be enough reason to say, "All right, we have bungled it the dictatorial way; let us go back to the good old-fashioned democratic way of deciding this whole issue. Let the people decide it."

Mr. Speaker, I brought up the matter of violence just a moment ago. I mentioned that my family had been threatened. Fortunately there was no follow-through, thank God for that. The very fact that reporters were asking the mayor about violence suggests that there has been some word or some notice, and so on. I am sure that his worship gave the answer that he did because he does not want to promote violence and neither do I. But I only bring this up, Mr. Speaker, to show how strong feelings are about this matter.

Here is a letter from a lady who is a very strong supporter of my predecessor as the Port Arthur member, whom I respect very much. This lady has witten a letter here to the moderator of the telephone programme on the local radio station, and she has sent me a copy, and has given me permission to make use of it.

> Dear Mr. MacDonald:
>
> In respect to amalgamation one very important fact seems to be overlooked by all your callers.
>
> In the first place the people of the Port Arthur riding did not have enough confidence in their decision-making abilities to return the Conservative member to that Legislature. Instead, they felt that the present member would better serve our area and speak for the people of the Lakehead area.
>
> To me, this is exactly what he is doing, and as I have had a long conversation with him, I am convinced that he is very sincere in his endeavours. Also, I know that he is acting on information that he has gleaned in many talks with his constituents, and is

acting on their behalf when he insists on a plebiscite for amalgamation.

I would also like to bring to your attention that the people of MacGregor township in particular—

And she goes into another aspect of this whole thing. The Minister has conceded to a request from the taxpayers of MacGregor township to leave out that portion which was proposed by Mr. Eric Hardy in his report to be included in the new city. The Minister has listened to the ratepayers there, he has acceded to their request, and he has left it out. I thought that was great and so do they. As I go further down in the letter:

When we chose to live in a rural municipality we did so after serious consideration, and the weighing of advantages and disadvantages. We chose our property carefully as we wished to live out in the country. Our property was located eight miles from the city, and this seemed far enough away to escape the city way of life. We wanted our children to have the feeling of space and freedom that country living offered.

In a way, the lady in this letter, Mr. Speaker, is echoing the feelings of people out in Neebing township who have been fighting so strongly against this. I have heard some of them say, in fact, these very same arguments. A little bit further on in the letter, this lady says:

I would repeat that we did not ratify the Conservative government in the last election. Also I did not ever hear the Conservative candidate bring the issue of amalgamation into the election campaign and ask the people's support for them on this issue. To be fair, it was also not an issue raised by the Opposition parties, but only because at that time I believe it was not thought enough to be an issue.

I would appreciate your bringing my views—

And so on. So there is a lady, Mr. Speaker, who was with the government party at one time, and may still be, because, after all the war still is not over.

This battle is not over, and I am still kind of confident that the hon. Minister over there will be inclined to change his mind, as will the Premier and the Cabinet, and include a clause in this bill which makes it subject to ratification by a plebiscite of the Lakehead people. I still believe that this is going to happen.

The Minister of Municipal Affairs, Mr. Speaker, of course has an awful lot to say in this matter. He is the member of his government who has been chosen to carry the cudgel, you might say, on this matter. Perhaps it would be better to say, carry the responsibility for seeing to it that whatever new local Lakehead government takes effect, takes effect in the proper way.

Mr. Speaker, I would like to ask the hon. Minister a question similar to the one which was asked by my colleague, the hon. member for Welland South, on February 18 in the House. It pertained to the Chatham area, the Minister's own constituency.

I will not repeat the exact question, but it reflected the idea, what would you do in your own riding, you know. Where is Chatham in this regional government at this point? Any regional government for Chatham?

Well I would like to add that I thought it was an excellent question. For the hon. Minister to really do justice to the people of the Lakehead, he has got to treat this issue of the incorporation of the new Lakehead city just as he would if he were incorporating a new city in Chatham. And I wonder if 78 per cent of the people of Chatham were saying, "Look Mr. Minister, we want to decide, we want to vote on this matter." You know, like maybe his relatives, his—

Mr. Speaker: Order! I would point out to the hon. members from the official Opposition who are not occupying their own seats, that they are voiceless in this House. If they persist in interfering with the debate I shall have to take some steps to have the matter attended to.

Mr. Knight: Mr. Speaker, I was just trying to place the hon. Minister for Municipal Affairs in my position. I was trying to help him examine his conscience, as it were, his political conscience. What would he do? What would his decision be? Would it still be whether you vote for me or not next time out, I think this is right, as one of your elected representatives and this must happen this way.

If that is the extent of the Minister's sincerity and determination in this matter, if he were, in effect, willing to put at the next election his political career on the line on the basis of this, then I would say, OK, this is a Minister who is honourable.

I would put my own political career on the line, I think, on this issue, because I know the mental cruelty, that the people that I represent have been subjected to because of the

manner in which this new city is coming about. The emotions range from a variety of feelings. There are people at the Lakehead today, Mr. Speaker, when you refer to the matter of the new Lakehead city who just throw their hands up and they say, "Well, what can you do? The government is going to do whatever it wants to do. They have taken this entire matter out of our hands, there is nothing we can do."

Then there are others, Mr. Speaker, who get just fighting mad, and they say, "What is this, Czechoslovakia or somewhere, where a government can step in and determine our future here? Do we have no say, no hearing down there in Toronto? Is there anything we can do?"

And, Mr. Speaker, others are just plain hurt. There are people from 47 ethnic backgrounds who now call the Lakehead their home, and I have heard some of them, and this is something that really hurts.

Some of them say, "I have lived in countries where governments did this. Just simply usurped the local autonomy, did not heed the local opinion and walked in and established programmes that the local people did not want, and this is what has caused revolutions, this is what has caused bloodshed!

This, Mr. Speaker, at least is what causes the erosion of democracy. And you know, Mr. Speaker, if you look up the definition of democracy in Webster—and I had to do that because I am talking about democracy—it says, "Government by the people" and it means, just for the common people.

An hon. member: Did members know that!

Mr. Knight: I think the fact that we are in this House today, everyone of us is here because of the principle of democracy, because the people put us here. I think this very chamber has a fantastic past, steeped in democracy, and I think that these chambers echoed long into the night on many occasions on arguments in favour of democracy.

This government has a chance to apply this very principle, Mr. Speaker, for this important legislation that the House is being asked to bring in for the incorporation of a Lakehead city.

If the Lakehead people had not cried out, if I did not have a petition with 6,292 names, if I did not have editorials, news stories, letters, letters to the editor; if I did not have comments of my people, verbal comments albeit to convey to this House, then the hon. Minister could say, "Fine, I am on the right track; we are taking the responsibility, we are doing it and the people are going along with it."

That is what we hoped would happen, Mr. Speaker. I think he hoped that anyway. He should have hoped it, because that would have saved him an awful lot of trouble. I am sure his mail has been pretty thick and heavy on this issue.

But if he knew the Lakehead people like some of us know them, Mr. Speaker, he would never have started on this course. He would never even have taken the advice of Eric Hardy—and do not think for one minute that I do not respect Eric Hardy, because I sat in on many of his meetings when he was trying to assess Lakehead opinion, listening to briefs, and you know this is a very intelligent fellow.

He sized up the local situation very quickly, but he missed the boat when he thought that he could advise the government not to submit at least the principle, at least the idea, of amalgamation to the people.

He certainly missed the boat on that one, Mr. Speaker, and unfortunately the Minister picked up this mistake as soon as he became involved in this matter and has carried it forward. We have tried to warn him. I myself warned him the night the Hardy report was released, Mr. Speaker. Others asked questions from the floor, "Will we not have a vote, March 11, 1968?" That is just a little over a year and a month ago, and even at that time he immediately said I am inclined to go along with Mr. Hardy. I am inclined to turn this down.

Even in this House, Mr. Speaker, when I have asked the question which was by way of asking the Minister, "Would he reconsider this?" But no, no, no. Never maybe. With never you might have something. But nothing, just a wall of opposition to the whole idea of any kind of a vote.

How has the Minister made up his mind so early in the game, Mr. Speaker? How has he been unflinching? I think he has the responsibility to justify that stand to this Legislature because there are many who do not understand it. They can only take it one way—dictator—no other way. There are people up at the Lakehead who believe this; they have no political axe to grind. These are people in all three parties, Mr. Speaker, who say, how can he do it? How can he get away with it? In some place we have gone wrong; where did we lose our rights? How can a government come up here from Toronto and just end the whole thing this way and

force us into a certain position? We cannot see how this is the proper interpretation of democracy in this country.

There is another story I would like to read you, Mr. Speaker, which is a record really, of what has happened in this issue. This is a story entitled "Knight gets 'no' on vote." I do not know whether the members of this House will remember the day that this happened but here is how it was reported to the people up at the Lakehead:

> Municipal Affairs Minister Darcy McKeough gave a brief "no" in the Legislature Thursday when asked if he would reconsider a plebiscite on the amalgamation of the Lakehead cities. Ron Knight asked a question which started a five-minute squabble over whether or not a large part of it was in order. Knight asked if the Minister would reconsider in view of the following recent developments.
>
> When he started to list the developments, the Speaker, Fred Cass, ruled the remainder of the question out of order. The argument that ensued involved Liberal Leader Robert Nixon, who backed Knight, and ultimately Premier John Robarts, who said the rules would have to be followed if the question period was not to get wholly out of hand.
>
> Speaker Cass apologized to Knight at one point for suggesting that the question was not being asked so much for information as for publicity value. The developments which Knight started to list and which caused the arguments were—

And on and on and on, Mr. Speaker; I am sure you remember the long list. What was significant to me in that whole encounter was how the Premier who, until then to my knowledge had not involved himself in this issue in any way, shape or form, was suddenly so determined that the member for Port Arthur was not going to ask any more of the items in that question. For the first time we find the Premier of the province really, in effect, siding with the Minister of Municipal Affairs. Until that point he had been hiding behind the Minister, I think, Mr. Speaker.

You know what I mean, 'blame Darcy'; one man is to blame for this. Mr. Speaker, I think that is a misconception, too. I mean, if the Minister of Municipal Affairs can do this, if he can propose this legislation without giving the people a vote at a time when the Premier—and I am sure other members of the Cabinet over there have received letters and requests and, of course, after this debate, have been informed by myself as to the people's desires; it is more than a desire—it is a need for this democratic vote. Then, Mr. Speaker, this entire government has got to be condemned for its undemocratic ways.

Let the people of southern Ontario, Mr. Speaker, through you, follow the course of events at the Canadian Lakehead very closely because if it can happen to my people, if it can happen up at the Lakehead, it can happen to them. This government is on the move. Where it is going, I do not know if it knows, but I will tell you, Mr. Speaker, it is trampling over people just like it is an army. It is trampling right over them, it does not matter what the people think, we have got a dream and it is going ahead! It does not matter what people do; it does not matter what they say, the people are not going to maintain self-determination in this province. The only time that they are going to have it is once every four years at election time. Then the people will know that from here on in, whenever they are electing a Conservative government, Mr. Speaker, that is it. They have sold their souls, because this government can do anything it likes. It sets up a programme and in its wisdom and deep foresight and insight, it feels that this must be done; it does not matter what the people say.

Mr. Speaker, I do not see it that way myself. I think there is such a thing as accountability and I think it should come more often than once every four years. I think that this government—the government of any province, any country, any municipality—should be continually assessing what it is doing up against the background of public opinion.

That brings me around to another editorial, if I can find it here. This one, however, does not come from the Lakehead papers and is much more recent. I think here in the Toronto *Telegram* we have a writer, Eric Dowd, *Telegram*, Queen's Park Bureau; perhaps he is here. He is not allowed to speak, but I am and I am also allowed to bring reports.

Mr. Speaker, if the members of this House have read this article, it is in the April 22—that is, yesterday—Toronto *Telegram* and it is entitled, "The Robarts government vs. public opinion". In many ways this article compliments the government, but in another way it warns this government that something has happened. It is the same old party; you know what I mean—it has the same old government of 26 years that always stuck pretty close to public opinion, and that is what struck me. Let me read some of this,

Mr. Speaker, and I will get my point across here:

> Ontario's Progressive Conservative government is often accused of consensus politics—taking the course that offends least and waiting patiently where necessary for public opinion to come round in its favour.
>
> Certainly one of the factors that has helped the Conservatives to stay in power for 26 years is the sensitive finger they usually have on the public pulse. Ironically, the government now is in its deepest trouble in years because it is pushing ahead with programmes despite hostile public opinion.

Mr. Speaker, this is very strange. I will spare the House the balance of Mr. Dowd's article. I have said the part that makes my point and it is that this government is warned by a very astute newspaper journalist here as well as by myself at this time. Political suicide at the Lakehead; that is it—maybe the whole northwest.

Mr. Speaker, I would like, if I might just for a moment, I have more voices at the Lakehead that should be heard from. The one I am thinking of right at the moment, Mr. Speaker, is the Canadian Lakehead port council. I referred to it earlier and I found the affidavit that nails home my argument in that regard.

The indication by the Minister in a speech at the Lakehead was that he had made his decision on no vote because he had been talking to the labouring people. Listen to this article:

> Canadian Lakehead port council, representing some 4,000 to 5,000 waterfront union workers, has voted support of international brotherhood of pulp, sulphite and paper mill workers, local 39, on the principle of a plebiscite for amalgamation of the Lakehead area.
>
> Council president Harvey McKinnon gave details of the resolution—
>
> That the Canadian Lakehead port council supports local 39 on the principle of a plebiscite on amalgamation but if the situation does not change, we must see that the most capable people are elected to the new council.
>
> Unions represented by the council include steamship clerks, with a membership of 1,300; Teamsters Local 990, all truck drivers, SIU of Canada, Barbers' Union, Canadian Marine Officers' Union and Local 39.

There is a group that can speak, indeed, very very loudly on behalf of labour at the Lakehead, you must admit. There was another issue that developed at the Lakehead that I cannot understand. Perhaps the leader of the party to the left will explain it to the House some day; perhaps during the course of this debate. One of the members of the Fort William Ratepayers' Association, Mr. Speaker, was a gentleman by the name of Al Nelson.

Mr. Nelson was the president of the Port Arthur New Democratic Party riding association. When the Fort William Ratepayers' Association was first formed to create a group of citizens to convey opinions, primarily in opposition to the Minister and those of us here in the House, Mr. Nelson was one of the first men to get on there. I have an awful lot of respect for Al Nelson, Mr. Speaker, because he is a Lakeheader who is not afraid to speak out; he is not afraid to fight.

The story on the front page of the *News Chronicle* caught me completely by surprise because I was not expecting it. I now read it:

> NDP President Quits Association
>
> Port Arthur NDP riding association president Al Nelson has resigned his post over what he terms lack of support from NDP leader Donald MacDonald for a plebiscite on the Lakehead's amalgamation.
>
> In an interview in Port Arthur last night, Mr. Nelson says he resigned earlier this week after speaking with Mr. MacDonald and provincial MPPS and requesting support from them in the Ontario House.
>
> They are already committed to the regional government proposal and they feel amalgamation is related to this, he said.
>
> He said he had gone to Queen's Park to request provincial NDP members to request a plebiscite for Lakehead residents in the Legislature.
>
> "I don't think that amalgamation and the regional government concept are necessarily related," said Mr. Nelson.
>
> He said he would run again for president this spring, but only after he got a vote of confidence from the membership of the party in Port Arthur. Mr. Nelson has been president of the Port Arthur body for the past two years.

Mr. Speaker, I had hoped to get support on my argumentation today on behalf of the Lakehead people for a vote, not only from the members of my own party, but certainly the members of the New Democratic Party, because their very name includes the word "democratic". If the party to the left is going

to maintain this position by opposing the vote for my people, at this time when so many of the very Lakehead people involved are great supporters of this party—

Mr. MacDonald: What about Saul Laskin?

Mr. Knight: I am talking about many hundreds, perhaps thousands of people that I hope you will be speaking for; I hope you will be speaking their feelings, because this story here would indicate to me, Mr. Speaker, that the party to the left is not going to support a request for a vote on this matter. I say at this point that I am simply trying to urge them to change their tune.

I said before that I respected Mr. Nelson. The way the leader of the party to the left has reacted to the president of an association up at the Lakehead parallels very well the reaction of this Minister and this government to all of the Lakehead. In other words they are saying, "What do they know? We know better down here in Toronto. We are running a city here in Metro of 2.5 million; what do the people up north know about anything? Nothing."

This whole issue, Mr. Speaker, of Toronto stepping into the Lakehead and trying to run their affairs in this manner is just typical of the attitude of the government down here in Toronto—for quite a few years at least; at least the last 26.

The Lakehead people's pleas are not heard. The idea with the Lakehead people is to go up there and give them a line, keep them fooled, and lead them around by the nose. Mr. Speaker, that is why I am here, and that is how I got here. It is not because I think this way, it is because the people who elected me think this way.

Mr. Speaker, I have a feeling the members of the party to the left are going to change their minds. They are called the party of the underdogs; they have not got a mine. I can tell you this much I am not very interested in the New Democratic idea; I think I would rather switch to the old democratic idea, and I think they ought to think very seriously about that.

I think what really happened to the party to the left at the Lakehead was that somewhere along the way it made a decision against the Lakehead Labour Council, which is, of course, CLC and affiliated with this party—or at least the executives did. I can read you some letters on this, too, in a minute. The Lakehead executive of the labour council decided in their wisdom that there should be no vote. Then somebody from the citizenry in the New Democratic Party Association in Port Arthur advanced a resolution into a meeting, and those people, obviously not realizing what labour had done, turned around and got this resolution through asking for a vote on it.

What a crisis up there; a real problem. Here we have labour at the Lakehead going against the vote, and the local riding association coming out in favour of it. Of course, Mr. Speaker, this is bound to leave the leader of the party to the left in a terrible dilemma. Who does he back? Does he back labour, now that labour has gone ahead and made this mistake, and has made this undemocratic decision? What in the world are we going to do? There was only one thing to do, Mr. Speaker. As is the way of political life there had to be a scapegoat: Get rid of the president of that local; get rid of the president of that association, and then we can reverse the position of the association and blame the president. Thus we have this story Mr. Speaker, of what happened at the Lakehead with the party to the left.

Anyway it strikes me as very amusing, Mr. Speaker, because just last week, all of a sudden, out of nowhere the leader of the party to the left is suddenly taking an interest in the Lakehead people and amalgamation. Is not that something for him to finally come and take an interest in? Have you taken a stand yet, out in the open? No. Through you, Mr. Speaker, to the leader there has been no one over there taking any stand; no one over there taking any position. Why? Oh, you have got a lot to say—yuk, yuk, now that it is all over, now that the fight is here. If you are the party of the people, through you to the members to the left—

Mr. Speaker: Order, order. The hon. member is now not speaking to the principle of the bill; he is making an attack on another party in the House, and this is not the time for that. He will revert to the principle of the bill.

Mr. Knight: Thank you, Mr. Speaker. I will be glad to return to the matter of the bill. The only reason that I had brought up this matter was on behalf of so many people of the party to the left at the Lakehead who had asked me whether we would receive support in our request for a vote from the hon. members to the left. I said I would do everything in my power to try and make them understand how important it is to the members of the association. Now, Mr. Speaker, I have fulfilled that commitment.

Interjections by hon. members.

Mr. Knight: Mr. Speaker, there are many crosses to be borne, really. It is strange, Mr. Speaker, in the midst of all the din from the left, that I had an editorial in my hand the Fort William *Daily Times Journal,* which says, "Pushing and Shoving Won't Help You —Union." At this point, pushing and shoving won't make my particular contribution to this debate any shorter.

This is in the *Daily Times Journal,* Fort William, dated March 20, 1969:

> It seems a pity that with the approach of the time when Port Arthur and Fort William shall become one city under the edict of Robarts government, we should have a flair-up in a Fort William council meeting featuring a diatribe against certain Port Arthur interests that the Fort William council members believe had been pressing unduly to enhance the Port Arthur image at the expense of Fort William.
>
> Yet, in all fairness, some representatives of Port Arthur asked for such a show of indignation. It has been Mayor Laskin who has been lobbying diligently on members of the Toronto government in the interests of amalgamation. None should blame Fort William aldermen when they become incensed because appointments to the intermunicipal committee are made without consultation with elected representatives of the cities, and when the Port Arthur Public Utilities Commission and other Port Arthur bodies have taken it upon themselves to call meetings with their Fort William counterparts, autocratically setting the day and time and the place of meetings.
>
> If this cause for dissension is not eliminated soon, the new city is in for a peck of trouble. If the powers that be in Toronto have pushed amalgamation of the two cities in the belief that rivalries between the two cities would be rubbed out, they may have a rude awakening. Without a change of attitude by Port Arthur leaders, a new enmity between the two sectors could make relationships of the old look very tame.

Indeed, Mr. Speaker, there has been tremendous evidence of unrest, of name-calling, and of one city or one council or one mayor throwing rocks at the other. It seems to me that those of us in favour of amalgamation over the years have been in favour of it to do away with all of this; to do away with this name-calling and these differences of opinion because they leave the electorate so confused. When they see their elected officials fighting in this manner at the local level in the city council chamber, naturally this sparks all kinds of dissent out on the street. I think the reason for this, Mr. Speaker, is that the people were not allowed to decide this in a democratic way. The people feel pushed. They feel they are being forced into this thing.

Mr. Speaker, there is no question in my mind that over the years the Lakehead people have always felt that they would decide this issue. If you do not believe me, ask them. Ask them in a vote, in a plebiscite on the whole matter of incorporating a new city at the Lakehead?

I referred to the term mental cruelty a little while ago. Is it not strange that so many divorces in this country, so many weddings end on charges of mental cruelty. Here is one involving 110,000 people that is starting with charges of mental cruelty, from the people involved against this government.

No community in the history of this province of opportunity, Mr. Speaker, has been told "No" more often by this government, or been put through the emotional workout that our Lakehead community has by the Minister due to his awkward immature handling of the whole situation.

He has treated the people not as mature and intelligent voting citizens, but as children who must be spanked and put to bed and tied to the bedpost. He has not heard their pleas for self-determination, Mr. Speaker. I do not even think he has bothered to really sit down and talk to them to find out really why they feel that their democracy is being eroded in this manner.

He has taken no notice of their urgently assembled meetings or their petitions.

I have a petition right here which I plan to put on the table later. I would say that the vote in favour of amalgamation would have been 78 or 79 per cent if the people up there had been granted the democratic decision but this Minister, Mr. Speaker, he simply does not feel that he should listen to the people when they request this, and he thinks I am just speaking for a handful of people.

But I have already quoted editorials, and I have presented other affidavits which I think should make it very, very plain and very clear that there is a very large cross section of Lakehead people who feel exactly the same way as I do.

Here is a very interesting editorial that appeared early in the game, early in this battle in the Port Arthur *News Chronicle* which I think will contribute to this debate, certainly contribute to the better understanding of all these well intentioned Ministers.

This one is entitled "McKeough can be tough, nice isn't necessary". I am sure he read that one because it was complimentary in some ways, but in other ways I would say that it was not. I am not going to read the whole thing because it is terribly long. I will read the part that is advantageous to my argument at this point.

> Ontario's regional government programme came under the guns of the Opposition at Queen's Park this past week, and George Bukator, Liberal member for Niagara Falls, brought some numerous relief into the Legislature near the close of the day-long debate.

I am sorry the hon. member is not here at the moment:

An hon. member: He is here!

Mr. Knight: He is here? Yes, he is. My apologies to my hon. colleague from Niagara Falls (Mr. Bukator). But anyway, this editorial quotes Mr. Bukator as saying:

> The difference between rape and romance is salesmanship, he told the Minister of Municipal Affairs, Darcy McKeough. Regional re-organization might become a romance if you exercise some salesmanship.

This is the point. The people could have been allowed to exercise what they feel is their democratic right. They could have put this to a plebiscite if the Minister would have used a little salesmanship, and if the other pro-amalgamationists in the community had gone out and done a little bit of educating and a little bit of salesmanship. The people could have passed it and everybody would have felt happy. You would know it was a democratic decision.

I have the commitment and the promise, Mr. Speaker, from every single person, every single dissident that I have quoted here so far, that if this were put to a democratic vote they would be quiet; they would join in with the Lakehead city and move ahead on a bigger and better city, Mr. Speaker.

Their word is good enough for me.

Hon. Mr. Grossman: That is the purpose of the bill.

Mr. Knight: Well, Mr. Speaker, if the government can be allowed to come along and arbitrarily force something, enslave 110,000 people; bring them down to their knees in this manner—oh you laugh—how much is it going to cost? The Minister does not know, Mr. Speaker. If we see happening at the Lakehead what is happening at the county school board system, Mr. Speaker—

Hon. Mr. McKeough: Is the member in favour of amalgamation?

Mr. Knight: I am in favour of amalgamation, Mr. Speaker, yes. Very much in favour of it, but it is not so important that you or I are in favour of it. What is important is that the people who are going to have to live with it are in favour of it. Nobody here knows whether the people are in favour of it or not.

Well, Mr. Speaker, I have more affidavits here. I am committed to the people to bring their voice to this House, and to bring it here loud and clear. Even with the opposition I am receiving now, it is the same old ballyhoo—get on with the job, never mind the people, let us get the job done. It is not the people that are important, it is the job.

Amalgamation for amalgamation's sake? I have never been in favour of amalgamation for amalgmation's sake, Mr. Speaker. I only want amalgamation because I am interested in the people up there and what I think it can do for them. But until they recognize what it can do for them, until they are willing to accept—or at least a majority are willing to accept it—I do not see how we can assume to be so powerful and so brilliant and so eloquent that we can go in and push it upon them.

I was trying to read an editorial in the *News Chronicle*. I wish we had heard from the hon. member in the back row here a little bit earlier when the fighting was going on, when it was time to be really taking an interest in what was going on at the Lakehead.

Mr. P. D. Lawlor (Lakeshore): The member is their spokesman?

Mr. Knight: He is terribly vociferous at this point. This is another one of these bureaucrats, these legislators who are going to rule from afar. "I will tell the Lakehead people what is good for them." All I am saying is that the Lakehead people tell us what is good for them. I am happy to say, Mr. Speaker, that I have the support of my leader and my caucus in wanting to give the people at the Lakehead a democratic decision in this matter, and you have no idea how proud that makes me today.

What is important is that the people at the Lakehead know it. My leader, Mr. Speaker, has never been afraid to go on record as supporting a vote, and he has made this statement to the people at the Lakehead, he has made it public and he has made a stand. He has taken a stand, Mr. Speaker, and that is the kind of leadership that I can admire and appreciate.

I was about to read this editorial from the Port Arthur *News Chronicle,* Mr. Speaker, which was entitled "McKeough can be tough but nice isn't necessary". And I was talking about the statement of the member for Niagara Falls to this House at a time when he was discussing this very matter, regional government. I continue with the editorial:

> It was the Minister's brusque and arrogant indifference that so incensed some Lakehead aldermen and many news media representatives during his recent visits to the Twin Cities, ostensibly to explain the mechanics of this area's impending amalgamation of municipalities.
>
> But, overlooked in the grating and gnashing of teeth over Mr. McKeough's mannerisms is one simple and unalterable fact—he doesn't have to be nice. He doesn't have to sell amalgamation, and nobody knows it better than the Minister himself.
>
> He has the full backing of already-enacted legislation in his pursuit of amalgamation, and a layman's review of the Municipal Act revised statutes of Ontario, 1960, and so on—indicates almost dictatorial strength already at the Minister's fingertips.

Mr. Speaker, it shocked me to find out that in our Municipal Act, there is such legislation, that gives the government power to fly in the face of local opinion to this extent. I think at some future date this is something which should be amended, something that should at least be considered and debated. I think it would be very good for this House to reconsider that particular legislation which gives this Minister the power.

Mr. Speaker, this Minister in his handling —I am sure he is a far different person, you know, when he is not dealing with Lakehead amalgamation and the unification of the Lakehead cities—but if he can only apply some of that understanding that I am sure he must apply to the running of his family and his relationship with other people in his personal life, if he could only apply that, to the Lakehead people and see these people want the right to make the decision, Mr. Speaker, I am sure that I would not have to go on very much longer to convince the hon. Minister.

I want to quote this article, Mr. Speaker—

Mr. Lawlor: Almost a scandalous performance.

Mr. Knight: The member is listening, is he not?

An hon. member: The member is not getting through to him, though.

Mr. Knight: Mr. Speaker, through you to the hon. member. If the hon. member would rather attract our attention to him, rather than to the Lakehead people, I would like to get the attention of the House back to the Lakehead people because they unfortunately do not have a voice here, Mr. Speaker. As I said before, they are 900 miles away and if there is an air strike —

Interjections by hon. members.

Mr. Knight: Mr. Speaker, I would like to read a concluding paragraph from this particular editorial, just to round it off, because it goes into the whole business of the legislation and it finally says:

> One might further concede that, if the Act means what it says, the tiny light of autonomy still burning in the municipality is flickering only by benevolent permissive grant of Queen's Park administrators. This being true, it would seem that the real weight of battle should shift from the Lakehead to the provincial capital with a renewed interest in, and ultimate amendment of, the amalgamation and annexation section of the Municipal Act.
>
> Mr. McKeough's successor may be personally more amiable, but possess a less benevolent nature.

The indication here is, Mr. Speaker, that perhaps what is happening with the Lakehead and the manner in which this legislation is being brought about, is perhaps a sign to us, as well-intentioned legislators, that we should entirely review that particular section.

Mr. Speaker, I have other letters here that I know the hon. members would like to hear, from individuals who will have to live with the Lakehead city once it has come about. I think perhaps this might be a good time to read this particular letter. It was not to me personally, Mr. Speaker, but it was published in the local editor's mail box of the Port Arthur *News Chronicle.* This letter says:

> Appearing in your January 17 issue was a release that the Lakehead Chamber of Commerce and our MPP Ron Knight had

clashed on their respective views on amalgamation. The chamber stated that the member was not properly representing the majority of the Lakehead people on this issue.

While I am not one of his party, Mr. Knight in my opinion, is properly representing the majority of Lakehead citizens. Mr. Knight has stated time after time that he favours the amalgamation of the Lakehead but disagrees with the manner in which it is being accomplished.

Perhaps these chambers of commerce should take their heads out of the sand and take a count of those they represent. An editorial appearing in your paper on December 6, 1967, stated: "In the light of the election results in both cities, it does not seem that the chamber is entitled to assume that its views always accurately reflect those of the community as a whole.

While the editorial referred to a poll taken in the chamber on fluoridation and daylight saving time, I believe the same could be said for the method of the amalgamation of the Lakehead. It is about time . . . so let's hope Ron Knight . . .

And so on.

Mr. Speaker, this letter sent to the editor by J. G. Peschell, whom I am sure is well known to the members to the left, because in personal conversations he has told me that he followed their party. He is the leader of a very outstanding and very active union, a very important union, at the Lakehead. Here again labour support for this idea of self-determination on the matter of amalgamating the Lakehead cities.

Well, Mr. Speaker, there is so much material, really, to back up this position that one has difficulty knowing just what to use and how much to use. There was an incident, and perhaps this is why the hon. Minister is having some difficulty with the newspapers and the voice of the people at the Lakehead, Mr. Speaker. An issue some time last January. Yes, I recall now, the Minister was coming to the Lakehead to announce some legislation for the bringing about of this new city. This statement says that the Minister gave the press the brushoff. I will read this story very quickly:

Newspaper readers in Toronto will have full details on Lakehead amalgamation about 24 hours before the people it affects directly. Ontario Minister of Municipal Affairs, Darcy McKeough, on arrival at Lakehead airport earlier today, gave reporters a brush-off and declined to discuss the contents of an address he was to deliver at 4 p.m. to the municipal councils concerned with amalgamation. Contents of the address will be released to Toronto newspapers at 3.30 p.m., but despite the assurances by the *Daily Times Journal* that copies of the paper would not be on newsstands or streets before 4 o'clock the Minister would not accord the same privilege to the local residents.

Now, Mr. Speaker, the Minister made a big mistake there. A very big mistake, and I will knock him too hard for it, unless, of course, he was really putting these boys down. These reporters, and I do not have to tell this House or this Minister, are the fellows who convey impressions to the people. I think in most cases they should convey the accurate and the true impression.

If they are emotionally upset by this kind of arrogance that the Minister really demonstrated on this occasion, Mr. Speaker, I do not see how they can do justice by their readers or their listeners. To show how deeply they were touched by the Minister's reaction to them at that time, Mr. Speaker, an editorial appeared in the Port Arthur *News Chronicle* the next day, which had a picture of the hon. Minister and said, "Big man, important message." I would like to go through some of this, Mr. Speaker. You may feel, and some of the members opposite may feel I am trying to be personal with the Minister, but I am not. I am trying to indicate why the Lakehead people feel so upset about this and so confused.

Hon. Mr. Grossman: Is that what the hon. member is trying to get across?

Mr. Knight: If you were a resident and you picked up a paper like this and you saw a picture of the Minister and it is called "Big Man"; and you went on to read an editorial by a paper whose editorials you have been reading for years, and who you have relied on for information as to what is going on in the community, how would you feel? The editorial says:

Coming to the Lakehead, advance notices said, was a big man with an important message. And the twin cities waited. The big man, Ontario Minister of Municipal Affairs, Darcy McKeough. The important message, legislation for amalgamation of the municipalities of the Lakehead area, an order of change destined to reshape the very root fibre of every facet of community life. More than 100,000

residents of the vicinity had their attention rivetted directly or indirectly on the big man's arrival. Consciously or subconsciously they locked mental radar on an heretofore elusive target and positive plan of action. Resting on the plan of action are careers of hundreds of civic employees, who face certain adjustments in the impending reorganization of the government departments. Hundreds more employees in private business and industrial concerns with offices in both cities anxiously wait to see whether their firms will merge operations in keeping with the new one-world look, or continue to maintain neighbourhood branches in this metropolis.

And tensions in the office are compounded in magnified emotional strains at home where families also try to decipher unfamiliar signals of evolution.

I interrupt the editorial for a moment, Mr. Speaker, to point out that this editor is trying to create a mood. He is trying to tell the reader both inside and outside the Lakehead of the state of mind of the people at the time that they awaited the arrival of this Minister with this important announcement that could change their whole future. The editorial in the *News Chronicle* goes on:

Details of the legislative plan were to be made available at a news conference scheduled for 4 p.m. Here the doors were to be opened to newspaper, radio and television, each in its place a valuable instrument of public communication. Lakehead news media, long sensing the anxiety of its residents, waited eagerly to translate the government's intentions. Time—hours, minutes, seconds—in such cases is an unforgiving factor. For radio, the seconds counted. A written report can be transmitted to listeners without delay. In minutes, television can broadcast an identical account graphically presented with the impact of living, moving film.

And so forth; it goes on. I move ahead, Mr. Speaker.

But unlike the fleeting message of broadcast impact, a newspaper remains at the fingertips of its readers for repeated references. Bearing in mind the complications of more time consuming production, the Lakehead newspapers asked Mr. McKeough to release content of his policy statement far enough in advance of press conference time to allow printing of the legislative outline and at the outset the Minister agreed.

Prior to departure for Toronto, he did release the material to Metropolitan dailies in the east but on arrival at the Twin Cities declined similar courtesy to local newspapers.

Hon. Mr. McKeough: On a point of order, Mr. Speaker. The hon. member, of course, would want the House to know that that statement is completely wrong. It was not released here until the same time it was given in the Lakehead.

Mr. Knight: Very good, Mr. Speaker, I accept that explanation from the Minister. It is the first time that I have heard it and I think it is about time the explanation has been made, because it has been in the press, it has been radioed. The reporting, though well-intentioned they may be, causes the people to be confused if everyone is not organized on the manner and the time of release of these statements.

What I am trying to convey to the House, Mr. Speaker, is that it is not any wonder that the Lakehead people are so confused at this point because every time the Minister comes back to the Lakehead he has something new to announce, something new to come about. Yet still, two months from today, Mr. Speaker, the people in my riding and the people in the riding of the hon. member for Fort William, are going to elect a mayor and a council for that city. Really the people are having a hard time trying to understand exactly what it is all about. I think I have letters here, Mr. Speaker, that will substantiate that statement.

Dear Mr. Knight: Please find my enclosed slip. For myself I am not in favour of amalgamation, but I am still behind you.

And so on and so on.

A letter to the editor, which relates to amalgamation. I will just take one little portion of it.

Another fine example of what the people of this area can expect in future from this government and those involved in illegally taking the people's rights away from them.

You can go through letter after letter, Mr. Speaker, and the people up there are in this mood. Why are these rights being taken away from them? Here is one:

I commend you on your stand to the approach of the amalgamation of the two Lakehead cities and surrounding townships.

This, for a change, is a business man, Mr. Speaker: "Keep up the good work," and so

on and so on and so on. And, "We pray that the people will smarten up before it is too late. Keep fighting for our rights."

Mr. Speaker, the members of the House have indicated that they do not entirely believe me. I have got to substantiate, or at least authenticate, my statements here in the House by indicating that there are people who do believe that the feelings I express are truly from people at the Lakehead.

Here is a letter to the editor in relation to this:

> Upset and costs are the two basic principles which will be needlessly aggravated if and when the amalgamation of the Lakehead municipality takes place. The two are interrelated, each affecting the other directly and indirectly. Mr. Hardy lightly passes off the fact.

This is a letter that goes on to take the whole Hardy report apart. It is by Mr. John Chapple and it goes entirely against amalgamation, Mr. Speaker. It is not entirely related to the principle of the bill—

Mr. Speaker: I wonder if the hon. member, if he is intending to continue for any length of time, would adjourn the debate in order that the House might be closed at six? If he is only going to be a few moments then, of course, he could continue and complete his address.

Mr. Knight moves the adjournment of the debate.

Motion agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will continue to consider legislation and if time permits we shall then return to the estimates of the Treasurer.

Hon. Mr. Welch moves the adjournment of the House.

The House adjourned at 5.55 o'clock, p.m.

No. 94

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, April 24, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, April 24, 1969

Tabling report, Mr. Rowntree 3503

Zinc smelter at Timmins, statement by Mr. A. F. Lawrence 3503

Transfer review board, statement by Mr. Davis 3505

Education cost sharing, statement by Mr. Davis 3505

Landlord and tenant, questions to Mr. Wishart, Mr. Singer 3516

Central Algoma Board of Education, questions to Mr. Davis, Mr. Nixon 3516

School facilities for Hawkesbury, questions to Mr. Davis, Mr. Nixon 3517

Board of education and school principals, questions to Mr. Davis, Mr. MacDonald and Mr. T. Reid 3517

Employment Standards Act, 1968, question to Mr. Bales, Mr. MacDonald 3518

Farm machinery, questions to Mr. Stewart, Mr. MacDonald 3518

Nicholas Volk, Jr., questions to Mr. Davis, Mr. MacDonald 3519

Land surveyors, questions to Mr. Wishart, Mr. Martel 3520

Farm income committee study of corn industry, question to Mr. Stewart, Mr. Spence 3520

Directors of education, question to Mr. Davis, Mr. Lawlor 3520

Oil spill in Windsor area, questions to Mr. Simonett, Mr. Paterson 3520

James Street store in Hamilton, question to Mr. Welch, Mr. J. R. Smith 3521

After-four programmes, questions to Mr. Davis, Mrs. M. Renwick 3521

Indian bands and school boards, questions to Mr. Davis, Mr. T. Reid 3522

County school boards, questions to Mr. Davis, Mr. T. Reid 3522

Colleges of applied arts and technology, questions to Mr. Davis, Mr. T. Reid 3523

High school student groups, questions to Mr. Davis, Mr. Pilkey 3523

Joseph Viner, questions to Mr. Wishart, Mr. Makarchuk 3523

Nuclear installations, question to Mr. Simonett, Mr. T. P. Reid 3524

Licensed premises in Windsor, questions to Mr. Welch, Mr. Peacock 3524

City of the Lakehead, bill respecting, Mr. McKeough, on second reading 3525

Recess, 6 o'clock 3549

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 24, 1969

The House met today at 2 o'clock p.m.

Prayers.

Mr. Speaker: I would like to say, for the information of the members, that next week, beginning Monday, I will be using for the opening of the House prayers which have been submitted by the House committee in the order of their preference.

The one on Monday will be their first preference, and so on until Thursday; and then perhaps we can get an agreement as to the prayers, if any, which should replace the present prayers.

Our guests today are many. In the east gallery we have students from Donview Heights junior high school in Don Mills, and from Penetanguishene secondary school in Penetang. In the west gallery we have students from Martingrove collegiate institute, Islington, and the members of the Women's Progressive Conservative Group in Orillia.

Later this afternoon, in the east gallery, we will have students from Owen Sound collegiate and vocational school in Owen Sound, and from Kingsway collegiate in Oshawa.

Petitions.

Presenting reports.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, I wish to table The Department of Financial and Commercial Affairs report covering the period from January 1 to December 31, 1968.

Mr. Speaker: Motions.

Introduction of bills.

The Minister of Mines has a statement.

Hon. A. F. Lawrence (Minister of Mines): I think the House has a right to know at the earliest opportunity that Texas Gulf Sulphur, at the urging of the government, announced this morning that they will be building a zinc smelter, refinery and sulphuric acid plant at Timmins.

Dr. Charles F. Fogarty, the president of Texas Gulf, telephoned my office directly from a board meeting of the company in Houston, Texas, this morning at approximately 10.45 a.m. and informed me that the decision had just been made by the board and would be given to the shareholders' meeting in Houston, which would be held later in the day.

With me when the call was received was Mr. R. D. Mollison of Toronto, the vice-president of the metals division of Texas Gulf, and the man with whom I have had most of the discussions relating to this important project. These discussions, in our view, have directly resulted in the company's decision.

The company has decided to build a zinc smelter, refinery and acid plant complex as soon as possible on property beside their concentrator at Timmins, which will cost approximately $50 million.

The announcement by the company fulfills the requirements of the government respecting the nature of the plant, its initial capacity, the construction and production timetable, and most importantly, the location of the plant.

The government has indicated its desires and objectives to the company in relation to each of these matters, and today's welcome announcement indicates that the company is following the government's proposals.

In particular: (1) The government has insisted that a zinc smelter-refinery should be built in Canada. The company had acceded to this insistence. (2) The government has indicated its strong desire that the complex be built in the Timmins area. The company has agreed with this request. (3) The government has insisted that initially the capacity of the smelter should be designed so that at least 51 per cent of the zinc concentrate is processed in it, and that this capacity must be increased as markets are obtained and experience is gained by the company. The company has now agreed. (4) The government has indicated that the plant should be immediately started, and I am happy to announce that soil tests are now taking place, and as soon as the engineering plans are completed it is our hope that construction should start this calendar year and production of zinc and sulphuric acid should begin by the end of 1971 or early in 1972.

The complex should employ directly about 300 persons and should be a very worthwhile boost to the area's economy. We feel that we can reasonably expect a growth of service industry, and eventually secondary industry in the area, resulting from today's announcement.

These plans, sir, relate only to zinc and acid production and no information is yet forthcoming respecting the company's copper, silver, lead or other metal processing plans. However, in view of the excellent relationship and good co-operation we have had from the company's officials, I hope I will be able to keep the House informed of further favourable developments as they take place.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, on a point of privilege, I am a little puzzled as to how this news got on the newswire at 10.30 this morning in advance of the Minister's announcement. The news is certainly gratifying and we are very pleased that the constant representations of this party, and the member for Sudbury (Mr. Sopha) particularly, has resulted in this. But I think the House deserves an explanation as to why an important announcement like this is given to the press hours before it is announced in the House.

Mr. Speaker: Before the hon. Minister makes any reply to that, I would say that the hon. member's point is not well taken unless he would indicate to the House that the announcement in the press came from the Minister's office.

Mr. Singer: Well Mr. Speaker, had the Minister described how it came about—

Mr. Speaker: Order! The hon. Minister does not have to describe how anything came about unless it came about through his office or his position as a Minister. Now if the hon. member wishes to make a point of privilege, he must do so by showing that this was a breach of the privilege by the Minister or by someone else. A blanket announcement in the press, which can come from the company or otherwise, is not a point of privilege as fas as I am concerned; and unless the member can substantiate his point by the necessary reference to the article and the source of it, I rule there is no point of privilege.

Mr. Singer: Mr. Speaker, I can only conclude that it must have come out of his office because as he gave his announcement today he appeared to indicate that it originated there. If it did not, then he can—

Mr. Speaker: I disagree with the hon. member's conclusion and rule his point of privilege not a point of privilege.

The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Yes Mr. Speaker, I would like to ask a question or two for clarification. Of course the people of Timmins were very happy with this announcement and we are glad that the government—

Mr. Speaker: Order! Did the hon. member wish to ask a question? If so, he will proceed to do so.

Mr. Ferrier: I would like to ask this question of the Minister: can he inform us approximately how many will be employed in the construction of the smelter, and also if he is in a position to take the feasibility study for the zinc smelter with which he has been presented?

Hon. A. F. Lawrence: I can only assume, sir, that the particular members who have just sat down were not listening to the announcement I made. I indicated, sir, that the Texas Gulf Sulphur Company itself announced this morning that the zinc smelter refinery and sulphuric acid complex, is going to be built. I am sorry, but I only heard the first part of the question from the hon. member for the area concerned. He asked me, I think, how many people would be employed. It is our estimation that there will be 300 employed.

An hon. member: He said in the construction of the plant.

Hon. A. F. Lawrence: Oh, in the construction of the plant; I have not that information, I am sorry.

Mr. Ferrier: May I ask, Mr. Speaker, would the Minister be prepared to table the feasibility study that Texas Gulf has prepared and presented to him for the members of the House?

Hon. A. F. Lawrence: No feasibility study has ever been presented to me.

Mr. D. C. MacDonald (York South): Mr. Speaker, on a point of order sir, I am sure you would want me on behalf of the whole House to congratulate the hon. member for Cochrane South for the victory which he has won today.

Hon. A. F. Lawrence: On a point of order, sir, does that require the unanimous consent of the House?

Mr. Speaker: The hon. Minister of Education has two statements to the House.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I have a very brief statement to make relative to a matter raised by the member for Peterborough (Mr. Pitman), and I believe, the leader of the Opposition (Mr. Nixon) and the member for Sudbury East (Mr. Martel) from time to time. It relates to the matter of the transfer review board. As I indicated to them, I will be prepared to debate this at the time of the consideration of the legislation, and also in the education committee.

However, Mr. Speaker, time does move on and certain steps have to be taken, so as of today a regulation was passed—and we will still have this opportunity to debate this matter—a regulation was passed and approved by the government indicating to the boards that they must notify a teacher by the first day of May if they intend to transfer that teacher from one municipality to another municipality within the board jurisdiction. That is there is no inhibition on the transference within the municipality, but if there is to be a transfer outside that municipality notification must be given by the first day of May.

This, Mr. Speaker, was really the basis of certain understandings that we had reached in the latter part of 1968. The federation then had consultation with its membership and I believe that they indicated they still prefer to have the transfer review board itself.

We were not able to reach any consensus on this matter and I indicated to the teachers' federation that we would be quite prepared to discuss it further. We will keep an eye on the situation as it develops, and as I have said on other occasions, if we find that a real problem is in fact created we are quite prepared to look at that particular situation.

Now Mr. Speaker, dealing with another subject that is I think of some general interest to the members of the House, it will be recalled that I told the Legislature on at least two or three occasions that The Department of Education was in the process, after the grant regulations were distributed, of obtaining certain information from the new larger units of the school administration regarding costs of education in the former jurisdictions to December 31, 1968, the estimated increases in enrollment for '69, the budgets for 1969, the calculated grants and the estimated local levies. This information was channelled to us through our regional directors of education. I have, in addition, met with representatives of a considerable number of school boards and their officials in an effort to delineate their problems and to see whether there was any widespread pattern.

As you are aware, Mr. Speaker, the former board ceased operation at December 31, 1968. The new boards took over effective January 1, 1969. Because of the great number of former jurisdictions, it has not yet been possible to secure audited financial statements for last year's operations, and while these are now being received the list is still far from complete. This fact has made it difficult for the new boards to know the actual costs last year. There has been a great deal of press speculation and I think in fairness in a number of instances the speculated costs in 1969 really have been higher than the increase in costs will prove to be when the audited statements come in from the operation of last year's boards.

Mr. E. Sargent (Grey-Bruce): Want to bet?

Hon. Mr. Davis: Yes, I would be quite prepared to do so. I cannot match the economic resources of the member, but I would be prepared to bet a dollar; this is about what I can contribute.

I recognize, Mr. Speaker, his—

Mr. Singer: The Minister should get odds of two to four on this one.

Hon. Mr. Davis: This fact has made it difficult for the new boards to know the actual costs last year as the basis for determining the increase for 1969. The need to secure other information relating to the proportion of costs among the municipalities, the equalizing factors that have application, the apportionment of the local levies and the establishment of mill rates have all taken more time and a great deal more effort in this initial year of operation than will be the case in subsequent years.

Other developments in 1968 which have had a considerable bearing—and I think the members opposite should know these as I know some of them have experienced this certain situation, to a degree at least, in their own ridings.

We have had developments that are illustrated by the practice whereby certain boards which were going out of existence at the end of 1968 reduced the mill rate in 1968, spent any surplus which they might have had at the end of 1967 and came into the new

arrangement either without any balance, or quite frankly in a number of cases with a considerable deficit. This, I think, is obvious to a number of the members opposite.

Mr. Singer: It is everybody's fault but the Minister's.

Hon. Mr. Davis: No, no! I am not assessing fault at all. We are trying to delineate and determine solutions.

Funds were spent which under the former organizational pattern would have been carried forward; and while these funds were not wasted, in large measure the programmes on which they were spent might well have been deferred until the new larger units could plan on an overall basis in terms of needs and priorities.

It will be evident that where a board had a certain mill rate in 1967 and reduced that mill rate in 1968 for the reasons cited, a rise in mill rate in 1969 ought to be considered in relation to the 1967 situation. I think it is unrealistic, Mr. Speaker, for people making comparisons to find very many, if any, valid situations whereby—with the cost of education today increasing on a province-wide basis at roughly between 10 and 12 per cent—to find many situations, if any, where in 1968 one could say that the cost of operation would be less than 1967. I think most realistic people would understand this particular point. I mention this example only to indicate some of the difficulties encountered by the new boards.

Other factors having a bearing on the new jurisdiction relate to the necessity of bringing about a gradual integration of the employment practices within the county and the district under the board in the matter of salaries, fringe benefits, bus routes and the like; and these are not easy problems to resolve, Mr. Speaker. Sometimes I think the members opposite do not really have an appreciation of the total complexity of this, perhaps they do.

Mr. Singer: Oh dear!

Hon. Mr. Davis: I know that the trustees on the new boards have spent countless hours in attendance at numerous meetings, board and committee meetings, in an attempt to find the best solutions.

Mr. Sargent: Was this necessary at all? It was not necessary at all!

Hon. Mr. Davis: While it is easy to criticize, no one who is not directly involved realizes the great contribution these men and women who have been elected as trustees are making to the educational programme in this province. They are fully conscious of the tasks confronting them and in my view they are conscientiously attempting to discharge their duties in the interests of the young people whom they serve. In this endeavour, Mr. Speaker, they will continue to have the support of my department.

It will be evident from what I have said that it would have been impossible to determine in advance some of the outcomes in particular areas in the application of the proportion of the local levies to mill rates. Someone has suggested that possibly the results in certain areas could have been foreseen if computers had been utilized. This, of course, is utter nonsense. Computers are only helpful to the extent that the data and information provided and fed into them is accurate and relevant to the cases with which they deal.

Mr. T. P. Reid (Rainy River): Mr. Speaker, on a point of order.

An hon. member: Sit down and let him tell us what he is going to do.

Mr. Speaker: Order. The hon. member has risen on a point of order.

Mr. T. P. Reid: Mr. Speaker, on a point of order: surely the statement has all kinds of political overtones.

Mr. Speaker: Order! What is the point of order? The hon. member, if he has a point of order, will state it. He has not stated one yet.

Mr. T. P. Reid: Mr. Speaker, I must bring to your attention that the Minister is not reading a statement of fact, he has been leading a debate.

Mr. Speaker: The hon. member has no point of order. The hon. Minister will continue.

Hon. Mr. Davis: Thank you very much, Mr. Speaker.

We are really attempting to solve some of the problems faced by some of the members opposite.

Mr. Sargent: On a point of order!

Mr. Speaker, will the Minister tell us—

Mr. Speaker: The hon. member will state his point of order.

Mr. Sargent: He should be telling us when he is going to resign.

Interjections by hon. members.

Mr. Speaker: Order!

The matters being discussed by the House at the moment are serious matters of great import to all the people of this province. I would hope the members of the House on both sides would give a reasonable amount of quiet and attention to the hon. Minister's statement, and then at a later time it will be quite possible to debate anything that is not to the satisfaction of any member, on any side of the House. The hon. Minister has the floor.

Hon. Mr. Davis: Mr. Speaker, since the beginning of this year, and particularly during the period since the grant regulations were issued, the new boards have been making real efforts to reduce costs imposed on them, to some extent by the stringency of the grant regulations. The result has been that many millions of dollars have been deleted from the budgets for this year, with consequent savings to the taxpayers. While some reduction in the original figures might have been anticipated, the searching analysis of the last two or three weeks has made a further substantial saving possible.

As a result of the information submitted to the department—and I must emphasize, Mr. Speaker, that some jurisdictions have still not been able to provide all the information requested — and after a thorough study of it by officials, together with information gathered at meetings with delegations from school boards and other local groups, it is evident that some difficulties are being encountered by a number of approximately 950 municipalities in this province.

Mr. G. W. Innes (Oxford): Just some?

Hon. Mr. Davis: These circumstances arise in part because of the necessity to apportion the amount to be raised within the board's jurisdiction among a number of municipalities having differences in the basis of assessment and the necessity to provide provincial equalizing factors for the first time to this apportionment.

Even with these disparities, there are many municipalities, in almost every jurisdiction, where the increases in local mill rate are modest and quite manageable as they stand at present. But for others, the impact of reallocation among the municipalities and the assumption of a share of the increased normal costs would create too sharp a rise in 1969.

To ease the situation for these municipalities, and on the basis of a careful study of the budgets of one half of the boards in this province, it has been decided to assist those municipalities where there may have been distortions in mill rate for the reasons that I have enumerated.

The proposal provides a special grant to the boards to limit the increases in mill rate on provincial equalized assessment in any municipality having a population of less than 60,000, to one mill of provincial equalized assessment for elementary school purposes, and to one mill of provincial equalized assessment for secondary school purposes over the greater of the 1967 or 1968 mill rate.

This special grant will apply to an expenditure per pupil for 1969 up to 115 per cent of the expenditure per pupil for 1968. In other words, the boards must come within the 115 per cent increase in per student cost; this is exclusive of growth.

This latter limitation is considered to be a reasonable one and will encourage the boards that may be faced with increases beyond this level, sir, to try to bring their cost down to 115 per cent of the per pupil cost in 1968. In fact a number have already done so.

In this endeavour the department will assist these boards in their budget review to determine if there are any ways in which further reductions can be made. While the effect of limiting the increase to one mill of provincial equalized assessment will obviously vary from one municipality to another in terms of local mill rates, on the average the increase in local mill rate will probably vary from approximately two to five mills. Although this of course, as the members know within their own areas, is subject to some slight variation. The result then will be that The Department of Education will pay a subsidy to the board for the portion of the levy in the municipality above the one mill of provincially equalized assessment; or as I have indicated, above the average of say three to five mills on local assessment.

It should be emphasized here that I have used averages in terms of translating provincial equalized assessment into local assessment, and that in some cases at the extremities, the variations, may be less or greater than the average, depending on the equalizing factors. But I emphasize, Mr. Speaker, it must relate to the 115 per cent of increase per student cost in 1969 over 1968.

A second area where an adjustment is being made is in the territorial district where secondary school students for whom the province formerly paid 100 per cent of the cost of education are now included in

the new larger units. The proportion of the cost of education for these students to be borne by local authority is not offset by a corresponding increase in assessment, with the result that there is an increased liability for the boards in their municipalities.

To meet this situation the proposal provides that for a divisional board in a territorial district: (a) The amount received from Ontario by a former component secondary school board for the education of pupils who in 1968 were non-resident territorial district pupils but who in 1969 are resident pupils of a divisional board, will be considered as general legislative grants; (b) These pupils will be considered as resident pupils of the divisional boards; (c) The assessment of the localities in which they reside will be considered as having been assessable by the divisional board.

The effect of these changes for boards in the territorial districts will be that the full cost of education of former non-resident pupils outside the former board's area will now be included in the new board's grants. This will mean that the load assumed by the new boards for these pupils will be compensated for by grants.

Mr. Speaker, it is the view of the government that these measures will eliminate the extreme mill rate increases that might otherwise have occurred, and that any problems along these lines will be substantially alleviated.

In addition, it is also the intention of The Treasury Department to accelerate the instalment payments on grants to boards during 1969. The instalment schedule for May will be paid in that month, and the June instalment will also be paid in May. The instalments originally scheduled for July and August will be paid in June. This will help a great deal with the question of interest on the borrowing capacities of many of the boards. This action will apply to all boards in the province of Ontario and will provide them with operating funds, with consequent savings to them in interest charges. It will also reflect itself in mill rate savings.

These changes that I have outlined represent a conscious and deliberate acceleration in the movement towards assumption by the province of 60 per cent, on the average, of the total cost of education at the local level.

As the Treasurer (Mr. MacNaughton) announced in his recent Budget, it was the intention to commence this movement in the fiscal year 1970-1971 and to complete it in 1972-1973. However, in the view of the government, present conditions warrant an earlier beginning to this phasing-in process. It has been decided to proceed with it in 1969-1970 and particularly, after we have now reached in most board areas, I think, a more realistic budget for educational purposes.

I am pleased, Mr. Speaker, to be able to make this announcement on behalf of the government and to assure our citizens throughout the province of our desire to find, and it is not easy, the most equitable basis for sharing the costs of education.

In my view the policies that I have just outlined will achieve this objective in a very large measure.

Mr. Singer: Mr. Speaker, there are two points of clarification I would like to address to the Minister. The first is, as I listened to his statement, it was not clear to me what the total cost would be. He described a formula but he did not describe, unless I missed it, the total cost. Can the Minister advise us, clear up that point as to what the total cost of this programme will be?

Hon. Mr. Davis: Mr. Speaker, I think the hon. member is, I hope, sufficiently knowledgeable and aware of the grant regulations and the sums provided under the votes already in the estimates to recognize that until all the information is in; until the calculations are done relative to the funds that are already provided, it is completely impossible to put a dollar tag on what the new changes or policies annunciated will, in fact, cost.

It will take weeks, it will take several months, to get all the information relevant to this particular matter.

Mr. Singer: Mr. Speaker, I am still not clear. The Minister seemed to announce this programme as being carefully studied and calculated to do certain things. Surely, for the clarification of the House he could give us an estimate if he has one?

An hon. member: Right!

Mr. Speaker: Order. The hon. member has asked for clarification and the hon. Minister has given his answer to the question. Now if the hon. member has another point of clarification, he will place it now.

Mr. Singer: All right. Mr. Speaker, the second point that I am not at all clear on is: In view of the fact that the budget has already been presented, is there enough

money in the education budget to provide for this new uncosted system?

Hon. Mr. Davis: Mr. Speaker, I would say that we will have an opportunity to discuss this matter at great length when considering the vote in the estimates related to legislative grants. We will be in a position at that time perhaps to giver fuller information to the hon. member.

Mr. Speaker: The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I might ask, in following up the question of the member for Downsview, if the Minister did not go before Treasury Board and get the approval of Treasury Board before this policy was announced?

Mr. Speaker: The hon. member's question is not for clarification. It has nothing whatsoever to do with the question. It is out of order. The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Speaker, on a point of clarification, will the Minister advise, on the equalizing payments the government is going to make to municipalities, what happens in the cases where there is no equalized assessment in about 600 municipalities? What happens to these people? If assessment is the base for equalizing payments, what happens when there is no equalized assessment?

Hon. Mr. Davis: Mr. Speaker, as I understand there are equalizing factors. That is the term I use for the municipalities and, of course, this is the base.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Sargent: How can the Minister set up a formula—

Mr. Speaker: Order. The hon. member is not asking a question of clarification.

Mr. Sargent: I would like to know then, how the Minister can establish a formula for equalization—

Mr. Speaker: The hon. member is still not asking for a point of clarification. He is asking for details and this is not the place for it.

Mr. Sargent: Mr. Speaker, in view of the fact that the Minister has given us an equalizing formula, using assessment as the base for repayment to municipalities, and we have no standard equalization of assessment in Ontario—

Mr. Speaker: Order. The hon. member will realize, having been here in this House for a long time, that there are equalizing factors; I as a member know it and I am sure the other members do, that are used by the government for such purposes.

It is my understanding that that is the factor to which the hon. Minister was making reference. The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, by way of clarification, is it correct in the Minister's statement that—though the elementary costs have not risen to the 115 per cent per pupil cost and the secondary costs have risen beyond that, and if the average cost would bring it down below the 115, would the grant be available for secondary purposes even though it would not be available for elementary, is that correct, Mr. Speaker?

Hon. Mr. Davis: Mr. Speaker, our discussions have been with the boards on the basis of the total budget as it relates to the total number of students and to the total cost this year as a percentage increase over last year. Roughly, the way we discussed it with the delegation that you were with.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid: Mr. Speaker, to the Minister, on a point of clarification. Do these new equalization factors, for want of a better term, take in the increase in cost and transportation? Was this part of it? That term itself was not used.

Hon. Mr. Davis: Mr. Speaker, we are relating it to an increase, and we are limiting the increase to 115 per cent over last year's per student cost. This student cost relates to transportation.

Mr. T. Reid (Scarborough East): Mr. Speaker, could I ask for clarification? Does that 115 per cent include services that were previously financed out of the Minister's budget which have since been transferred to the new county school board budgets or is it net of the transfer of functions to the county school boards?

Hon. Mr. Davis: It will include, Mr. Speaker, those costs assumed by the board

which were formerly undertaken by the departmental officials. If this is what the hon. members is referring to.

Mr. T. Reid: Yes, Mr. Speaker, but just to make sure I do have this straight. When the Minister refers to 115 per cent, he does not mean that the comparable costs to the county school boards have gone up by say, 115 per cent, because he has transferred certain functions to those county school boards?

Hon. Mr. Davis: That is the factor being used, 115.

Mr. T. Reid: So, we really cannot say that the increases that county school boards experience is their fault, in that sense.

Hon. Mr. Davis: Mr. Speaker, as I hope I outlined in that very short debate the other day, the average of increases ranges from 8 per cent and 9 per cent increases to some in excess of 17 or 18 per cent increases which are now, I think, coming down to closer to 15.

Mr. Speaker: The hon. member for Grey-Bruce was on his feet.

Mr. Sargent: Mr. Speaker, the Minister has given the House a multi-million dollar commitment today—

Mr. Speaker: Order. Has the hon. member a question of clarification?

Mr. Sargent: Will the Minister tell me, on a point of clarification, it is very important that we know, how he can set a formula when he does not know what it is going to cost the taxpayers of Ontario?

Mr. Speaker: Order.

Mr. Sargent: How can the Minister set a—

Mr. Speaker: The hon. member is out of order and will return to his seat.

Mr. Sargent: On a point of order, Mr. Speaker.

Mr. Speaker: What is the hon. member's point of order?

Mr. Sargent: I have asked the Minister a question, I want the answer.

Mr. Speaker: I have ruled that the hon. member is out of order. He will take his seat. The hon. member for Peterborough has the floor.

Mr. Sargent: I challenge your ruling, Mr. Speaker.

Mr. Speaker: All right, order!

The hon. member will take his seat when the Speaker is on the floor. The Speaker has ruled that the hon. member for Grey-Bruce is out of order in asking the question that he has asked. As many as are in favour of the—

Mr. H. Peacock (Windsor West): Excuse me, Mr. Speaker—the hon. member who challenged your ruling is surely entitled to explain.

Mr. Speaker: He is entitled to explain, yes. The hon. member is entitled to explain.

Mr. Sargent: Mr. Speaker, very respectfully I say that this Minister has made a multi-million dollar—

Mr. Speaker: Order!

The hon. member is entitled to explain why he is appealing Mr. Speaker's ruling not what the Minister has said.

Mr. Sargent: Mr. Speaker, I represent about 60,000 people here and I have the right to know the answer to a question of that Minister.

Mr. Speaker: Order!

Mr. Sargent: I asked him a straight question.

Mr. Speaker: Order. The hon. member has asked a question of the Minister which Mr. Speaker has ruled is not a question of clarification. The hon. member has insisted that it is and the Speaker has said that the hon. member is out of order in continuing to ask the question. Now the hon. member has appealed the Speaker's ruling. I would point out to the hon. member that no member in this House is required to answer any question unless he wishes to; whether he be a private member, on either side of the House or a member of the government. And therefore, so far as Mr. Speaker is concerned, the hon. Minister does not have to answer any questions. Now, if the hon. member has anything further to say with respect to his appeal of Mr. Speaker's ruling that will be fine and the House and Mr. Speaker will be glad to hear it.

Mr. Sargent: May I ask a question—on a point of clarification. Will the Minister tell me how he can clarify to me, sir, how you can—

Mr. Speaker: Order. Before the member does ask another question I think that we

must dispose of what is at hand. If he wishes to withdraw the appeal of the ruling on the other question I certainly will be glad to let him try and rephrase it, but we cannot have another question being asked while we have an appeal of the Speaker's ruling on our hands.

Mr. Sargent: At the Speaker's suggestion I will rephrase the question.

Mr. Speaker: No, no. The hon. member will either withdraw his appeal with the consent of the House or we will vote on that, and then we will hear his further point of clarification, if he has one.

Mr. Sargent: I withdraw my appeal for now sir. In view of the magnitude of the sum involved and—

Mr. Speaker: The hon. member for Grey-Bruce is now asking his question in a different way.

Mr. Sargent: Thank you, sir, you are very neighbourly. You tell me sir, on behalf of the taxpayers I represent, to clarify how you can assess a formula when you do not know the costs?

Mr. Singer: That is a good question.

Hon. Mr. Davis: I think the hon. members who have been dealing with this item for the past number of years will recognize that the funds provided for legislative grants purposes reflect the cost that we get from the boards, which is really a year after the funds themselves are estimated.

We are not in a position yet to give the House the accurate or detailed information as to the dollar effect of the particular proposal this afternoon. It must relate to the total grant regulations whereby there is already a sum set out in the estimates of 600 and some millions of dollars, whatever that figure may be. This is a point that must be made.

Mr. Pitman: Could the Minister estimate whether by the time his estimates come up, he will have any estimate of what the difference between these grants and—

Hon. Mr. Davis: Mr. Speaker, not to be facetious at all, but if one could estimate when my estimates will come up after some of the lengthy discussions on other items in the Legislature—it will all depend on the length of time. You know, we are getting more information every day. I would like to think that if it follows the traditional pattern and we are relatively near the end of the estimates, then I am sure we will have more factual information to make available to the members of the House at that time.

Interjections by hon. members.

Mr. Pitman: I wonder if the Minister would clarify the previous announcement. This question relates to the transfer review board—

Interjections by hon. members.

Mr. Speaker: Order!

I have pointed out to the members of this House who are here to represent their people, that what is being discussed is very important to everyone in this province and certainly no one in this House can understand what is going on if there is continued bedlam. I would therefore ask that the hon. members please give the courtesy of a hearing both to the—

Mr. Sargent: The chaos is over there.

Mr. Speaker: —both to the private members asking the questions and to the Minister when he endeavours to answer them. The hon. member is in the process of asking a question.

Mr. Pitman: The hon. member for Scarborough West would like to ask a question on this second announcement.

Mr. Speaker: That will be fine. The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): On a point of clarification, Mr. Speaker; in view of the fact that the Minister indicates there will obviously be an appreciable dollar sign attached to it, can he relate it to the budgetary statement of the Provincial Treasurer when he said on page 23: "These considerations taken together persuaded us to aim for—"

Mr. Speaker: Order! This has nothing whatsoever to do with the statement given by the Minister. This is a matter which is open for debate at the proper time. The Minister's statement has merely indicated what is being done and the hon. member is now trying to relate it to something else which is not in the statement at all.

I would rule, subject to the hon. member's opportunity to explain further, that his question is not one of clarification and is patently out of order.

Mr. Lewis: Mr. Speaker, I submit to you, sir, that any increase in expenditure announced by the Minister must come from somewhere. The government has indicated its reluctance to turn to borrowing on the public market in order to maintain a balanced budget. This obviously violates that principle. I wanted to ask the Minister then, by way of clarification, whether his announced intention would take the government to borrowing on the public market or where the money would come from.

Mr. Speaker: I would rule the member's question entirely out of order because it has nothing whatsoever to do with this Minister's statement. That is something which has to do with the Treasury Board and the government as a whole. Therefore I still rule that that question is out of order.

The hon. member for Peterborough was on his feet and he is entitled again to have the floor.

Mr. Pitman: Mr. Speaker, I would like to ask the Minister for clarification. What recourse would a teacher have if he was transferred from one municipality to another before May 1?

Hon. Mr. Davis: As I understand it, the teacher could decide to seek employment. This is the reason for the May 1 date. He could seek employment with some other board if he so desired. This was the basis of the discussion with the federation which, was reasonably understood in the latter part of December. Then, at the meetings of January, they determined they would prefer the transfer review board in a more formal fashion.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Thank you. For further clarification, the formula as given here this afternoon relates to the per-pupil cost. Is this of the county board? What mechanism is there within the county board to transfer these funds which are available? Is this a discretionary power of the boards to the local municipalities or is it related to their mill increase—

Hon. Mr. Davis: Mr. Speaker, I thought I had made it abundantly clear that there is no discretionary power. It relates to those municipalities that have had a mill rate increase in excess of one mill for elementary, one for secondary, provincially equalized assessment.

The boards will receive moneys to reduce the local levy by whatever the excess was above that. There are no additional moneys for the board to spend. There will be funds available for them to reduce the impact of mill increase on those municipalities that come under this particular portion.

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): I would like to ask the Minister about the first statement he made. Since all the board members, right from Mr. Muir down, have indicated that they would not transfer teachers without their consent, why is there a reluctance on the government's part to allow—

Mr. Speaker: The hon. member is not asking for clarification, of the statement, he is asking for what went on before the statement was prepared. What is set out in it was agreed upon. Now, if the hon. member has something relating to the statement itself and its non-clarity, I will be glad to give him the floor—but not to discuss what is not in the statement at all.

Mr. Martel: Mr. Speaker, that is precisely it. I am not sure why the government took this course of action.

Mr. Speaker: The hon. member has no right to be advised as to that, he has the statement and he is entitled to inquire about the statement. What he is inquiring about is the government's intention and this is not the place.

The hon. member for Scarborough East has the floor.

Mr. T. Reid: Mr. Speaker, on a point of clarification on the increased grants, I assume from what the Minister said there will be an increased flow of funds from his department or from the equalization fund to the county boards. Could the Minister let us know whether—

Hon. W. D. McKeough (Minister of Municipal Affairs): On a point of order, Mr. Speaker, the hon. member who is now speaking and asking questions of clarification was not in the House when the Minister made his statement. I think this is getting a little out of hand. How can he ask questions of clarification on a statement he was not here to hear?

An hon. member: Let him read it in *Hansard.*

Interjections by hon. members.

Mr. Speaker: Order!

It is quite obvious that the leeway which Mr. Speaker has given over the last year regarding certification—despite the fact that the rules do not allow it—is not being properly observed by the members of the House. It is quite obvious that this important matter—and in my opinion both these were important matters—should have been discussed reasonably by way of clarification.

Instead of that, the members have been determined to reduce it to a debate. I hereby serve notice that I will not any longer allow questions for points of clarification on Ministers' statements unless they are exactly for the purpose of clarification of the Minister's statement and not for ascertaining the motives behind it or government reasoning.

I therefore also will rule that any further questions at this time for clarification are out of order. And I will at least abide by that ruling myself. I hope the House will.

Mr. Singer: On a point of order, Mr. Speaker, at the same time as you make that ruling, I wonder if you would address your attention to the length and full character of the Minister's statement. In my opinion, only the last two or three pages related to an announcement concerning government policy.

The first half-dozen pages related to a debate that took place in this House on a motion of non-confidence several days ago and was a justification for the Minister's position at that time.

Now I would think, sir, that when Ministers rise before the orders of the day to give statements, they should be strictly controlled insofar as making announcements about government is concerned. They should not be allowed to rehash debates that have already taken place.

Hon. Mr. Davis: Mr. Speaker, on a point of order—

Mr. Speaker: Perhaps the hon. Minister would let me deal with this. Should I decide that it was Mr. Speaker's duty, which I do not believe it is, to edit the statements made by the Ministers, Mr. Speaker would then be in the position that he would have to do the same thing with the questions submitted by the hon. members—and I would say that very few members would be able to submit questions as they are submitted if I adopted that particular course.

I have done with private members as with Ministers. That is, I have accepted their questions unless they are, in the opinion of myself and my advisors, entirely irregular; I have allowed them to go with preambles and various other things, which are not allowed by our present rules.

I likewise have no control over Ministers' statements and so far as I am concerned I trust that they will endeavour to keep to a reasonable statement. But Mr. Speaker has no control.

If the House as a House wishes to direct Mr. Speaker to edit Ministers' statements, then of course the House will have to direct that and Mr. Speaker will be most pleased to carry out whatever the wishes of the House are. Therefore, in answer to the hon. deputy leader's statement, I feel that I have no jurisdiction whatsoever to edit or otherwise deal with Ministers' statements.

They are not submitted to Mr. Speaker, and I would think it would be very imprudent and improvident if they were before they were delivered in the House.

Mr. T. Reid: Mr. Speaker, on a point of order, the hon. Minister of Municipal Affairs stated that I had no right to ask the Minister of Education a question because I was not sitting in my seat during the full time the Minister was making his statement. Is this correct, sir?

Mr. Speaker: Well, I am not quite sure—

Hon. Mr. McKeough: Mr. Speaker, on the—

Mr. Speaker: On the same point of order?

Hon. Mr. McKeough: On the same point of order. I did not say he did not have a right, and, secondly, I did not say while he was not sitting in his own seat. I pointed out that he was not in the House at all.

Interjections by hon. members.

Mr. Speaker: Order!

Interjections by hon. members.

Mr. Speaker: Order! Now if the hon. members do not have the courtesy to extend a hearing to themselves they might perhaps to their chairman, whom they have put in here, and whom they may not always agree with. But at least he has the duty of endeavouring to get this House in operation, and I am sure that this afternoon has not been an exceedingly good example of how we should carry on our business.

Each one of us here, as the hon. member for Grey-Bruce says, represents a large number of citizens who are vitally interested in

what goes on here, and I think that each one of us is entitled to have a hearing.

Now I would say, with respect to the point of order raised by both the hon. Minister and by the hon. member for Scarborough East, that I did not hear what the hon. Minister said; and therefore, in view of my statement a little later about how I propose to deal with this, I felt that point of order—if there was one—could have been very easily overlooked at this time. So I say to the hon. member for Scarborough East, if he wishes to pursue it, it is quite his prerogative. Otherwise I would think this might be a good place to close the particular incident. But it is entirely up to him.

Mr. MacDonald: Mr. Speaker, I would like to go back if I might to an earlier point of order.

Mr. T. Reid: Not right now. I was placing a question before I was rudely interrrupted by the Minister of Municipal Affairs. The Speaker can then rule whether or not I am in order, and the Minister—

Mr. Speaker: I have ruled no more questions of clarification.

Mr. T. Reid: May I speak on a point of order, please?

Mr. Speaker: If you wish to speak to the point of order, yes; but not to address the Minister.

Mr. T. Reid: The point of order is this: I delivered what I thought to be a relevant question to this issue and the Minister of Municipal Affairs rose—and *Hansard* may correct me if I am incorrect—and certainly implied that I had no right to ask the Minister a question because I was not sitting at this seat.

Hon. Mr. McKeough: I did not say that at all.

Mr. T. Reid: That started it all, and this is the first time I have had a chance to continue my sentence, I believe I had a dangling participle, like the Minister is dangling.

Mr. Speaker: My recollection of what the hon. Minister said was that the hon. member for Scarborough East was not in the House when the statement was being read and, about that time, I believe some bedlam arose. Consequently, as far as I am concerned, the matter is closed. But I would think it was rather difficult for a member who had not listened to the statement to ask for a point of clarification. But I do not know whether the hon. member was in his seat or not, but that was the allegation.

Mr. T. Reid: There are loudspeakers all over this Legislature, Mr. Speaker—

Mr. Speaker: Well, if there are, the Speaker is not aware of it; because he received a list the other day of four loudspeakers in this whole building and not one of them was in the hon. member's office.

Mr. T. Reid: The leader of the Opposition's office has one.

Hon. Mr. Grossman: The loudspeakers are sitting in their chairs.

Mr. Speaker: We might now perhaps resume.

Mr. MacDonald: Well, Mr. Speaker, I want to return briefly and quietly, if I can, to the point of order raised by the member for Downsview a moment or so ago.

I would suggest that one of the top priorities for the rules committee to examine is the issue we have been grappling with this afternoon. As I understand your interpretation of the rules, you are reluctant—but when you see the necessity you do so—to censor questions from the Opposition. But you feel it would be imprudent to intervene in a statement made by a Minister, and I submit to you that any objective examination of the statements made by the Ministers—

Mr. Sargent: Hear, hear.

Mr. MacDonald: I wanted to do this quietly. If I could plead with the hon. member for Grey-Bruce. I submit that by any objective assessment of statements made by Ministers, they are in violation of the rules of the House.

Now I acknowledge, Mr. Speaker, this presents you with a problem. How do you act in advance? But, sir, that is your problem, along with the rules committee. Because if Ministers insist in violating the rules, then the Opposition is not going to sit and have restrictions placed upon them, because that is an uneven application of the rules of the House.

Mr. Speaker: Order! May I say to the hon. member for York South that, first of all, I know of no rule which gives the Speaker any right to deal with Minister's statements, and I do know of a rule which gives the Speaker a right and duty to deal with questions.

Secondly, may I say that Mr. Speaker is not on this new committee which is set up to deal with the rules. It is chaired by the Clerk of the House with two representatives from each party. As I understand the set up, Mr. Speaker will perhaps be consulted, but he is not on the committee. I will be glad to pass along to the committee chairman, who is here of course listening to this, the views of the member for York South. Then, of course, it will be entirely up to the committee to deal with the matter.

Mr. MacDonald: Mr. Speaker, I would respectfully say to you that you have a responsibility to intervene when the rules are broken by statements given by Ministers; and on occasion—

Mr. Speaker: Order! The hon. member is still pointing out to me that the rules allow me to do this and unless he is able to produce to me the rule that says that I am—

Mr. MacDonald: Mr. Speaker, when a Minister gets up and makes a statement which presumably is a statement of policy, and it becomes argumentative and political in overtone, I submit to you that it is an abuse of a privilege, if not a violation of the rules. Indeed, Mr. Speaker, if it is not a rule, it should become a rule, and we on this side of the House cannot live with rules when the spirit of them are violated on that side. That is why I put it all in the context of it being reviewed by the rule.

Mr. Singer: Mr. Speaker, continuing that point of order, may I draw your attention, sir, to a ruling made within recent times —I believe it was by Mr. Speaker Morrow on this point.

It was made when a similar discussion arose and it is a written ruling to the effect that Ministers could make statements, before the orders of the day, in connection with announcements relating to government policy. But that they should not be political; they should not rehash already expended business; and they should be germane and brief.

As I recall that was the content of Mr. Speaker Morrow's ruling, and I think it is contained in the annals of this House.

Mr. Speaker: Well, with all due deference to the deputy leader of the official Opposition and Mr. Speaker Morrow, I would like to look at that ruling; but I would not concur in it, in the terms expressed by the hon. member for Downsview.

I would point out to the hon. member for York South that this is a political House and that any time that Mr. Speaker endeavoured to stop political speeches and activities on the Opposition side of the House, there would be a great outcry from there as well as from the government benches. And likewise, there was a great outcry today when it was suggested that Mr. Speaker should endeavour to proof read or edit the Minister's statements for fear they might contain some political reference or some pre-editing.

Mr. MacDonald: You have an obligation to intervene when they violate the rules.

Mr. Speaker: I have already pointed out to the House, insofar as I am concerned, that I have not seen any, what I would call grave violations on the part of the government with respect to these matters. There have been long statements and there have been statements which, by the very nature of them, must be political. Because on one side of the House, is the political party forming the government, which has a policy to carry out. And on the other side, there are two parties which sometimes are in disagreement with themselves—and always in disagreement with the government party and its policies. So there must be a certain element of political undertones.

However, I am sure the chairman of the committee will take to his committee the suggestions by the hon. member for York South and the member for Downsview. I have explained that, insofar as Mr. Speaker is concerned, for the moment at least, he is not a member of the committee, he has not been invited to be on it, and I think that is probably very well indeed.

Mr. P. J. Yakabuski (Renfrew South): Mr. Speaker, before the orders of the day, I would like to bring to the attention of this House an event that took place in the Madawaska Valley in the great county of Renfrew in the great riding of Renfrew South, last Saturday. I am happy that in view of the bitterness demonstrated on the opposite side of the House—

Mr. Speaker: Order, order!

If the hon. member has any statement of interest to the House and the public which would make a proper basis for his statement, he will make it. Otherwise he is out of order.

Mr. Yakabuski: Mr. Speaker, all I was going to say was that my announcement would be in a sweeter vein.

Mr. T. P. Reid: He is going to resign.

Mr. Yakabuski: Last Saturday, at Combermere, Ontario, the Madawaska Valley syrup producers opened a new maple syrup processing plant. The new industry will make possible $1 million more in annual income to the farmers of Renfrew and Hastings counties. After four years of steady growth, the Madawaska Valley Maple Products Co-operative reaches a new phase in its development with the opening, on Saturday, April 19, of its new processing plant at Combermere.

After that date, sir, the co-operative, owned and operated by the local farmers, will be able to process and market all the maple syrup that can be produced in Renfrew and Hastings counties. These counties are in the heart of Canada's best maple forests, and with government now assisting the development in many ways, the new Combermere co-operative seems assured of a steady increase in membership and sales.

I might mention, Mr. Speaker, that of course this programme was made possible through the—

Mr. Speaker: Order, order!

The hon. member has made his statement, and he is now out of order.

Mr. Yakabuski: —through the ARDA assistance.

Mr. Speaker: Order. The hon. member has made his statement, and he has told the House what has happened. He is now out of order.

The hon. leader of the Opposition. Does the hon. leader of the Opposition have his questions?

Mr. Singer: Well, I am acting in his place; he was not due to come back yet.

Mr. Speaker: Well, I was about to ask you, do you wish to place them?

Mr. Singer: Yes, I do, Mr. Speaker, if I may. I have a question for the Attorney General.

Will the Attorney General advise if he is preparing legislation to amend the law of landlord and tenant?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, we are studying the recommendations of the law reform commission and other matters related to the law of landlord and tenant, and proceeding with the drafting of legislation.

Mr. Singer: By way of supplementary question, Mr. Speaker, could the Attorney General advise us whether we can anticipate legislation in that regard in this session?

Hon. Mr. Wishart: Mr. Speaker, I have no idea how long this session is going to last, but we will do our best to be ready.

Hon. A. Grossman (Minister of Correctional Services): After the debate on the "Last Post?"

Mr. Singer: Mr. Speaker, I have another question, which I addresesd to the Prime Minister; I do not know whether the Attorney General wants to undertake to answer it or whether we should let it sit until the Prime Minister is back in the House. The question was this: Can the Premier advise when he will be in a position to table part 2 of the McRuer report in the Legislature? Perhaps the Attorney General can answer that, and perhaps he cannot.

Mr. Speaker: I was of the impression that the deputy leader was asking questions for his leader; instead of that he was asking questions of his own. I apologize to the hon. member for York South.

Mr. Singer: I am sorry; I did not know he had any questions.

Mr. Speaker: So the hon. leader of the Opposition may ask his questions.

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Speaker. Perhaps my first question is one that is held over.

Can the Minister now report to the House what action he is going to take to relieve the extraordinarily high increase in education taxes? But I understand that in my absence he has given a partial reply.

Mr. Speaker, I have a further question for the Minister of Education on a matter of some detail. Is the Minister aware that some ratepayers from the municipality of MacDonald, Meredith and Aberdeen Additional, in the Echo Bay area of Algoma, feel that they will not be as conveniently served by the Central Algoma Board of Education, since the students will have to make 70-mile round trips to school rather than the 30-mile round trips involved in the use of collegiate facilities at Sault Ste. Marie, and will the Minister undertake to review that situation?

Hon. Mr. Davis: Mr. Speaker, we endeavoured to find out information on this particular problem. As we understand it, the

central Algoma board has not yet reached a decision as to the location of the new secondary school to serve that purpose. Until the decision is made we cannot really tell the hon. leader of the Opposition whether it will be x number of miles at this particular point.

Mr. Nixon: Is there some process whereby citizens under those circumstances can appeal to the Minister? Is he available to hear the problems?

Hon. Mr. Davis: Mr. Speaker, as I have said on many occasions, I feel I am available to hear just about every view or protest or concern of education. I try to be as available as I can.

Mr. Nixon: Somewhat similar to that, another question has been hanging fire for some days.

Does the Minister support the decision of the Ontario Municipal Board to grant approval of the preparation of final plans for a new elementary school in the counties of Prescott and Russell, which will result in the town of Hawkesbury having no elementary school whatsoever, even though it provides half the total assessment in the school area, and 350 pupils? Will the Minister undertake to have the situation fully reviewed in view of the growing need of Hawkesbury for these facilities?

Hon. Mr. Davis: Mr. Speaker, I will answer the latter part of it. I am always prepared to review or try to assist in any way in these matters. I should point out that when applications are made by a school board to the OMB for its approval of a capital expenditure, the board's decision obviously is based upon the ability of the ratepayers concerned to handle the financial obligations. In this case the school board under its authority, The Schools Administration Act, has apparently selected a site for a new school to replace the two existing schools in Hawkesbury and Vankleek Hill. These two communities, as the leader of the Opposition will know, are some seven miles apart. And if the elected board of education selects a site, obtains the necessary approvals from the OMB, The Department of Health, the fire marshal, and so on, and if the plans and specifications of the proposed building meet our requirements, really I have no statutory authority to interfere and say that school A must be here or there. There is no statutory authority but, as I say, over the years I have always been available to discuss these matters with the ratepayers and with the boards.

Mr. Speaker: There is one further question of the Minister of Education. Does the leader of the Opposition wish to place it?

Mr. Nixon: Pardon?

Mr. Speaker: Did you decide that 1140, in connection with the education taxes had been answered by the Minister's statement?

Hon. Mr. Grossman: A question about housing perhaps?

Mr. Nixon: Yes, yes!

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: As a matter of fact, the interjection by the Minister of Correctional Services is valid. I wish the Prime Minister (Mr. Robarts) or our Minister of housing were here to make some statement as to how they are going to pick up the pieces in view of the collapse in Ottawa, but neither of our Ministers is here so the collapse is complete.

Mr. Speaker: Order!

Mr. MacDonald: I have a question for the Minister of Education.

Under what legislation and regulations can a board of education ask a principal of a school to answer for his views as a member of a profesisonal organization under the threat of firing? Mr. Speaker, perhaps I should explain—that question was asked eight days ago with regard to a situation in Windsor which I understand, has been resolved, in that the board has withdrawn the charge or action. But my question really still stands. Is there any legislation or regulations under which a board can take action against a teacher who is speaking in his professional capacity as the head of the teachers' federation or the local body?

Hon. Mr. Davis: We have not been able to determine—

Mr. T. Reid: Mr. Speaker—

Mr. Speaker: The member has a similar question.

Hon. Mr. Davis: I am sorry.

Mr. T. Reid: In the light of the recent case of disagreement as reported extensively in the Windsor *Star* between the principal of Vincent Massey secondary school in Windsor and the school board, does the board

of education in Ontario have the legal authority to fire a school principal who, as an Ontario Secondary School Teachers Federation public representative, constructively criticizes a specific policy of the board?

Hon. Mr. Davis: Mr. Speaker, both of these questions really represent my giving something of a legal opinion, and while I used to do this some few years ago for fees, I am not sure I am really adequately prepared to do so today.

Mr. J. Renwick (Riverdale): We will pay the Minister what it is worth.

Hon. Mr. Davis: Well I know, but the member for Riverdale will say that it is not worth very much when I am finished.

Mr. J. Renwick: No, we will pay you what it is worth.

Hon. Mr. Davis: As I look at the legislation I do not see anything in the legislation that would enable a board to fire or, shall we say, prevent a principal from expressing a personal point of view relative to a matter of this kind.

The statutes provide, of course, that the board does have the right to discharge or fire any member of the staff, and that same person, of course, has the statutory right under the board of reference to rectify the situation.

Mr. MacDonald: My second question, Mr. Speaker, is to the Attorney General.

What explanation is there for the unexplained withdrawal of charges against some 68 citizens of Metro Toronto charged as found-ins under The Liquor Control Act of Ontario, as related in the Ron Haggart column in the *Telegram* on April 23?

Second, if charges are to be withdrawn in this fashion in the future, is it not possible to have the persons notified so that time and money will not needlessly be wasted?

Hon. Mr. Wishart: Mr. Speaker, I am asking myself the same questions. I just got the hon. member's question before I came in the House. I will get the answers. I will take it as notice today.

Mr. MacDonald: They are intelligent questions obviously.

A question to the Minister of Labour.

Mr. J. Renwick: I hope the answers are equally intelligent.

Mr. MacDonald: Some people are obviously not persuaded.

Does The Employment Standards Act, 1968, apply to route salesmen in the milk and bread industry? If not, why not?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question of the hon. member for York South, the answer is yes. The effect of the Act in reference to certain collective agreement situations in these industries is currently being reviewed with both management and union people.

Mr. MacDonald: I wonder, Mr. Speaker, if the Minister of Agriculture and Food is in a position to reply to a question I put to him some two days ago?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in reply to the question of the hon. member for York South, I think for purposes of *Hansard*, I might read the question and provide the answer:

> Is the government aware that International Harvester has made a short term offer till May 31 for tractors on terms as favourable as imports from Britain, obviously for the purpose of wrecking the import programme and then reverting to normal high prices in Canada after June 1?

We are aware International Harvester has made an offer to sell tractors at prices and conditions comparable to imported tractors.

Part two of the question:

> Since the price differential between Britain and Canada is in the range of $1,000 instead of the $971 in the ads as stated by the interim report of the Royal commission, what explanation is there for this factual discrepancy?

The International Harvester Company advertisement does set forth the figure of $791 as the differential in price between the Canadian and United Kingdom prices for a 434D International Harvester tractor. It quotes as its source of information the interim report of the Barber commission on farm machinery. It has been drawn to my attention that the tables in the commission report dealing with this matter are based on the United Kingdom prices in the 1966-67 selling season.

It will be appreciated that since 1966-67, there has been a further devaluation of the pound sterling and it has been suggested to us that this has had the net effect of widening the spread between United Kingdom and Canadian prices to the extent of that devaluation. This could well account for the

discrepancy of which the hon. member has referred.

Part three of the question read:

> Does the Minister not anticipate difficulties between dealers and farmers when, on this short term sale, dealers will be encouraged to provide no warranty whereas a normal sale includes a warranty?

It may well be that this action by International Harvester Company, as announced in the advertisement, could have some effect upon the relationships between the buyer and the dealer. However, the ads state very clearly that anyone purchasing a tractor under the conditions set forth will automatically waive any rights to warranty or after delivery service.

Many farmers who have purchased tractors and equipment through the Ontario Federation of Agriculture's overseas programme have already waived these rights. They did so with full knowledge that such warranties do not exist. It would appear that this advertisement by International Harvester is an effort to offer, for the time being at least, an alternative to the OFA undertaking.

The important thing it seems to me, Mr. Speaker, is that the buyer be made aware of the conditions of the offer that has been made in these advertisements and of the limitations being placed. If he reads these conditions and these limitations very closely, there should be no problems. The fourth part of the question was:

> What action does the government intend to take concerning this short term cut-throat competition design to protect the high price of farm machinery in Canada?

In view of the fact the Royal commission on farm machinery is involved in the study of matters pertaining to farm machinery prices and service, I feel that this information should be drawn to the attention of Dr. Barber, the Royal commissioner, and his staff.

In Ontario, we have the farm machinery advisory board, whose terms of reference also include services to farm machinery. We are therefore forwarding to the Royal commission of farm machinery, to the federal Department of Agriculture and to the Ontario Farm Machinery Advisory Board, the questions and my reply, as well as the copy of the International Harvester advertisement as it appeared in one of the recent Ontario papers.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: Mr. Speaker, a question of the—

Mr. Speaker: Before the hon. member for Sudbury East, may I ask the hon. member for York South whether the question of some days ago to the Minister of Education about a Nicholas Volk, has been asked or whether it is withdrawn?

Mr. MacDonald: I am sorry, Mr. Speaker, it was not asked. I have mislaid my copy. Could I borrow yours?

Hon. Mr. Davis: Mr. Speaker, I would be delighted to read it to the hon. member for York South.

Mr. MacDonald: Fine, it was the first day after the recess and that is a little while ago.

Hon. Mr. Davis: Yes, I think I have the question here.

> With regard to the appointment of Nicholas Volk, Jr., an American information officer at the United States consulate in Toronto, as regional officer to the Ontario Council for the Arts:
>
> 1. How many contenders were there for this position?
>
> 2. Was there no Canadian contender of comparable capacities and experience?
>
> 3. What is Mr. Volk's experience which qualifies him for this appointment?

I think this is the question. The answer, Mr. Speaker, to one and two is that more than 20 persons were contenders for the position of regional officer. Several well-qualified persons were interviewed before the position was offered to Mr. Volk.

Mr. Volk worked for the U.S. government abroad for almost 12 years, where he had a variety of cultural, educational and informational responsibilities. He set up and developed a series of teacher organizations for the exchange of ideas and information. He travelled extensively learning at source about the culture of the people. Most important, he developed an enormous sensitivity to the basic needs of human beings and the ability to relate, co-ordinate and organize ways and means of assisting them to help themselves.

He also organized and directed a foreign service training seminar for two years, working with top-level government officials, senior academics and business executives. For the past four years he has been the director of information of the United States consulate in Toronto during which time he has travelled the length and breadth of the province and has applied himself to acquiring a first-hand

knowledge of its education, culture and business.

If the hon. member so desires, I have a lot more—indeed this is the terminology used. If the hon. member would like to have this, I understand he has already had some discussions with the director of the Ontario Arts Council relative to this particular matter.

Mr. MacDonald: What about the fourth question?

Hon. Mr. Davis: I am sorry. I only have three.

Mr. MacDonald: Oh, the final question was: Does Mr. Volk intend to become a Canadian citizen?

Hon. Mr. Davis: I am sorry, Mr. Speaker, I do not have that. I will have to find that out for the hon. member.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: A question of the Minister of Justice and the Attorney General, Mr. Speaker.

Will the Attorney General receive delegations of land surveyors of Ontario to discuss Bills 102 and 103 before second reading of the bills?

Were the land surveyors consulted prior to the bills being drawn up? If not, why not?

Hon. Mr. Wishart: Mr. Speaker, I am always ready to receive delegations and I receive a great many of them. As a matter of fact, I met the Ontario land surveyors delegation yesterday with my officials. We discussed the land titles bill, I am not sure whether that is 103 or 102, but that is the one with which they were concerned. We discussed it at length and they were not consulted before we made the proposed change.

It is an administrative change which we think will make for better administration and will save considerable costs to the public in the administration of that Act. It is not a matter about which I would ordinarily need to consult the profession about, any more than the change in section 6, which removes the requirement that a master of titles be a lawyer or barrister, required consultation with the legal profession. These are administrative changes, looking for better administration. I would not ordinarily consult them, but I would be quite glad to talk to them about it.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Agriculture and Food.

What is the delay in the report of the farm income committee's study of the province's corn industry?

Hon. Mr. Stewart: Mr. Speaker, I was advised by the chairman of the committee that there were certain matters with reference to the cost of producing corn where additional information was required. Representations have been made to the committee regarding the differences in price between Ontario and the United States.

Also, the committee has been attempting to get up-to-date pricing information on fertilizer. The committee is requesting further information on all these matters before finalizing its report, and therefore I am advised there will be some delay. I am sure we all share their concern, as does the hon. member, in any delay. But I think we want to know as many facts as possible about this very important commodity.

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): On behalf of my colleague, the member for Sandwich-Riverside (Mr. Burr), a question of the Minister of Education:

Were any of the 68 new directors of education of the new county boards of education on the payroll of The Ontario Department of Education in 1968? If so, how many?

Hon. Mr. Davis: Eighteen of the 68 were former members of the staff of The Department of Education.

Mr. Speaker: The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Has the department sent an investigator to the Windsor area to assist the lands and forests conservation officer with the problem of the oil slick resulting from a release of 72,000 gallons of oil at an automotive plant in the area?

Can the Minister report on any serious damage?

Can he advise if dresinate is injurious to fish and other wildlife?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, I received notification of this spill within hours of its occurrence. The Ontario Water Re-

sources Commission survey staff in the area were put on standby to provide assistance in resolving any problems that might have arisen from the spill. The commission staff were also in consultation with The Department of Lands and Forests district office at Aylmer and wildlife inspection staff concerning mutual assistance.

An examination of the area from Amherstburg to Bar Point did not indicate any deposit along the Ontario shoreline. Similarly, no oil was detected along the shoreline from the mouth of the Detroit river to Point Pelee during onshore examinations and aerial reconnaissance the following day. Information received today indicated that the waste material had dispersed sufficiently within the lake and is not likely to present any further potential damage. A slight oil slick was noted the following day near Bar Point; however, it does not appear to be related to the spill.

Mr. Paterson: The Minister did not answer the third point; the chemical that is breaking down the oil slick, is that damaging to wildlife and fish?

Hon. Mr. Simonett: Mr. Speaker, I am sorry I have not been able to get an answer on that part of it yet. The engineer I was talking to thought not, but he thought perhaps he should look into it a little further before answering the question.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, a question of the hon. Provincial Secretary:

When does the liquor control board intend to make the upper James Street store in Hamilton, the LCBO outlet, a self-service store?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I am advised that the board hopes to complete the necessary alterations by about October 15 next.

Mr. Speaker: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): A question of the Minister of Education:

Was there a cutback in the junior kindergarten at Ryerson this year, due to a shortage of space? If so, how many children could not be accommodated?

Hon. Mr. Davis: Mr. Speaker, I regret really, I have to ask for some clarification of this. Does the hon. member mean Ryerson public school or is the hon. member referring to a particular programme that relates to some activities of Ryerson Polytechnical Institute?

Mrs. M. Renwick: I believe, Mr. Speaker, that the junior kindergarten is at the public school.

Hon. Mr. Davis: At the public school. Mr. Speaker, I will endeavour to get this answer for the hon. member. We were not sure when the question said "Ryerson"—there is a programme related to one of the adult programmes at Ryerson—so I will find out the answer to that question for the hon. member.

Mrs. M. Renwick: A further question of the Minister of Education:

How many schools in Ontario, particularly in Metro Toronto, have embarked on after-four programmes, primarily for children of working parents?

How many are operating at this time, and in which schools?

Are some of the schools on a fee to parents for this service?

If so, how much is the fee? Which schools are charging fees? Who subsidizes the programme?

Hon. Mr. Davis: Mr. Speaker, I am sure the hon. member is aware that we do not have statistics or information relative to this, because it is not part of the regular school programme. I am sure the hon. member is aware that in Toronto—and I believe in London, Windsor, Hamilton and Ottawa—they have special programmes relating to this and where the inner-city schools have been established, it is very difficult for us to get this type of information. I would suggest perhaps that for the Metro area, if the hon. member wishes to contact the chairman of either the Toronto board or the Metro board or their directors, they would be quite delighted to get this information for the hon. member.

Mrs. M. Renwick: May I ask a supplementary question?

I would like to ask the Minister, is there any consideration being given that in the future, after-school programmes may be administered through the department?

Hon. Mr. Davis: Mr. Speaker, like so many programmes today that I think are desirable. There are certain economic limitations—and to say that today we could encompass a programme of this kind, I think, would be somewhat optimistic. This does not mean it does

not have validity, but we do not contemplate —at this moment—becoming involved directly as a department.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Speaker, I had two questions yesterday, for the Minister of Education; I redirected them to the Premier.

Mr. Speaker: Does the hon. member then wish to ask the Minister and withdraw the ones for the Premier?

Mr. T. Reid: The first question to the Minister of Education, Mr. Speaker.

What steps have been taken, are being, or will be taken, by the government:

(a) To directly inform Indian bands in Ontario, which had education agreements with local boards of education prior to the changeover to the county school board system, that each of these bands has a legal right under The Schools Administration Act, section 35(c)(3), to recommend to its new county board that an Indian representative be appointed by that board as a full and equal member of that board; and—

(b) to directly inform the new county school boards, whose jurisdictions contain at least one Indian band with which a former township school board had an education agreement, that the Indian bands concerned have a legal right to recommend that an Indian representative be appointed by the county board as a full and equal member of that board?

Hon. Mr. Davis: Mr. Speaker, actually there has been no change relative to the legislation. The legislation that was in effect since about 1967 still has application for the new county board structure. I think it is important to point out really that Ontario has taken the lead in providing legislation whereby the native people in this province are being given the opportunity for some involvement and responsibility for the education of their children. It is interesting to note, Mr. Speaker, that in fact this same opportunity to be involved does not relate to those schools operated by the federal government in the reserve communities. This is not the present practice there, which we found very interesting.

And while the legislation itself is not compulsory at this time, Mr. Speaker, it is anticipated that the boards will recognize the value of having representation from the reserve communities. There are a number of boards that already have this and, Mr. Speaker, I think the boards know about it, but if not, we are going to fully inform them of the provisions in the legislation.

Mr. T. Reid: By way of a supplementary, will the Minister or his department be writing a letter to the chief of each band in Ontario informing them once again that they do have this right to recommend such representation to the boards?

Hon. Mr. Davis: Yes.

Mr. T. Reid: Another question to the Minister of Education, Mr. Speaker, in two parts:

Has The Department of Education received a resolution from the Barrie city council requesting the Premier to evaluate and audit the administrative and budget commitments of the Simcoe county board of education, in order to assure local property taxpayers that their property tax dollars to the new county board of education are being properly spent? If the Minister has received such a resolution, will he respond to the request of the local government council?

Does the government require the new county school boards to tender for their new office requirements? If so, what guidelines, if any, does the Minister provide for such tendering of contracts by the new county school boards?

Hon. Mr. Davis: We received this resolution, and of course not only have we received it, we have had discussions with the Simcoe county board relative to their budget. I think that the results of this are already somewhat in evidence.

I think also, with respect to part (d) of the question, I shall send to the hon. member "Guidelines on Business Aspects in New Divisional Board Operations"; in section (b) there is a section entitled "Purchasing, Warehousing and Distribution", which gives suggestions about the tendering of supplies and other guidelines in this whole area of acquisition of supplies and space.

Mr. T. Reid: Mr. Speaker, could I ask the Minister a supplementary question? Is it mandatory for a new county board to tender for such office space?

Hon. Mr. Davis: Mr. Speaker, guidelines obviously cannot be mandatory. We were discussing that point a week ago yesterday. The guidelines indicate certain practices that should be followed but, being guidelines,

they are not in themselves mandatory, they are not legislative.

Mr. T. Reid: Right. Another question outstanding from April 16.

Did Humber College of Applied Arts and Technology request approximately $100,000 in operating revenue for its technology division for 1969-70 from The Department of Education?

Did the Minister grant approximately only $14,000 of the $100,000 requested, and if so, why?

Hon. Mr. Davis: Mr. Speaker, the method used by the colleges—to the council and to the department—relate to total budgets, with the projected increase in number of students. We do not make the determination or allocation of the various branches or divisions within the college. So it is really quite impossible to answer this question other than to say—and there is another question relative to this—that the total amount requested by all of the community colleges was not reached by the amounts allocated by the government.

Mr. T. Reid: I have one final question outstanding, Mr. Speaker.

Does the Minister agree with Dr. W. G. G. Bowen, president of the Niagara College of Applied Arts and Technology, that the college must refuse the admission of 500 duly qualified students this year because the college only received 75 per cent of its previously promised grant?

Hon. Mr. Davis: Mr. Speaker, I think, in the first instance, there has never been any previously promised grants. There were submissions by the various colleges to the council, and to the department, and I cannot agree or disagree with Mr. Bowen with respect to the number of students he may, or may not, or the college may or may not, be able to accept, or will have to refuse.

I should point out that the colleges received and increase of about 38.4 per cent in grants over last year's operating grants.

Mr. Speaker: The hon. member for Oshawa was on his feet some little time ago.

Mr. C. G. Pilkey (Oshawa): A question of the Minister of Education.

Is the government planning a convention or conference in the near future for the students of the Ontario secondary schools; and, if so, what would be the purpose of such a convention or conference?

Hon. Mr. Davis: Mr. Speaker, I am really not too clear on the origin of this question. There have been various high school student groups, or representatives of high school groups, in some sections of the province, meeting to form, shall we say, high school councils with a view towards communication among the various regions and the representatives from the schools.

There was also some discussion, which I mentioned in an address to the Vanier Institute some few weeks ago, of the possibility of some government involvement in a programme whereby students from various high schools would become involved. I do not like to use the term "a model parliament experience", but something related to involvement in political procedures and situations as we know them here as members. This has not come to any finality at this point. This is perhaps what the hon. member is referring to and, if so, I may have some further word on this in the not too distant future.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): I have a question of the Attorney General.

In view of the fact that, under section 18 of The Evidence Act, it is incumbent upon the presiding officer to advise the person being tried of his rights to an affirmation, and since this was not observed in the case of Joseph Viner, will the Minister reopen the case?

Hon. Mr. Wishart: Mr. Speaker, no one has any right to reopen a case, to interfere with the judgment of a judge.

In certain circumstances the higher court may direct that a case be reopened, but the remedy which Mr. Viner had is by way of appeal—if he is dissatisfied with the disposition of the case. I did mention yesterday, in answering a question on this matter, of having read the transcript although he did not know, apparently, he might reaffirm, I could see no suggestion of any miscarriage of justice. But his only remedy in any event would be to appeal.

Mr. Makarchuk: Mr. Speaker, by way of a supplementary question: would the Attorney General agree that the presiding officer has a responsibility to notify the man being tried that he is entitled to an affirmation?

Hon. Mr. Wishart: I believe I said that yesterday, Mr. Speaker.

Mr. Makarchuk: Just a point of clarification. The Minister says that the man—

Mr. Speaker: Order! There is no place for a point of clarification here. The member may address a supplementary question.

Mr. Makarchuk: By way of a supplementary question, Mr. Speaker, the Minister did not answer my question in that case. What I asked is, whether it is incumbent upon the judge to tell the man that he is entitled to a note of affirmation? This is my question.

Hon. Mr. Wishart: Well, I think it is good conduct, good practice, for the person presiding on the bench to go as far as he can in explaining rights. The Crown Attorney also has that obligation, and I hope that would be carried out. I think certainly I would agree that that should be done.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid: Mr. Speaker, a question for the Minister of Energy and Resources Management.

What provisions have been made by the government for insurance for atomic installations in the province?

Hon. Mr. Simonett: Mr. Speaker, insofar as nuclear installations for the production of electric power are concerned, the government of Ontario has made no provisions for insurance.

These installations are insured by Ontario Hydro and the government of Canada, the latter being responsible in all cases for third party liability in the event of a nuclear incident.

Mr. Speaker: The hon. member for Windsor West.

Mr. Peacock: Mr. Speaker, I have a question of the Provincial Secretary.

Does the Liquor Licence Board of Ontario have statutory authority to impose the observance of daylight saving time on licensed premises in the municipality of Windsor?

If so, has the board yet reached a decision with respect to the hours to be observed by licensed premises in Windsor?

Hon. Mr. Welch: Mr. Speaker, in the operation of the Liquor Licence Board, the hours of sale on licensed premises are governed by the time which is observed by the municipality.

Mr. Peacock: May I ask a supplementary question, Mr. Speaker? Is the Minister aware that the city of Windsor has found that it does not have the statutory authority to impose the observance of daylight saving time standard, and has called upon citizens of the community to voluntarily observe daylight saving time?

Hon. Mr. Welch: Mr. Speaker, this information was brought to my attention the other day. It may be helpful that the hon. member's attention was drawn to The Time Act, which is set out as in chapter 400 of the Revised Statutes of Ontario, 1960.

Hon. Mr. Grossman: And if you can understand that Act, let us know.

Mr. R. F. Ruston (Essex-Kent): I rise on a point of privilege, Mr. Speaker, with regard to questions that I have had for some time. I have noted in the last nine days that the Minister of Highways (Mr. Gomme) has been in during the question period only once.

I wonder is there any criteria, or anything else, as to the limit the Minister may be in? I have seen this in other Parliaments where they have two or three days a week that they may come in, and I wondered if you might enlighten me a little bit as to this?

It seems to me that the Minister has been absent for some time. I wonder if you would enlighten me?

Mr. Speaker: Well I must say that the hon. Minister of Highways was here the other day. I had drawn the question of the hon. member on that particular day he was not here. We must realize that, on both sides of the House, Ministers and members find it necessary to be absent from the House on duty, both for their constituents, and in the case of the Minister, for the department.

There is, in this House, no rule that I know of, and no understanding among the parties, and I would think that this also might be a good thing for the committee, to which the member for York South referred earlier, to consider. The chairman of the committee is the Clerk of the House, and I am sure he will make a note of it and perhaps have that matter also discussed.

I agree with the hon. member that some sort of system should be agreed upon among the members of the House.

Orders of the day.

Clerk of the House: The 27th order; resuming the adjourned debate on the motion for second reading of Bill 118, **An Act Respecting the City of the Lakehead.**

CITY OF THE LAKEHEAD
(Continued)

Mr. R. H. Knight (Port Arthur): When this debate on Bill 118 adjourned yesterday, I was placing affidavits before this House which proved the majority of Lakehead residents opposed this bill receiving approval in principle without permitting a vote by the people affected.

Mr. Speaker, I am here today with more affidavits which I feel I owe to the people I represent; affidavits which would be very illuminating to the members of this House as we deliberate a very important principle, the principle of democracy, which many of us at the Lakehead feel is not really included in this bill. Certainly it is flaunted by the bill.

I was rather amazed yesterday to find myself arguing to uphold the democratic principle in this government's administration of this province, and to be jeered at so much. But that is fine; that is the democratic way. And I was equally perturbed today, prior to the debate, to be approached from various quarters asking: "Will you please cut this kind of short now—you have been going long enough." Well, obviously a lot of people are not aware that a beachhead for democracy has been established by the Lakehead people in this House. A beachhead, and Mr. Speaker—

Mr. S. Lewis (Scarborough West): Well, they are caught in the backwash.

Mr. Knight: —there is an awful lot connected with the Lakehead in the government's chessboard—in its manner of setting up regional government in this province. That is why this debate is extremely important, and I am hoping that once the subject has been properly introduced, as we debate this bill very important to my people at the Lakehead, that other members of the House will undertake to debate the same principle.

Is democracy, as we understand it, under attack in the government's treatment of the Lakehead people, in the matter of instituting this Act which incorporates the cities of the Lakehead?

This beachhead has many heroes, and I think, I tried to acknowledge some of them in my argumentations here yesterday. I feel that today others should be acknowledged, because, Mr. Speaker, each name on the petition which I referred to yesterday, and there are 6,292 names on this petition, is a voice, a Lakehead voice. This petition, which I plan to lay on the table a little bit later on, states, and I read from the petition itself:

> I, the undersigned, demand my democratic right as a resident to vote in a plebiscite, either for or against the proposed incorporation of the new Lakehead city.

The petition I hold in my hand is signed by Mrs. C. W. Clayton of Port Arthur; Mrs. F. T. Dennis of Port Arthur signed the same petition. Mr. Speaker, these are heroes. These are people who are helping to hold this beachhead for democracy in this province—where democracy is very much threatened at this time. I bring to the House's attention other names: Mrs. S. Macormick, of Rita Street, Port Arthur; Mrs. Rosemarie Goslin; Mrs. V. L. Coulter; Mrs. A. J. Murphy; Helen C. Hedge; Valerie Soris.

Hon. A. Grossman (Minister of Correctional Services): This is worse than the last post.

Mr. Knight: Some day, the descendants of these people will look back and look into *Hansard* and say: "So those were the people who had enough courage to stand up and appeal to democracy." People like Miss J. Masenick of Port Arthur and Mrs. L. Masevesky. These are mostly Port Arthur names that I have now.

You will note the ethnic backgrounds of most of these people. We have about 47 varieties at the Lakehead, all speaking up for what they feel is their democratic right. C. C. Bedard is another who signed this petition. And F. Hutchison. I would also like to name Oscar Neomi, which is a very good one.

I said earlier that the Lakehead had established a beachhead for democracy. That is the principle under debate in Bill 118 at this time.

Mr. Speaker, I have to ask a question, although it seems so obvious to me. Is the Lakehead being used by The Department of Municipal Affairs to win its battle with Metropolitan Toronto? It, seems very odd to me that while this Department of Municipal Affairs is forcing four municipalities together in one Lakehead city, it is keeping a large number of municipalities apart down here in Metro Toronto.

And I think that some of my colleagues in this House who are from Toronto ridings might be able to develop that particular point a little bit further. But I think it is worth noting. The people at the Lakehead do not want to be used in this big chess board. They want to be treated as an individual area,

as individuals, and when they ask for a vote they want a vote.

People like Paul Meckie, Mr. W. O. Faber. And these people all bring back memories to me. These are voices for democracy opposing this bill in the House today. W. J. Cole; E. Whiteman; Mrs. Pearl Thompson; Robert Kerr; Edward K. Milne; Fred H. Geecock—these names will go down in history because they were not afraid to stand up when their democratic rights were being opposed.

Hon. Mr. Grossman: Is the member preparing to read the six thousand names into the record?

Mr. Knight: Mrs. Elizabeth Telfer; Mrs. Tillie Milton; Walter Alexander.

I am proud of these people. The members of the House should be too. This is the voice of the Lakehead. It has been quieted for a year and a half while the hon. Minister has been talking to 24 or 25 people at the Lakehead, many of whom merely pretended to represent the wishes of the Lakehead, and it is about time the average guy—the fellow with the blue collar and the dirty hands—and all of the other fine people who keep the Lakehead going—had a voice here.

This is their voice. Can you imagine how proud they would be to know that their names are being called to the attention of this House? They are not afraid to stand up.

People like Mrs. A. Osadis; William Polowski; Mrs. Mary Turney; Mrs. J. J. Sismar; William Carl Kreisig; Donald F. Hamer, of Wolsley Street, Port Arthur; Mrs. M. Ambrose; Mrs. Y. Niburg; Ivor J. Watson.

These people were invited to register their opinions on this bill. Do you want this amalgamation as recommended by Mr. Hardy and later endorsed by the Minister? Or do you think—whether for or against—you should have the right to decide it along with your neighbours here at the Lakehead?

And they have signed this petition. People like F. A. Thomas of Port Arthur. These are all Port Arthur names—yet some people try to give the impression that the Port Arthur side of this merger is entirely in favour of amalgamation without a vote.

Well, these signatures argue very strongly against that idea. Mrs. S. J. Wainroach signed it. Mr. William Small; Mrs. W. Small; Mr. and Mrs. Robert Lindsay.

Down at the bottom of this petition, these people say: "Thank you for letting us know we still have our rights." Thank you. Let us vote on this. This is the voice of the people. That is democracy. Mr. and Mrs. R. L. Hudd; Emil Crabbe and Minnie Crabbe; Mr. and Mrs. William Donaghue.

To those people who told me to be quiet and not advance any more arguments, and to anybody who really cares about the Lakehead people, these names are of great significance and importance. I apologize to the House if I am speaking too fast, perhaps I should slow down a bit.

Other names I would like to present today in the name of democracy: Mr. and Mrs. Dave Solomon; Mr. and Mrs. C. E. Mills; Mr. and Mrs. George Merrifield, and they are from just outside Port Arthur, on RR No. 3; Mr. and Mrs. L. Hogarth—there is a long-standing name in the Lakehead area; P. J. Teskey and L. Teskey; Dudley and Dorothy Vigers — another well-known, long-standing Port Arthur name; Mr. and Mrs. H. Jaudoin; Mr. and Mrs. M. R. Maher.

How I wish the hon. Premier were able to be in the House today to hear these names. Unfortunately, the urgent business of the province called him away yesterday. Far be it for the people at the Lakehead to try to occupy all of the Premier's time, but I know the Lakehead people would have liked him to have heard some of their expressions and asking for a vote in this matter.

You will recall that the federal member, Mr. Badanai, in his statement supporting the vote on amalgamation, put his plea directly to the hon. Premier. I do not know to this day whether Mr. Badanai received an answer from the Premier or not. But we have many arguments against this Bill 118 going through without a vote of the people—people like Mr. and Mrs. Allan Head; Mr. and Mrs. O. Merrifield—another well-known Port Arthur Lakehead area name; Mr. C. Thompson and Mrs. C. Thompson; Mr. and Mrs. Frank Perrapelic of Shipley Street, Port Arthur; Mr. and Mrs. E. Block of Tupper Street; Mr. and Mrs. D. Madsen of Rattan Street; Mr. and Mrs. L. Whitesill; Mr. and Mrs. John Elloranta of Ontario Street.

If I could read all of the streets—and I do not want to take more time of the House than I feel is proper—you would soon see that these signatures come from a wide, cross-section of the Port Arthur area, and I think that is an important point.

Others who have signed this petition: Mr. and Mrs. R. L. Pilon; J. A. Roice McQuaig; Mrs. Edith Mills; John L. Deeley and Lorna M. Deeley—that is from RR No. 2, Port

Arthur, again; F. G. Taylor; Mr. and Mrs. R. Tibbs; Mr. and Mrs. Kenneth Heron; Mr. and Mrs. G. Mossendee of Cumberland Street, Port Arthur; John F. Klobacha; Warner A. Saunberg; W. J. Gunn; Mrs. Isaac Jewer; Frank Longley; Andre Louis—all people who had the courage of their convictions to stand up and fight when it was time to fight. I want to thank the members of the House for listening so attentively to these important names—Mr. Peter Nasnesky; Mrs. Laura Corcola; Ab Mills; Mr. and Mrs. Miller—

Mr. Speaker: Order please!

It seems to me that the purpose before the House, at the present time is a discussion of the principle of this particular bill. Now surely, the repetition of an endless number of names of people who are residents of the city does not constitute a debate on the principle of this bill.

Mr. Knight: Well, Mr. Speaker, I have to differ with you on that. I have tried to continue debate as I have advanced what I feel are affidavits. These are the names, the actual signatures of people who are trying to impress the hon. Minister and the government and this House with their deep need, their desire to decide this matter themselves. I am hoping these names will be part of the ammunition that will cause this Minister finally, to turn around and say all right, they can vote on it.

Mr. Speaker: Well the hon. member—

Mr. Knight: Let them decide it.

Mr. Speaker: Order please!

The hon. member has made his point by putting to the House a large number of names. It seems to me that any continuation of this would be repetitious.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, if I might speak to the point that you have raised. I know it is not the hon. member's intention to read the names of the very lengthy petition he holds in his hand and will no doubt place upon the table some time during his discourse. But I think the point he makes is a very important one—and that is the involvement of his constituents and other citizens in the area. I am sure it is not his intention to read an unduly lengthy list of these names.

Mr. Speaker: With respect to the hon. leader of the Opposition, it seems to me that the list has been unduly long at the present time. There have been dozens of the names read out and I do not think that reading of dozens more will add anything to the debate on the principle of this bill.

Mr. Knight: Well, Mr. Speaker, I have been hee-hawed in this House and I have been jeered and the indication has been that I do not know what I am talking about. So, I am presenting the most legal form that I know of—that of a person's signature to back up my argument.

Mr. Speaker, I said this was a beachhead. There is nowhere else for us to go, those of us who are fighting to give the people a vote on this matter. The governent is all powerful. It has already been indicated to me in many ways that I am wasting my time. "Do not take that into the House, they know what they are going to do and they are going to do it."

This is the most horrible, the most condemning commentary that can be made on any government. To think that, no matter how the voice of the people is presented to them, they still will not change their minds.

I think this House should be aware that there have been those involved in this very important issue who have had the courage to change their minds. I would like to quote a story that appeared in the Fort William *Daily Times Journal*, at the beginning of this battle this year. The title of it is: "City could still vote on amalgamation issue". I am trying to prove that there are those who change their mind I read this column written by Mr. Bill Merritt:

> Why is a city council vote necessary now on whether a plebiscite be held on amalgamation?
>
> Ald. Michael Chicorli at a regular session Jan. 28 tabled a notice of motion calling for a plebiscite. His motion is open to discussion at the Feb. 11 meeting.
>
> On May 14, 1968, council voted 6-5 in favour of a plebiscite. In favour were aldermen Mickey Hennessey, Walter Assef, Larry Baarts, Michael Chicorli, Art Widnall and Harold Lockwood. Opposed were aldermen Grace Remus, Wally Bryan, Don Aedy, William Nealin and Alex Anderson. Mayor E. H. Reed and Ald. Hugh Cook were absent.

Well the mayor at that time was not able to register his position. But he did later on while being interviewed by newsmen. I quote from an article this time from the Port Arthur *News-Chronicle*, in which the mayor does

put forth his position as of January 30, 1969. The story says:

> Mayor E. H. Reed of Fort William says that, while he is not 100 per cent sure the chosen approach to amalgamation is the proper one, there would have been enormous—if not insurmountable—difficulties to wording of a plebiscite because recommendations range far beyond the single question of uniting two cities.

And here, his worship in his first feeling on this matter, would seem to echo the feeling of the hon. Minister opposite, Mr. Speaker.

Well things changed, as you will see in this later article. On February 24—not one month later—was the headline: "Mayor still demanding deferment of merger." I read the story, again written by Mr. Bill Merritt:

> Not giving up, Reed declares:
>
> "Could the city take the matter of amalgamation without a plebiscite to the Supreme Court of Canada?"
>
> Mayor E. H. Reed today termed the question "interesting" but declined to express an opinion.
>
> The mayor was asked for comment on statements Friday by Ontario Minister of Municipal Affairs Darcy McKeough in which the Minister flatly rejected Mayor Reed's call for deferment of amalgamation proceedings.
>
> "It appears I have failed in my attempt to get a message across to the Minister and perhaps others as to the seriousness of what is happening," the mayor said.

And the article goes on, still quoting Mayor Reed of Fort William:

> I am a long way from giving up on the matter and I will attempt shortly to present further reasons for deferment, which I sincerely hope will be considered.
>
> I hope everyone will realize we are no longer discussing amalgamation itself, but rather we are discussing the basic rights of the people to determine their destiny.

These words, from a mayor who has served seven years anyway at the Lakehead, a gentleman who is certainly well acquainted with the feelings of the people in the background of this whole issue. His statement goes on:

> As representatives of the people, we were not elected to change or alter the ground rules by which the people are governed," he said.
>
> The mayor said he had made a point during a weekend conference at Quetico Conference and Training Centre attended by Mr. McKeough.
>
> The Minister gave clear indication there was no rush for implementation of regional government in the outlying districts and there would be plenty of time for dialogue.
>
> "Proposed amalgamation as it affects the Twin Cities, is not being given equal time.
>
> "The Minister has said only a minority favours a plebiscite, but he does not sit back behind this desk and he has not seen or heard the rising swell of public opinion which demands a vote."

Mayor Reed concludes his statement: "Should I just ignore these demands?"

Now there is a man who had the courage to change his opinion. The kind of courage that I seek to stimulate in the hon. Minister, in the hon. government opposite.

I notice that the hon. Minister is preparing some affidavits for his answer when he rises to support the bill later. If he is not, he should be ruled out of order for not paying attention to the subject.

This is the voice of the Lakehead I am trying to present here today. And I know that a lot of people back me on this—people like Mrs. Ethel Jones of Mortimer Street, Fort William. I only mentioned Port Arthur before. I think Fort William should be brought into this because there are—

Mr. Speaker: Any further repetition of a long list of names will be out of order.

Mr. Knight: Well, there will be no long list, Mr. Speaker, but I would just like to mention two names—W. J. Ryan, of RR No. 1, Fort William, that is in the rural area of Fort William. I am trying to show to the House that there is a good cross section of people represented on this petition. But not to bore the House too much, I will go on to other matters and return to that later.

It seems to me that we are discussing public attitudes—attitudes like that of E. J. Alexander of Broadway Avenue, Bickers Heights. Now that is—

Mr. Speaker: That is the second name the hon. member intimated to the House. He said he would read two more names and I have permitted the two more names. Now there will be no further mention of a list of names.

Mr. Knight: Well, it seems to me, Mr. Speaker, that I said that there would be no long list. But this is just getting to be a bit too much. I am not a man who is taken to

ire very easily, Mr. Speaker, but I tell you I have seen people put down far too often in a matter that concerns them.

What does Toronto care? By Toronto I do not mean the people out there, because they are going to be facing the same Department of Municipal Affairs, the two to three million out there this government is trying to keep apart.

A bureaucrat named Eric Hardy comes to the Lakehead and tells us what to do and says: "You are not going to decide, you are not going to vote on the matter." A Minister from Chatham, Ontario—wonderful area, I was born not too far from there myself—but he comes from there to Toronto up to the Lakehead to say: "I agree with Hardy—you are not going to get a vote."

Then the Lakehead people figure maybe we are going to be able to choose the mayor of our choice. We will be able to have a good, wide selection of candidates. And what happens, as we will see in this bill, is a clause to block that other democratic idea.

The Lakehead people ought to be able to pick a mayor from anywhere. If they want Doug Fisher to come back or John Freezen to come in from the west or anybody they want to run their city, why is Toronto and The Department of Municipal Affairs telling them who they are going to have for a mayor? I should point out that at one time I offered to run for mayor and withdrew because of the impending clause, so I do not have a conflict of interest at this point.

I will not be running for mayor and that has been made public. But I do feel that the Lakehead people should be able to pick anyone they want. We go on from that. The last big meeting to disband at the Lakehead this past weekend was the inter-municipal committee, upon which this Minister places so much importance.

The people say "give us a bigger hall and we will all come out and hear this first hand." I asked the Minister the question right here in the House whether he would consider a bigger hall and he said: "Oh I do not think that is my impression of things."

Well, the people are asking. How can you keep saying no in this matter? Now, I come into the House, I try to acknowledge people who are regular heroes, and you are telling me that this House does not permit me to acknowledge these people.

By golly, Mr. Speaker, what will the government do with this petition? What will they do with this loud voice? Put it on a shelf somewhere to gather a lot of dust? What acknowledgement will these people get for fighting for their rights at a time like this?

I would like to point out that Eugene Hummell had a part in this whole battle because he did. And I expect that later on today we might be receiving more petitions from the Lakehead, because the Lakehead people realize that a beachhead has been established here for their democracy. They are not going to sit back and let somebody else fight for them.

They did not in two world wars. Thousands of men from the Lakehead area—just like men from everywhere else in this country—died to keep those flags flying up there, and this is the principle. The Lakehead people say: "Here it is again in front of us, right here in our own backyard by a government down in Toronto—900 miles away." And this government wonders why the people up in that area sometimes say, "Let us go into a separate province."

Democracy is the thing. We have got to be sure to establish that before anything else in this bill, not amalgamation or how it is done—democracy. Is it being done the right way? I think we should work that over very well, because it pertains to all of the already indicated intentions of the government along the line of regional government, where the province steps in and reorganizes an area.

A lot of people in this province are very concerned about that matter.

I have another affidavit I would like to present. This is not repetition, Mr. Speaker. This one is from a Mr. Bill Crocker at the Lakehead and he does not mind me using his name, obviously. It is a letter to the editor, which I think should be called to the attention of this House. He speaks to some extent for one faction of labour at the Lakehead.

The title of this is "Locality Important", and Mr. Crocker says:

> In regard to the latest statement by the trades and labour on amalgamation and plebiscite, this to me is much the same attitude as the government has taken.
>
> The trades and labour has taken on their own when they make such statements as, "Unions are in favour of going ahead with amalgamation, and the faster the better." I have made it a point to check different unions and I cannot find any that has taken a vote or stand on this issue. Before the trades and labour do any recommending I think the union should vote first and

then have their delegates bring the decision to trades and labour at their meeting, and then rule on it.

It appears that trades and labour are sticking their necks out too far without the consent of the unions who are affiliated with said body.

Now I bring this letter to the attention of the House, because here the Minister hangs his argument—he says he made that decision to go along with Eric Hardy on no plebiscite in this matter when he was at the labour hall apparently talking to labour leaders at the Lakehead. So this sheds important light on this matter. Mr. Crocker goes on:

Maybe it was just from their executive, but it sure was not from the unions. Until this action is taken by the union the trades and labour should wait and see the results of such vote and what recommendations come from the unions.

A certain alderman at a council meeting thought it was their democratic right to vote for chairmanship of different committees, and then remarked on the radio that he did not think it was needed for the people to vote on a plebiscite or have one.

This statement was made on one of the radio programmes. The Premier of this province is claiming that the federal government is pushing Medicare down and he goes into a federal matter, Mr. Speaker, to draw a parallel to support his argument. His letter goes on:

Referring to the cost of the plebiscite, what is a few thousand the way money is thrown around now? At least we will see where some is going.

This gentleman goes on to debate actually the principle of amalgamation. This is his voice and I think he is entitled to have it aired. He says in regard to more industry:

What makes anyone think more will come because we will be one big city?"

Further on he says:

Now if Port Arthur and Shuniah would only speak up the way Fort William and Neebing are doing, then maybe Toronto will hear us."

He concludes by saying:

By not letting the taxpayers vote is very much in line with what the U.S.S.R. is trying to do in West Berlin. Just think, we could have a north and south in one city instead of a wall between us. Maybe we should put it around the district and let Toronto throw us the scraps. That is a lot more than we get now.

Then he says—and this letter apparently is addressed to the Premier:

So, Mr. Robarts, if you want a say in the Medicare plan, just imagine how we feel when we are told that that is it—and that is the way it is going to be.

It is signed by Mr. Bill Crocker, a letter which was made public, and quite expressive of many of the conversations that have been brought to me by people at the Lakehead who demand a vote on this matter. And I think, of course, Mr. Speaker, that they should get it.

People like A. J. Kelly, of Fort William, Mr. Speaker, another Lakehead resident who has taken the time to express an opinion on this matter, and it was not easy for these people because in so many places they could not actually get to the petition—places the organizers were not allowed to put it. So what we did here, Mr. Speaker, was the group concerned, the ratepayers association, put an advertisement in the local newspapers, and then made quite readily accessible to people—to people like R. W. Blundin—

Mr. Speaker: Order!

Mr. Knight: Mr. Blundin, Mr. Speaker, owns a house—

Mr. Speaker: Order please! I have suggested to the hon. member that the continual mentioning of people's names, who have signed petitions, or have contacted him or in any manner have expressed their opinions regarding this particular bill, is repetitious, and there will be no further reading into the record of a long list of names. A great lengthy list has now been read, and I would ask the hon. member to restrain himself from employing these tactics any further. These names should not be read into the record. Quite sufficient examples have been given.

Mr. Nixon: On a point of clarification, Mr. Speaker, you would not include names associated with direct letters that are quoted by the hon. member.

Mr. Speaker: No, I would say to the hon. leader of the Opposition that is exactly why I have permitted him to read the letter from Mr. Crocker.

Mr. Knight: Well, then, Mr. Speaker, let me at least say to the House that there are many thousand more names all of whom, I feel, should receive recognition at this time. They should be read into the record, because no one is more worthy than the other. They

all have done their very best, they have all tried to participate in this beachhead for their democracy, and Mr. Speaker, they are prepared to do more, believe you me.

I have a feeling that on June 23, when they do have some say, when they do have a mandate—one mandate that is still left to them at least, that of choosing their mayor and their 12 council members—they will be heard very, very loud and clear.

I think there are other angles to be brought forward, Mr. Speaker, in support of a democratic decision in this matter and that the people should have a vote on it. I think, for example, of a letter—and I would like to refresh the memories of the members of this House, because they all, to the best of my knowledge, have received a copy of this letter from the Fort William Taxpayers Association. They sent many, and this is just one that I believe is worthy of entering into the record here. It is addressed first and foremost to "The Hon. John Robarts and members of the Ontario Legislature, Queen's Park, Toronto":

> Gentlemen: We recently sent to all members of Parliament two letters of appeal to hold in abeyance until a plebiscite had been taken, the amalgamation of the Lakehead cities of Fort William and Port Arthur. As no acknowledgement has been received from the government although we have from other members, we therefore made an intensive investigation as to the reason.

Why would they not receive an answer from the government, Mr. Speaker?

> To our surprise and dismay we found that this government really does not need to answer our inquiries or appeals as we are now under a more or less dictator rule, at least in Ontario, and its citizens appear to have lost their personal rights. The reason given was because of the apathetic and non-interested attitude of the general public in running the affairs of this country.

Now, are these Lakehead citizens out of order? Are they wrong? Are they not entitled to their impressions from their dealings with the Minister and his government? I do not see why anybody should laugh at statements like these. These people feel very strongly about this, and the proof that they do is that they have gone out and worked hard and long to bring in petitions like the one here that I was trying to read.

You know in that connection, Mr. Speaker, there is a strike on right now and those people are 900 miles away; they cannot be here sitting in the press gallery or demonstrating outside. Air Canada's 114 planes are on the ground. A lot of them would like to come down here and fight for their democratic right, Mr. Speaker. This is one of the reasons why I was trying to make their voice heard here loud and clear. They are sitting at home listening and watching to see what is going to be done in this House in regard to what they feel is their democratic right. We merely sought to help them to participate, help them to fight, and yet I see that not only the House, Mr. Speaker, but you yourself have ruled that this is repetitious. A technicality, and on the basis of that technicality, I cannot give further acknowledgement to these people. I am not at all happy about that, but I shall go on with the letter from the ratepayers, the Fort William taxpayers association, a letter which I should say was sent out on February 28 to the members:

> If the above information is true, and we believe it to be authentic, considering the present events, then we are in a serious situation and what we consider to be an anti-Canadian Act was performed and certainly met with the approval of the citizens of Canada and which requires immediate clarification publicly.

What they are talking about here, and I will have to quote the previous paragraph, they say:

> The government has preferred this deed by creating self-appointed powers so that they can legislate any law they wish without the approval of the general public.

That is a horrible commentary, Mr. Speaker, certainly a pretty strong criticism of the government, and it goes on:

> They can tell us when to vote, where to vote, and although they do not tell us who to vote for, this is not necessary as the representative elected must do as he is told or he is made useless in the House.

This letter continues, and the members will remember it because I am sure they read it at one time. I am trying to refresh their memories in the interest of arguing the democratic point in this:

> The Ontario Conservative Party and its candidates would never have been elected by the people had they known their personal rights would be rescinded. No one in their right mind would do that.

The letter goes on:

> Our association's interest in this affair has always been taxes and their related interests which includes plebiscites. At no time has amalgamation entered into the matter, although it seemed to be part of the campaign. This was due to the fact that it tied in with the necessity and the right to vote on such matters. The association is not trying to throw road blocks in the path of government endeavours, such as regional development, urban development, and all other boards set up by both federal and provincial governments for equalization purposes for the betterment of our country.

This is from the strongest voice at the Lakehead, demanding a vote on this matter. They say that this is good, regional government. I told you they felt this way because their letter goes on:

> We think this is good, provided it is implemented through democratic procedures which is the safety pendulum for our well-being. If standard democratic procedures are by-passed, exploitation of the peoples and our resources will occur. It is recognized that the voting process, does slow expediency to some extent and we need immediate action on some projects, however in our view this may be for the good, as we consider our runaway and uncontrollable economy is partly due to the loss of the retarding valve effect which voting promotes.

This very much applies to the principle under debate of Bill 118. The letter from the ratepayers goes on:

> It also lightens the load on our Parliamentarians, when making federal and provincial-wide decisions, and spreads the responsibility on the shoulders of all. No few government representatives can take this responsibility, nor are they expected to.
>
> If voting is by-passed, people do not understand the situation, causing dissension, friction, non co-operation. It invites retaliation in many forms, and in the end cost to the taxpayer is increased many times. As pointed out in one of our appeals, co-operation of the people can be obtained by doing a good selling job, and some bargaining with the citizens. Few people are unreasonable.

We mentioned earlier the many residents of the Lakehead who might have liked to have come here today, but are blocked because they cannot fly due to the Air-Canada strike. Also, they could not make very good plans because the government introduces these bills when they are ready and without notice.

However, I should like to point out that there are one or two people on the steps out front at Queen's Park right now who are helping to hold the beachhead for the Lakehead people who could not be here. They are in effect picketing the government in a very peaceful manner. Believe me, the person involved can be otherwise than peaceful, if you knew her as I did. In any event, she is trying to do what other Lakehead people cannot at this time fly here and do.

We have referred to Mr. Hardy on a number of occasions and it is only right that we should in such a debate since he is the gentleman who conducted the study upon which much of the legislation in Bill 118 is based. I think the House should know what Mr. Hardy has to say in his report about public attitudes. It is something that I certainly—not only as an elected representative of the public but also as a broadcaster and a guardian of their information over the years—have always been very concerned about.

Mr. Speaker, I strongly uphold the principle of an informed public. Mr. Hardy on page 54 of his report says:

> The importance of public attitudes to local government change can scarcely be over-emphasized as a part of the Lakehead local government review. This aspect of the study is perhaps the most difficult to define the most likely cause of misunderstanding and yet the most dangerous to ignore. It has been considered conscientiously and will be dealt with thoroughly in this report.

I feel that in many ways Mr. Hardy did that, as I told the House yesterday.

However, he went on to suggest that the government should decide this matter and not the people. I think this is where he made his mistake and I think this is where these affidavits help me to prove that he has.

It is never too late to correct an error. It takes big people to say: "Well, all right, perhaps we were a bit too hasty, the people are speaking now, we will give them what they ask for."

I have to put this question to the House today, specifically to the government and this Minister. Has this government reached that point of bureaucratic control where it will listen to a bureaucrat, Mr. Eric Hardy in this case, ahead of the citizens of this province, because Mr. Hardy has said, "no" to the people's vote?

Is there nothing that Lakeheaders can do to change that, Mr. Speaker? That is why I am on my feet here today, establishing a beachhead for the Lakehead people. I look forward to seeing other members in this House rise in defence of the democratic right of the Lakehead people to decide this matter and not have Toronto reach out its mighty arm into the Lakehead and decide the matter.

We have to ask ourselves in this House, is it the amalgamation that is the important thing or is it the future of the people who live in the Lakehead area and their children who will come after? The answer is obvious, it is the people. It is not the idea of amalgamation; it is not this bureaucratic organization, it is not this idea that is so important, it is the people and their feelings and their sentiment.

If the government proceeds with this matter of implementing the new city, we have to ask ourselves what will the attitudes, what will the public attitudes that Mr. Hardy has already said are so important, what will those attitudes be? Will the dissidents, after the *fait accompli,* stop screaming? Will they stop knocking on Queen's Park's door? If they do stop—and I think they will stop—what will happen at the Lakehead? Will we have great dancing in the streets and enthusiasm for the new city? Is that what we are going to have?

Mr. Speaker, that is what we should have, there is no other way to go into a new city, you will have to agree with me. This is a marriage; it should be a happy time. There will be people saying what they are saying now, "I want no part of it". This is their city they are talking about. "I want no part of it, they forced it down our throats, it was a shot-gun wedding" and all the other expressions that have come out.

I submit to you that if the Lakehead people had been respected sufficiently, if the government had appealed to their intelligence and allowed them to vote on this matter, the dissidents would have been quiet, as they have already promised they will.

We could have gone into a brand new era at the Lakehead, a new city, the city of the Lakehead or whatever the people want to call it, and there would have no looking back. But one day, very early when the report was presented, the people found out what they had thought for years, that they were going to decide this matter, it was being gradually slipped out from under them in the comments of Mr. Hardy in this report and the Minister later on when he was questioned.

Mr. Speaker, as their representative, I could not believe it, I refused to believe it, and I am sure there are those who say the member for Port Arthur made a fool of himself. He put the question to the Minister so often. That is right, a fool. I was one of those who refused to accept it, I believed so much in the principle. And there are those in this House who still hee-haw me. There are those who still think that I am just up here babbling like a brook.

Mr. Speaker, I am a novice in politics, a novice, but at the Lakehead as a broadcaster, I always try to reflect the feelings of the people in the community. That is how I was a successful broadcaster, because I stuck with the democratic principle, "stick with the feelings of the people," continually reflecting their feelings, through editorials and news stories, and now an elected member, it is even more encumbent upon me to reflect their feelings, and their opinions. I must do it in this debate until I am convinced that the House is told just as much as it can be told along these lines to convince it.

I should not like to leave this debate, because I understand once I sit down, that is it, somebody else will speak, and I will not get another chance. I have to be sure in conscience, in my sense of responsibility to the people, the average man up there at the Lakehead, that I have done my duty to him. You see, when I go to the Lakehead, I do not do like the hon. Minister has done, when he has bone up there to investigate it, I do not stick around city hall. I go and look for the blue collar workers, or the fellows with the dirty hands, who say the truth.

Down there in the Legion hall, pubs and so forth, where after they have had a couple of draughts, they look across at you and say, "Look you so and so, what is happening there?" They tell you what they really feel, that is where all this feeling comes from, it does not come from up on "snob hill" there. It comes from people who are going to pay the shots; people who have got to live with it, and whose children are going to live with it; people who will answer to their children—they will have to answer to their children for what is happening now. If, three years from now, the taxes go up to an exorbitant level, Mr. Speaker, who is going to be blamed—the people of the Lakehead, because it is their city.

Well, I can assure hon. members where the blame is going to go—it is going to go

right over there. This government is creating all kinds of trouble for itself for nothing; surely it should be obvious, because if the government is prepared to dictate this legislation—to bring this city into being—then surely they will have to bear the responsibility of the increased costs. They will not be able to say, well it was the Lakehead people's fault, oh no. They will have to say we pushed it in—even when so many were saying, let us vote on the matter—we pushed it in and so, when the time comes the Treasurer (Mr. MacNaughton) should be willing to reach further into the old pool there and say, we have to pay for yet another mistake in this province.

Mr. Speaker, you know it just was not done right; it was forced in far too quickly. That is one of the things that has a lot of the people in the Lakehead concerned. Why was it done so quickly? For what reason? What earthly reason was there to push this thing along so quickly? Why could not the people vote next September 15 if this legislation is going to go through with Bill 118? But why not let the election wait for a while to give the people a chance? I understand that the new council will have to have sufficient time to prepare itself to take over the responsibilities of office, but what about the people? Are they prepared sufficiently? I wonder if the Minister is really satisfied in his own mind that the people are sufficiently prepared for this matter? Well, I do not think they are; there are too many of them who come to me and say, "Look, you are down there, what is it all about? Tell me about it."

It takes very big people to reverse a position once they have entrenched themselves as deeply as the hon. Minister of Municipal Affairs (Mr. McKeough) has entrenched this government with his 4,000 noes. He has said it so often now, that he does not even know how to say yes. With all due respect to him, it must be very difficult for him to say yes.

I would like, for example, for this government to have the courage, and the ear for people, that the Texas Gulf Sulphur Company has. We heard from the hon. Minister of Mines (Mr. A. F. Lawrence) today in the House when he announced that Texas Gulf Sulphur is prepared to build a refinery up at Timmins. Now there is a board of executives which had the courage to listen and to reassess their position, and having announced they were going to build a smelter down this way somewhere in southern Ontario or in the States—I do not know which, but at least it was not going to be Timmins—they reversed that; they listened to all the appeals, to all the pleading, and they said, All right, we will go ahead. We will invest the money; we will take the chance and do it. And you know this takes courage.

Why not this government? Why cannot you have the faith in the Lakehead people that Texas Gulf Sulphur is showing in the Timmins area people? There is a question for you to mull around for a while. You do not know the Lakehead people as I do; they are not just ordinary people. I told you all about that yesterday, and more and more I think you will come to find that out.

I do not want to abandon this debate until I am absolutely sure in my own heart, my own mind that I have really advanced as many arguments as possible. It seems to me that there are other letters to the editor that I have not as yet read. Here is one that was sent to me, for example. I will just read it in part.

Mr. Speaker: Order, please!

If the hon. member is going to read letters from constituents or to the editor, setting forth their complaints about this bill, I believe this would also be repetitious.

Mr. Knight: Well, Mr. Speaker, there is not a word in this whole letter that is repetitious. What is repetitious?

Mr. Speaker: It is repetitious for the hon. member to continually repeat what he has said before. One letter of complaint or opposition is no different from another letter of complaint or opposition, and therefore constitutes repetition.

Mr. Knight: Mr. Speaker, I repeat my question, what is repetitious? The act of speaking is the repetitious use of one's vocal facilities, is it not? I mean, if you want to start shaving eggs, as they say in very blunt language, it seems obvious to that somebody here is—well, I better not say it because I will get in real deep trouble. But, Mr. Speaker, these Lakehead people have put down enough, they expect me to advance every argument that I have, and your ruling suggests to me that you do not think that the members of this House want to have as complete a case before them as is necessary to defend this point.

Mr. Speaker, you are pushing the Lakehead people off their democratic beachhead, and it is not like you, sir. I am very disappointed. I would like to ask you to reverse that ruling, Mr. Speaker. I do not have that many more letters.

Mr. Speaker: I repeat that any reading of further letters of that nature would be repetitious according to the rules of this House.

Mr. Knight: Well, Mr. Speaker, obviously a very effective way has been found to quiet the voice of democracy. So be it. This House condemns itself, this government condemns itself, you condemn yourself, Mr. Speaker, with the manner in which you are shutting me up at this time. Let that go down in the record of *Hansard*.

The Lakehead people do not have very much to fight with. There have been suggestions that they might be violent, Mr. Speaker; they have not been. They do not want to be, and I certainly hope that they never will be. But they are not going to take very kindly to this, believe you me, and I predict that what is happening to the Lakehead will happen to other municipalities if this bill goes through in this province—by this Minister and his whole idea of regional government—if there is not a reversal in the government right now. This may be the government's last chance to prove its good intentions, and they had better think seriously. They are usurping the power the people gave them, and they are not going usurp it for too long; you had better think about that—and do not think about it as intellectuals, think about it as people and think of human beings. How long can a father say no to his kids, how long can a friend say no to another friend on a simple plea. "Let me decide my own affairs," that is what the average Lakeheader says.

I am extremely disappointed at this point, because—well, you have cut down the petition, Mr. Speaker; you have cut down the letters. Let us see what we have left here that may not be interpreted as repetitious. We have of course, Mr. Speaker, come in here with quite a few affidavits.

This is very interesting, Mr. Speaker. I think some visual aid should be advanced on this case, because after all every little bit helps to perhaps convince this government that they should change their stand.

A series of pictures on the front page, Mr. Speaker. You see pictures of the hon. Minister of Municipal Affairs as he appeared to the Lakehead people and reproduced in the local newspaper, and you wonder why the Lakehead people think they are dealing with a dictator. Who in the world is proving the opposite around here? Who? When is this government convinced? When is it going to prove that it is not dealing with the people of Ontario in a dictatorial manner? I look forward to that day, because that picture right there is a horrible comment on them. Well, Mr. Speaker, I know there are others who want to get on their feet and contribute to this argument, and I cannot blame them.

Other members of this House come from areas where their people are screaming about the arrogant attitude of this Minister and this department. Bear witness this editorial in the Port Arthur *News-Chonicle* of Wednesday, April 9, Mr. Speaker. And it is well written. "Control by Government Soon to Take a New Step". This is a real insight into what is happening here. It is a Thomson newspaper; I do not know if that means anything or not. The editorial says:

> The continual din about amalgamation and regional government is not peculiar to the Lakehead, although we might be pardoned for thinking ours is something special because of the manner in which it was ordered from Toronto, and because it is an early experimental effort. Screams of protest can be heard from councils and other bodies all over the province where similar plans have either been ordered or are under study.
>
> These developments are bound to raise questions about what is happening in a province that has progressed along certain lines up to this point, and almost overnight finds itself involved in municipal upheavals that have not been known before. Cities are disappearing to become part of something bigger, and names that have been on the rural scene for more than 100 years are going out of existence.
>
> It is fairly obvious that some kind of plan is in operation, though it is not too clear where the direction is coming from. Municipal Affairs Minister Darcy McKeough is giving some of the orders, but he has not been in office long enough to have developed such an overall upheaval, so the thinking must be coming from Queen's Park mandarins who may have a great deal more up their sleeves than has already been indicated.

The content of this editorial obviously is very much to the principle of this Bill 118.

The editorial goes on:

> This was given substance recently by Dr. Richard S. Toman, director of regional development for the province's treasury department—

This will interest the hon. Minister of the Treasury—

> —Dr. Richard S. Toman director of regional development for the province's treasury department, in a speech to the Erie Region Economic Council. He said that what was happening was nothing less than re-designing the entire province.
>
> The official said Ontario is now very close to a total land use plan which will specifically state where industry will go, which land will remain agricultural and where new parks will be placed.
>
> The land use plan, if accepted by the Legislature, will be brought into effect by 1976. It will be specific in all areas of the province, and is expected to be political dynamite because it will finally dictate which areas will be allowed to continue their urban growth, and which will be halted in the interests of either agriculture or recreation. Officials expect a "great deal of opposition" to the plan, but there is no hint that they will deviate from their intention of making it operational on schedule.

And this editorial in the Port Arthur *News Chronicle* goes on: "Sounds like Big Brother is getting set to control just about every move that anyone makes in Ontario?"

That is a question, and it is answered by this editorial:

> It sure does, and the frightening aspect is that the planning has gone on to an advanced stage without the public being aware of what is happening.
>
> This plan is for land use only and, as such, might bring some order into an otherwise haphazard hit-and-miss system which allows an uncontrolled sprawl of industry and housing into areas where they have no business being. But it is also another indication of how Queen's Park is marching at the double toward more and more control over all activities of people in the province.

Not my words, Mr. Speaker, only my voice, echoing the words of one of the very powerful voices of the people in my riding. And the Port Arthur *News Chronicle* editor concludes this commentary by saying:

> If the people really want this type of planned living, then all well and good. Some of it is obviously necessary. But it seems that a great deal more careful thought is required if we are not going to wake up some morning soon and find the government ordering what colour our shoelaces should be for any given event.

So, anyone who thinks that I exaggerate in the argument I am putting forward here—no way, Mr. Speaker. There are many others at the Lakehead who hold the same view, as I am convinced do many other people in this province. And I do this government a service in calling these matters to their attention.

We have the other newspaper now, the Fort William *Daily Times Journal*, shooting off its blast guns in regards to the manner in which the Lakehead municipalities are being brought into one super city. And this editorial, of April 18, in the Fort William *Daily Times Journal*, entitled "Why Be Different"—it is just a short one—says:

> It was naive to expect that Municipal Affairs Minister McKeough would accede to suggestions that larger premises be utilized to discuss the amalgamation Act when he is here Thursday.
>
> He has shown little inclination to discuss any aspect of the scheme with the people whom it is going to affect most—the public and taxpayers so why have them in on the final show?
>
> Our MPP, Jim Jessiman has said history will be made at the Thursday meeting. We'll drink to that.

Well, Mr. Speaker, I can see the hon. Minister saw that one because it seems to have tickled his funnybone. It is nice to see him smile once in a while. I wish he would smile at the Lakehead people more often.

Mr. Speaker, it must be pretty obvious that when the boundaries of four municipalities are going to be changed drastically and that these municipalities are going to be merged into one, that there has to be a considerable amount of top-quality leadership, leadership that has used confidence, leadership that brings up the enthusiasm and that brings up the faith of the people who are going to be affected by these changes. That leadership could have come from many areas, but it had to come primarily from the Minister of Municipal Affairs, and especially after he decided that the Lakehead people would not determine it themselves. He showed a number of qualities of leadership, that all of us admired him for, not knowing what awaited him at the Lakehead—

Mr. Speaker: Order!

May I point out to the hon. member that he is debating the principle of the bill and not the qualities of leadership of the Minister. I would ask, as the Deputy Speaker did a short time ago, that he remain on the

principle of the bill or unfortunately I will have to rule his remarks out of order.

Mr. Knight: Thank you very much, Mr. Speaker. I was trying to recreate for the House, the background to the confused minds of the Lakehead people at this point in relation to this matter.

Mr. Speaker: We are not discussing the confused minds of Lakehead people, we are discussing here the principle of this bill. The hon. member has been allowed to stray far and wide the last day or so on this, and I will now insist that he keep to the principle of the bill.

Mr. Knight: Mr. Speaker, you obviously overlook the fact that the principle that I have brought up in discussing Bill 118, is the principle of democracy. In my understanding, that is just about as broad as the world, sir.

I do not see how I have wandered away from the principle of democracy in anything that I have said, because leadership is very much a part of democracy, Mr. Speaker, because democracy is what—

Mr. Speaker: The member is now expounding a basic principle for any bill which is introduced in this House and I would certainly think that that is out of order. Mr. Speaker would so rule, that if he wants to show, as he has been doing from time to time in between other things, that that particular principle is not being observed by certain things in this bill, then he has every right to do so, but not to discuss at great length on the broad principle of democracy.

Mr. Knight: Mr. Speaker, democracy is being violated, I think, by this bill, more so by what is not in it, than by what is in it. The bill gives the authority to this department to go ahead and implement the incorporation of the city of the Lakehead and of course it excludes a vote or plebiscite on the matter. My entire argumentation in the last two days, Mr. Speaker, is to point out very conclusively and to make it absolutely clear to the government side, for their benefit as well as the benefit of the people of the Lakehead—and everyone else in this province—that the Lakehead people at this point in time, are at a very historic moment, a very important moment and in large numbers, Mr. Speaker, would like to have the right to make this decision themselves.

Mr. Speaker: I would point out to the hon. member that has nothing to do with the principle of the bill. The principle of the bill can be very well covered by what the hon. member has recently said just a few short moments ago, that there is not the right of a plebiscite. I agree, that is the principle of the bill. To support that he has brought in a great many extraneous matters. He has been allowed to do so, but from now on he will confine himself to the principle of the bill and not to what he thinks or what various people have said to him, other than by proper support of the argument on the principle of the bill. I think it is fair that he has had every opportunity to do that and he has so over quite an extensive period of time and the House has all the time in the world for that, but he must speak to the principle of the bill.

Mr. Knight: Thank you very much, Mr. Speaker, for that excellent explanation. I will conclude my remarks, Mr. Speaker, in that case—and I hope I will be allowed to conclude them without being called out of order—by simply stating that I am hopeful. I am still hopeful that the Minister and the Premier and his government will reconsider how this matter is being done, how this bill sets out the bringing about of an amalgamated area, because there will be other amalgamated areas. This will be, in effect, an experiment. There is no other situation in all of Ontario that involves two cities of equal size so close together, coming together. It is really a very unique situation.

In my opinion, if this bill were to allow decision by a plebiscite of the people, it would not set a precedent for any other part of the province, because there is no other situation in the province that is quite like it. It is special unto itself. It is entitled to a tailor made form of implementation. In no way does the government necessarily commit itself to the people of the rest of the province to a vote. I do not say that they should not, and I do not say that they should, but I say that each area should be treated on its own merits.

If the Lakehead people had not asked for this, if they had said, "fine", and allowed it to go, the Minister and his bill, Bill 118 would be on the right course to bring this about, because the people, by their silence, would have indicated their acceptance. But I have here a petition, bearing 6,292 names of which I am very proud, which states:

> We, the undersigned, whether for or against amalgamation, ask for the democratic right to decide this matter.

Mr. Speaker, it is my biggest affidavit, and I have had many. I would like to be able to lay it, with your permission, Mr. Speaker and the permission of the House leader, on the table, so that I can tell my people, "your voice reached the government, your names are there in Queen's Park and you can be proud of them."

Mr. Speaker: I am sure that if the hon. member wishes to table this as an appendix to his speech there is no objection. It is not the proper way to receive it as a petition, but it can be received as a reference work with respect to his address to the House, and I presume that is the manner in which he wishes to present it to the House.

Mr. Knight: Are you indicating to me, Mr. Speaker, that these names would be recorded in *Hansard* or in some other form?

Mr. Speaker: No, it will be recorded in *Hansard* that this was tabled as a reference work for your speech, rather than as a petition presented to the Legislature. Once before I explained to the hon. member that petitions are not presented in that way, but it can be tabled in the House for the inspection of the members and also shown as a paper that has been tabled by the hon. member, and I presume that is what the hon. member would wish.

Mr. Knight: Mr. Speaker, let me apologize for not sitting down while you were speaking to me, and may I thank you for making this suggestion. I think it is an excellent suggestion that the people who have taken the time and the effort and the heart to put this together would endorse.

There has been an awful lot said about the Lakehead in the last two days in regard to the manner in which Bill 118 is being introduced, and I want to thank the members and the Minister for paying such careful attention. I hope that others will see fit to rise and comment on a matter of really great importance. I still say I am for this amalgamation, but somehow we have got to make the people up there feel that their rights are not being impinged so that this new city will go on to perform for those people and those who will come after them, all of the things that we want for them.

Mr. Speaker: Before this debate continues I would like to extend my thanks to the hon. member for the Lakehead for winding up his speech in the manner in which he did. He returned exactly to the principle of the bill, and I think made us all aware of what he has been trying to say for some time now.

The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, this bill has interested me to a great extent also, and particularly in the matter of the principle of the role of elected representatives in any body or corporation. We think when we elect people that we elect men to give leadership, to develop programmes, to plan for the future, to carry out those plans and to meet the needs as they arise. They work out agreements for changes in structure, but before they implement them they place them before the group or body they represent for ratification. There is a very important reason for our having a custom whereby representatives we elect put such matters for ratification before us. It ensures that a representative keeps in mind, first of all, that all interests that he is representing are being looked after to the greatest possible degree, because he wants to ensure that he has their support in whatever he does. We also know that unless he communicates to the people he represents, the reasons the thinking, the details, the whole basis on which the whole programme is based, he will not have their support and therefore he will greatly inhibit the opportunity or the likelihood of success of the programmes.

This is a safeguard that we go through in almost any organization, any structured body; that people who are elected to represent groups work out programmes—but that they put the programmes before those they represent for ratification. The hon. Minister made a mistake in the way he developed the plan. He just hired an outsider to work out a plan. At that time he perhaps did not know better the reaction that would result from an outsider going in, looking over a community and deciding what the future of that community should be. He has since learned. I am very pleased to see that in the county of York his programme involves the department of a regional plan by the elected representatives of the county of York. It shows that now he recognizes the value of the knowledge, the contribution that can be made by local leaders, and his main responsibility is how well those local leaders can be brought together and assisted in the development of a plan for the people they represent.

So, at the Lakehead he consulted with the local representatives and he adjusted his plan so that it seems to meet the need for the

greatest number, and it seems to be a very good plan. But, that is where the story changes to a tragic denial of the democratic rights of the people of the Lakehead. And we are sorry to see this because if you are a shareholder of Tilden Rent-a-Car in, say, the Lakehead, and you decide to merge with Avis Rent-a-Car in the Lakehead, so that you may become number one, the management or those who represent Tilden and Avis shareholders will get together and work out a programme. But before they can make that amalgamation effective, they have to put their programme before those who elected them to represent their company for ratification. They have the responsibility of developing a plan of amalgamation, but they must set out in detail what the programme is and have the shareholders ratify it.

In the statute of The Corporations Act of this province, it sets out exactly the procedure by which those that are elected to represent investors of a corporation—people who have money tied up in a corporation—how they must protect their rights, in any change in the corporate structure, and amalgamations, which they carefully develop. But before the Lieutenant-Governor-in-Council acts on the amalgamation, there must be evidence given to him that the people represented are given a full opportunity to ratify and confirm the acts of those who represent them in the work. In this way, we are ensuring, first of all, that the rights of the majority of those concerned are considered. We are ensuring that the communications job that is necessary for any successful amalgamation is carried out, and we are then sure that there is justice being done, that the democratic rights are not being denied.

Well, why are we discriminating here between shareholders in the Lakehead, and those who have invested in property in the Lakehead? Why is it that we do not assume that investors in property have the same ability to judge what is in their best interests and ratify what their leaders have done for them in the same way that we would protect, under the laws of this province, the rights of investors in companies and in corporations in the Lakehead. I cannot understand why one is given the protection of the laws of the government of this province, and yet others, the ordinary public—the man who has property, the man who is a citizen—of the Lakehead, does not get the same rights.

In my view it is very important, now that a programme has been worked out that appears to have taken into account the needs of the people, that it be put before the test of having the people ratify that programme. I cannot see our discriminating between the rights of shareholders and the rights of voters in this section of the province. I am sure if we are dealing down in Chatham in a corporation there, I know that there will be the same needs or the same consideration given the shareholders there. And if there is amalgamation of a municipal corporation in the Chatham area, I cannot help but feel that the Minister would feel that he would have to put before the voters in that area the programmes for ratification by them.

And so, we must take into account, in our democratic process, when we are making corporation changes here in the Lakehead, either corporations and municipalities being changed, the conditions of operation being changed. We must give them the same protection that we give others in other aspects of living. I cannot see why the Provincial Secretary or the Minister of Financial and Commercial Affairs does not require this Minister to get away from his autocratic smug method of saying, "This is the way it will be, and you will have no say in the matter," but insist that in the same way that an ordinary shareholder of a corporation has a right for protection from those who are elected representatives, that the people at the Lakehead have a right to ratify the work done on their behalf by their elected representatives before they change the corporate structure of those municipalities in that area. We do not want to burden this new Lakehead city with a tremendous disadvantage of being launched in a sea of local resentment. We must either have this bill withdrawn and allow the Lakehead voters to ratify the plan or add a clause to this bill that provides ratification prior to implementation.

We must not allow a power-mad dictator, a Minister who refuses to recognize the value of the support of local people signified in the ballots, to run over Lakehead people in this way.

Mr. J. Jessiman (Fort William): In reply to Bill 118, known as the Lakehead bill, I would congratulate the member for Yorkview (Mr. Young) on his concern for the people of the Lakehead, and also the leader of his party, the member for York South (Mr. MacDonald). Both of these members travelled to the Lakehead to attend the final meeting held at the city hall in Fort William, and to speak with the 40 members of the four municipalities involved with amalgamation, and to make up their own minds and not just take

someone else's advice or word. And I appreciate that the meeting was very well attended; there were some 225 people at the meeting. The meeting had been advertised and it was an open meeting, and there were some vacant chairs, Mr. Speaker. There was plenty of room for the member for Port Arthur (Mr. Knight), and the leader of the Opposition (Mr. Nixon) had they wished to come.

Now I suggest to you, Mr. Speaker, that a political leader—

Interjections by hon. members.

Mr. Jessiman: I suggest to you, Mr. Speaker, that a political leader who accepts bad advice is, in return, not a man who can make rational decisions. He lacks the necessary essential, either to understand the events taking place, or to form a sensible sound policy.

Mr. Knight: A point of order, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: The hon. member will state his point of order.

Mr. Knight: My point of order, Mr. Speaker, is that the hon. member for Fort William in his remarks has brought wrong information to this House. No leader in this House has come to the Lakehead more often—

Mr. Speaker: Order, Order!

The hon. member has no point of order.

Mr. Nixon: Well then what about the point of order, Mr. Speaker, that the hon. member is not speaking to the principle of the bill?

Mr. Speaker: I would think that the hon. leader of the Opposition would be the last one—

Interjections by hon. members.

Mr. Speaker: I say that advisably because I have given a great deal of leeway to the first speaker in this debate, a member of his party, and I gave leeway to the hon. member—not very much leeway because he was very much on the point—and to the hon. member for York Centre, and I would propose to give a certain amount of leeway to the hon. member who is speaking now. I think that we must be fair to all sides of the House.

Mr. Nixon: Mr. Speaker, since you have raised this point, you have said that surely I would be the last to raise it. I must say to you, sir, that I resent the implication. The hon. member for Fort William who was on his feet a moment ago has not been discussing the principle of the bill since he stood up. He has been making allegations that I am afraid to go up there and meet his fellow citizens in Fort William, which is just incorrect.

Mr. Speaker: Order, Order! I have sat in this House for a number of hours and listened to much debate, nowhere near the principle of the bill—

Mr. Nixon: Why did you permit it? It was in order!

Mr. Speaker: —and I did it for the reason that I have expressed, that I felt that people of the Lakehead felt that they needed a representative to speak for them. He did so, and he did so very well, but eventually we had to come back to the principle of the bill.

I understand why the leader of the Opposition is taking a point of order, because the hon. member for Fort William mentioned him, and as far as I remember, the hon. member for Fort William was merely reciting the fact that certain people had been at the meeting, and certain other people had not. Now there is no imputation; as far as I know he was stating a fact. I was not there, so I do not know, and if it offends the succeptibility of the hon. leader of the Opposition, I certainly will withdraw any remarks about him being the first or last to object, and would merely say that I hope that under the circumstances he would not feel that it is necessary to object.

Mr. Jessiman: If I may continue, Mr. Speaker, I am sure that we have seen comparisons time and time again in this House, of the Liberal leader accepting bad advice.

We remember his badly researched statement, by making a comparison to the bill; we remember his badly researched statement last year regarding the Ontario Water Resources Commission at the London Public Utilities—

Mr. Speaker: There is no point of clarification in a debate such as this, there is a point of personal privilege, there is a point of order. If the hon. member has either he is entitled to the floor.

May I say that I overheard a remark by the hon. member for Port Arthur to the effect that the present member is reading his speech, which he is. But I sat here for a number of hours and watched the hon. member for Port Arthur reading and reading, and therefore I take it as very ill-mannered on the part of

the hon. member to draw attention to something which the rules of this House say must not be done, but which by common consent and practice over longer years than I can remember has been done. It is done, and I think everyone agrees it must be done in this day and age, when there is so much information that must be imparted to the public and to the members of this House by debate in this House. The hon. member will carry on.

Mr. Jessiman: Thank you, Mr. Speaker. There seems to be a lot of chatter coming from over there, we will have a little more now.

Now we see the bad advice he is receiving on this bill. The member for Port Arthur really has led him down the garden path. This is a case, Mr. Speaker, where bad advice leads to poor judgment. This is not only my own view, and let me at the outset read into the record a letter dated January 28, 1969, and I quote: "I wish to congratulate you upon your public presentation here yesterday"—meaning the Lakehead—"regarding the amalgamation of our Lakehead cities and area without a plebiscite."

This letter, Mr. Speaker, is signed by the president of the Port Arthur Women's Liberal Association, Mrs. R. J. Desjardins.

I have a copy for the leader of the Opposition.

Hon. Mr. Grossman: What a revolting development—

Mr. Jessiman: I might also point out, Mr. Speaker, that in this letter, Mrs. Desjardins says, and I quote again:

> Many of our members are keenly interested in the Hardy Report, but so far we have had no opportunity to study same for the simple fact that there does not seem to be a copy available here.

This suggests, Mr. Speaker, that the member for Port Arthur was not very co-operative in getting information even to his own workers, thus implying that by keeping information from them, he could keep them quiet.

Mr. Knight: On a point of order, Mr. Speaker. This is not on the principle of the bill. This is a deliberate attack on a member.

Mr. Speaker: The hon. member for Fort William must realize that he may not impute, and may not use words or phrases imputing any motives to another members. It would appear that the hon. member for Port Arthur feels that in his case he is doing so. I therefore trust there will be no further occasion to draw this to the hon. member's attention.

Mr. Jessiman: Thank you very much, Mr. Speaker, for bringing it to my attention.

The member for Port Arthur puts great faith in editorials. He said so many times yesterday and today, so I will read from an editorial in the Lakehead over Radio Station CKPR—and I suggest that the Port Arthur member is a product of radio stations—some excerpts by editorial writer, a friend of his I am sure, Mr. Rick Smith on his show, "One Man's Opinion". He had this to say on amalgamation, and I quote:

> The executive of the Liberal organization of Port Arthur planned a meeting with leader Robert Nixon. I am informed it was their intention to disassociate themselves with Mr. Knight . . . to tell Nixon that they no longer supported the candidate they worked so hard to elect.

Mr. Smith goes on to say and I quote:

> They privately claim the theatrics of Knight serve only to embarrass the riding members of the Liberal caucus with whom I have discussed Knight's dramatic displays, and privately admit that Knight is not taken seriously and, from time to time, only amuses or embarrasses the Liberals in the House.

So says Mr. Smith in his editorial.

Mr. Nixon: What rot!

Interjections by hon. members.

Mr. Jessiman: I will send over a copy of editorial to the hon. leader. Further, I want to read into the record a telegram sent to the Liberal leader on January 21, 1969 which reads as follows:

THE VIEWS EXPRESSED BY RON KNIGHT, MPP, LIBERAL ARE NOT NECESSARILY THE VIEWS OF THE PORT ARTHUR LIBERAL ASSOCIATION.

Mr. Knight: Pretty low blow.

Mr. Jessiman: The telegram, Mr. Speaker, is signed by Jack Ferguson, the president of the Port Arthur Liberal Association.

An hon. member: Never mind the association, throw them out.

Mr. Jessiman: Is the member shaken up?

Mr. Knight: The member for Fort William will be.

An hon. member: Tell him the truth.

Mr. Jessiman: I am giving members the truth.

Mr. Knight: Well, the member is good at that.

Mr. Jessiman: Mr. Speaker, I am told that the leader of the Liberal Party has not replied to this particular telegram as yet.

An hon. member: How does the member know?

Mr. Jessiman: I found out by telephone this morning. I would also place on record, Mr. Speaker, the federal Liberal member for Port Arthur—

Mr. Nixon: Tell us about amalgamation.

An hon. member: Listen to that drivel.

Mr. Jessiman: This is going to hurt; this is going to hurt.

I would also—

Mr. Knight: Has the member answered your letters?

Mr. Jessiman: There is a loud noise coming from the far corner.

Mr. Nixon: Come on, get to the principle of the bill.

Mr. Jessiman: I would also place on the record, Mr. Speaker, the federal Liberal member for Port Arthur, the hon. Robert Andras, Minister Without Portfolio, the first president of the Lakehead Chamber of Commerce, of which I am a proud member who amalgamated the Port Arthur and Fort William chambers of commerce and is the champion of amalgamation and has stated on every possible occasion . . . This is the federal member for Port Arthur.

Mr. Nixon: So is the provincial member.

Mr. D. C. MacDonald (York South): Apparently they are not members of the same party. Each one has his own view.

Mr. Jessiman: Mr. Speaker, one of the statements made yesterday, and again today, quoted the venerable federal member for Fort William as supporting a plebiscite for amalgamation, and he did. I read it in the paper. But may I quote a news report from radio station CJLX—and the member used to work over there, in his spare time—in Fort William of February, 1969. The quote is from Dr. George Morrison, the president of the Fort William Liberal Association and Mr. Speaker, may I add that Dr. George Morrison is a fine doctor, a most respected citizen, as many of my Liberal friends at the Lakehead are, and Dr. Morrison says:

> The opinions of Mr. Badanai supporting the amalgamation are not necessarily the opinions of the Fort William Liberal Association.

Mr. Nixon: Maybe we had better have an election up there.

Interjections by hon. members.

Mr. Jessiman: Now, Mr. Speaker, while I am on this particular area of setting out qualifications for my earlier remarks that the Liberal leader receives bad advice and thus shows weak leadership, I just want to put in the record a resolution that was passed by the Fort William and Port Arthur District Labour Councils.

This statement was issued on Friday, February 28, 1969, and reads as follows:

> The Fort William and Port Arthur District Labour Councils confirm their stands on amalgamation of the cities of Fort William and Port Arthur and the townships of Neebing and McIntyre into one municipality. We believe this to be in the best interests of the vast majority of the citizens concerned. Amalgamation should come about as soon as possible. Any delay, such as to carry out a plebiscite at this late date, would be intolerable.

Mr. Martel: Labour people!

Mr. Jessiman: Great labour people!

An hon. member: When did he resign?

Mr. Jessiman: Mr. Speaker, he is still there; he is still there. Now, Mr. Speaker, for myself I am on record as favouring amalgamation, but today rather than elaborate on remarks I have already made both here in the Legislature and in the Lakehead district, I prefer to support my stand and the views of many local citizens.

Mr. Nixon: Do not read too long a list.

Mr. Jessiman: I do not for a minute argue that amalgamation is unanimously supported. However, I do know and believe that by far the majority of the citizens of the Lakehead want amalgamation, that they want it without delay and in some way feel a plebiscite would only hold back the job that we must get on with.

Unlike my friend from Port Arthur, our supporters in the Lakehead have asked us to get on with the job and not to indulge in the

circus tactics which have become so obvious from the member for Port Arthur.

Mr. Knight: What is the member's definition of democracy?

Mr. Jessiman: In January of this year the the member for Port Arthur said he was going to run for mayor of the new city, which I might point out will be the eighth largest in Ontario. Then last week he announced that, after all, he is not going to run. This is typical of Liberal policy in this province.

The Liberals do not know what they are doing. They do not know what they want. They do not know where they are going and this—

Mr. Speaker: May I call to the hon. member's attention that I have allowed a considerable amount of latitude away from the principle of the bill, and I think it is time he now returned to it and not deal any further with the principle of whether the Liberal party is as he says it is, or is not.

Mr. Jessiman: I stand chastised, Mr. Speaker.

One of the most interesting and satisfying results of the debate on amalgamation is the enormous interest taken by the young people in the future of the Lakehead area. They have studied this question and, in many cases, in schools across the whole area in the later Grades of 10, 11, 12 and 13 and the university and the college. They have voted on it, and here are some of the results.

At the Fort William collegiate institute, out of 591 students voting, 447 were in favour of amalgamation, which is 75 per cent, 355 voted yes for the name Lakehead as the name of the new city.

From the faculty and students at Confederation College 80 per cent favoured the name Lakehead because, as they said, the cities are already known under this name.

A vote taken in Westgate collegiate and vocational school among 1,000 students: 750 voted for the amalgamation, or 75 per cent; 720 of the 1,000 students favoured the name Lakehead for the new metropolitan city.

At the McKellar Park Central School, 158 out of 220 students, or 72 per cent, wanted amalgamation. They also choose overwhelmingly the name Lakehead for the new city.

I am also informed by letter by Mr. Thomas W. Joseph, political science teacher at the Confederation College of applied arts and technology that the faculty and students voted for amalgamation by 85 per cent and gave the following reasons.

I might say, Mr. Speaker, that the people involved in this vote were all residents of Fort William-Port Arthur region. Others were denied the pleasure of the vote, and gave the following reasons—

Mr. Speaker: Order! The hon. member is rising on a point of order.

Mr. E. Sargent (Grey-Bruce): Will the member tell us why—

Mr. Speaker: Order! The hon. member will address the Speaker and state his point of order.

Mr. Sargent: Mr. Speaker, will the hon. member tell us why he—

Mr. Speaker: Order! The hon. member will state his point of order to Mr. Speaker.

Interjections by hon. members.

Mr. Jessiman: The faculty and students voted for amalgamation by 85 per cent and gave the following reasons: More economical, more efficient, reduce unnecessary conflicts—the most important part of it. These figures indicate the views of the young people in our area, these young people who in a very few years will have both the challenge and the responsibility of making local government work in the Lakehead and on whose shoulders the development and the future of the Lakehead will rest.

The subject of amalgamation is not new to our area. From my information in researching it very thoroughly, I understand that as early as April 11, 1901, a pioneer citizen of Port Arthur, Mr. George T. Marks—described as being among those most strongly in favour of amalgamation—regarded the union of the two cities as one of his hobbies. The argument that Mr. Marks advanced above all others is the one that amalgamation would cause both ends of the united cities to give all of their energy to clearing and filling the vacant lands between the two portions—meaning Port Arthur and Fort William.

It is also interesting to note that George Marks was a nephew of Thomas Marks, the reeve of Shuniah, in 1907, and later to become mayor of Port Arthur.

It is further noted in the history of Port Arthur that in 1915 a vote on amalgamation was taken in Port Arthur. The results of that vote were 1,183 in favour of amalgamation and only 740 against.

In the election in Port Arthur in 1958—we are coming up to modern history—Mayor Norman R. Wilson was elected mayor. Seven of the present ten aldermen from the 1958 council are still members of the 1961 council—this is very important—including Mayor Sol Laskin, a name very familiar to the Grits over in the far corner, being one of their members.

The question of amalgamation passed with a percentage of 60.43 per cent and the present Port Arthur council voted 10 to 1 for amalgamation without a plebiscite — the present council of Port Arthur under Mayor Sol Laskin, a Liberal.

I suggest the question of amalgamation is not being pushed down anyone's throat, as has been said this afternoon or yesterday.

There have been plebiscites in favour of amalgamation; there have been studies and discussions for a great many years. We have had the Hardy report, further discussions on its contents, a statement by the Minister of Municipal Affairs on January 28, and a great deal of discussion between that date and the present time. I have many hundreds of letters to prove it—not just one, but many hundreds.

Now is the time to make a decision and quit beating around the bush. This is the time for action—not more talk.

Mr. F. Young (Yorkview): Mr. Speaker, I rise this afternoon to support this bill in principle, although with some reservations.

We have heard some of the bloodletting this afternoon and I am not going to indulge in much more, because I think it has been pretty effectively carried on. The plebiscite has been discussed fore and aft and I think all that needs to be said about it has been said, although I would like to make a comment or two about the attitude of the party to my right about democracy, because it does affect this bill. If we are to take a bill like this back to the public, we are abrogating our rights as representatives of the public in the provincial Parliament.

This kind of thing we have heard the last couple of days is nothing less than village democracy, which was workable in a tiny village in prehistoric times. Perhaps that is where this party fits—I do not know. But the fact remains that as civilization grew more complex, what we have done is delegate responsibility to representatives—to a minority group within that civilization—and said to them: "You legislate. You carry on the public business for us. If we do not like the way you do it, you come back to us and we will kick you out in four years, or whatever the time may be."

This is the way the democratic process works. And for anyone to advocate in this day and age that every issue be taken back to the public which it concerns, is just an abrogation of that kind of responsibility.

Interjections by hon. members.

Mr. Young: More than that, surely this party does not advocate that the people of Waterloo—and I did not hear them say anything about the people of Ottawa voting in this way—surely they are not advocating the people of Waterloo and the people in other areas of this kind vote this way.

I think we have to face the fact that for some years now members of the Liberal Party, as well as the New Democrats, have been pounding away at this idea of larger units of government. We have been stressing it.

Some of the members on the opposite benches have heard about it. To give credit to the present Minister, I think he heard the message and he is moving forward now in a more or less realistic way. I will have something to say about that later. He is moving forward, trying to bring the municipal governments of this province into the 20th century.

Mr. W. Ferrier (Cochrane South): That is an improvement over the last Minister.

Mr. Young: That is an improvement over the last Minister, says the member for Cochrane South.

Mr. W. G. Pitman (Peterborough): That is correct.

Mr. Young: That is correct. And we are delighted about the "Ferrier" smelter that is going in up there. We heard about that today.

An hon. member: Is that what they are going to call it?

Mr. Young: Mr. Speaker, the fact is that many members of both parties in the Opposition have been pounding away at this theme for years. We have to get more reasonable, more rational, more sensible units of municipal government. And we all agreed on that. Some of the members—and I think the leader of that party is among us—have been heard time after time in this House on this very theme. The member for Downsview (Mr. Singer), of course, has been very vocal on this and I think he believes in this kind of government.

How you can be on both sides of the fence at one time, as my friend has said, I do not understand. It can't be done. That fence is pretty sharp on this issue; the points are pretty fine and, believe me, somebody is going to get cut on that fence—and cut badly.

Mr. Speaker, we have heard for many hours in this House the last hope, as he called himself, of the people of the Lakehead. My guess is that one letter ought to be changed in that phrase after all this preoration and write it "the lost hope", because his case was not made and I do not believe the people of Ontario or the people at the Lakehead are ready to listen to his kind of a case. As a matter of fact, as has already been said, some of us have been keeping in very close touch with the situation in the Lakehead, and some of us have been there from time to time to have a look at it. There were some disruptions, as has been pointed out, within the New Democratic Party in the Lakehead over this issue. But no more and not as much as the disruptions within the Liberal Party. More than that, we did not resolve our problem there by a wishy-washy resolution such as was finally passed by the Liberals, simply saying we will criticize the government about inept handling and leaving it at that.

Mr. Sargent: He just resigned.

Mr. Young: One man resigned from his position, that is right. But the majority of our group, as far as we are concerned in the Lakehead, has made it abundantly clear how they feel about this issue. We hope the same thing is true of the party to my right.

Now, we have heard that 78 per cent of the people of the Lakehead are for amalgamation.

Mr. Sargent: How does the member know?

Mr. Young: Your member said so; he said so time after time that 78 per cent of the people were for it. We are willing to take his word. We have heard something this afternoon of the vote that has taken place and the samplings of public opinion. I personally have talked to a lot of people in the Lakehead cities, and I think I have some assessment of the feeling there. It is not unanimous, but I think the people there are now ready to say, "The plebiscite is a dead issue; let us get ahead with the job that we have all been talking about."

I come back to the fact that we delegate authority to our representatives at the municipal, at the provincial, at the federal level. We tell them to do what is best for us, and if we do not like it, out they go. If the member is right, then of course a lot of people are going to change in the next election at the Lakehead. All right, that is democracy, but my guess is that there are not going to be as many changes as he thinks there are going to be.

An hon. member: Only two!

Mr. Young: Only two, my friend says. That may well be. The fact remains that the representatives at the Lakehead who have taken the responsibility; they know from the provincial member at the Lakehead that 78 per cent of the people want amalgamation. They have within their own power if they wish it, and have had within their own power, the right to hold a plebiscite on this issue themselves.

Mr. Sargent: What happens if they vote no?

Mr. Young: All right, they have had that power to express their opinion. My guess is that the Minister might have listened to a vote like that, but the fact is the local representatives understood that the people wanted amalgamation, they were ready for it, and they went ahead and co-operated to bring it.

Interjections by hon. members.

Mr. Young: Well, Mr. Speaker, I do not think there is much more to be said on this particular aspect of the bill. The fact is that all of us have been looking forward to the day when some action would be taken by this government to really do something on this whole matter of regional government and bring bigger units of government at the municipal level. And so we are welcoming this move, we are welcoming it particularly because we believe in this instance the majority—the vast majority, according to the member himself—are behind it. But there are some things that I would like to point out about the bill, the principle of the bill with which some of us are a bit unhappy, and perhaps the Minister could give some thought to it.

First of all, I would point out this, that in any democratic government the will of the majority of the people is expressed.

Mr. R. Haggerty (Welland South): What about the member for Port Arthur?

Mr. Young: It is being expressed there at the Lakehead. Time after time when we have suggested something on this side of the House,

the Prime Minister has said, "The people voted for our policy, not yours." All right, he did not get a clear majority, but the fact is one party formed the government in this House, and so that government has a right to express the policies for which it stands. The rest of us can advocate our policies all we like, popularize them if we can, take them to the people—if they are not already stolen by the government at the next election—and say to the people that we believe we have a better way. But that is democracy, and if we come out the next time with the majority, then we form the opinion-expressing part of Parliament.

Now, Mr. Speaker, I say to you that in the municipal field this also ought to take place, that the majority point of view expressed by the elected representative ought to prevail in the municipal council. I think this just makes common sense. If a majority of the people in that council want to set certain priorities, they should be able to set them. Some members of the council might think sewers are more important, other groups in council might think that more rational planning, building a city of greater beauty, building a community for people, are more important. And so you get groupings, but unfortunately in this province, and generally throughout Canada, we have frustrated this kind of democratic expression which we find in the federal and provincial Houses; we have frustrated it at the municipal level because we have adopted the American system rather than the British or the European system of elections. And so we elect a mayor across the board, we have elected in many cases a board of control across the board, and in this case the suggestion is that the aldermen be elected across the new cities.

The problem is a simple one: There is no way under this kind of a system by which the majority on that council can group together to express their point of view in initiating bylaws and initiating and carrying through legislation. Because, supposing one group which thinks in terms of better community planning elects a majority, but the mayor elected across the board had a different point of view, he can frustrate the majority on the municipal council, and how true that is for a board of control. It looks as if the Minister in his new legislation—and certainly in this legislation—is not countenancing boards of control at the municipal level. I think that is good.

As we set up these new governments, we should be thinking in terms of the expression of the majority point of view. To do that, we should be patterning our new regional governments after the provincial and the federal modes.That is, the mayor, the head of government, should be elected in a ward as the premier is elected in a constituency. Each member should have his own ward. Then, when the election is over, the council itself elects its mayor and its executive committee, which takes the place of a Cabinet at the provincial level.

This way the majority point of view can express itself adequately. This is democracy as we know it. For politicians to be afraid of politics at the municipal level is a strange thing, because so many people will say: "Well, we are going to keep politics out of the municipal level."

Why? It is there now, in many ways. It is there but in such a way that the political groupings in the municipality cannot express themselves adequately, as they can in the provincial and federal Parliament. So, as we begin this process of regional governments, it seems to me we should make it possible to bring party politics into municipal governments.

Why should we be afraid of it? Why should we not make it possible? Party politics simply means the expression of the majority will within the government, so I would like to see the Minister take a look at this bill.

There are several points: one, that the mayor should be designated or elected from among the members of the council. This is general practice in nearly all European countries. It is the practice in Great Britain, and it is from Great Britain we get much of our parliamentary heritage.

Mr. MacDonald: It is the way they chose the wardens up in Victoria county too.

Mr. Young: It could well be.

Now the second thing I would like to point out to the Minister is that, instead of the administrative head or the city manager, which is proposed, there should be an executive committee. If they want the civil servants necessary to do an efficient job, it is up to them to hire them, to build them up. But we can well repeat the pattern of the provincial Cabinet at the municipal level in the Lakehead and in other areas of this kind.

We have had so many squabbles at the Cabinet level in municipalities — boards of control made up of different people with different points of view from different parties,

resulting in little agreement, and very often squabble after squabble after squabble.

The result has been that the municipality, lacking real direction, has been frustrated. Then the provincial government has had to move in with its conditional grants and tell the municipalities how to spend their money and what to do.

As more and more conditional grants are given, we must free those municipalities to make decisions—make their own mistakes if necessary – but make the decisions about priorities. So if one municipality wants to spend its money building sewers or sidewalks—

Mr. Sargent: All they have left—is garbage disposal.

Mr. Young: Or garbage disposal, all right!

Mr. Sargent: Thirteen cents to the dollar is what they have got left.

Mr. Young: All right, okay, that is the reason; because we have not given the municipal level any freedom to govern. I am saying we should build the kind of structure that gives them that kind of freedom.

Mr. Sargent: The member has been reading the wrong books.

Mr. Young: The other thing I think the Minister ought to take a look at in this bill is the way the election of aldermen—two from two of the wards, and five each from the other two wards.

This may well be simply a device to overcome some immediate problems, I do not know. It may be a transitional thing. But if we are going to have real government, then each one of those aldermen should have his own constituency, his own ward just as we have provincially. So Lakehead city should be divided into the number of wards necessary—twelve I suppose, or thirteen in this case with the mayor. Each one should be more or less equal in size – 8,000 to 10,000 voters. Then when the elections are held, the executive committee and the mayor appointed—they would be free to take action.

Perhaps I should mention to the Minister the necessity—and I think he is aware of it—of safeguarding the telephone system of the Lakehead, because they have the largest publicly-owned telephone system on this continent. It is very large and very successful and there is real fear among the people that that telephone system might somehow be frittered away.

Mr. J. Renwick (Riverdale): It will be sold to Bell.

Mr. Young: That will be sold to Bell eventually. But I think that some safeguard should be made so that some people get their telephone service at cost over the years, so I bring this to the Minister's attention.

But the other matter I want to speak about for a few minutes is the problem which the hon. Minister of Education tried to face up to this afternoon when he had to backtrack and do some back-filling because of a mistake, the fundamental mistake which had been made at the very beginning regarding finance.

As the Minister moves into the larger units of government, whether it be amalgamated city or regional governments, there must also be an adequate base of finance. This government has not yet been willing to face up to that fact in this field. Perhaps after today and after the action which has had to be taken in the field of education, the Minister of Municipal Affairs will give this far more serious consideration.

Time after time we have placed before this Legislature the fundamentals of a foundation plan which would bring financial stability to the municipalities. Granted, there would have to be new sources of revenue, but we have also given this government an indication of where those sources can be found.

My leader did this. I did it in my Throne speech and many more of us have done the same thing. When today, one of the major mining corporations of this province announced that it has $40 million of a clear profit for the first three months of this year, it is time perhaps we looked at some of the raw resources of this province and asked ourselves whether that kind of resource could not be tapped more adequately than it is—particularly when profits are paid in the United States in American funds, not Canadian.

What I am saying to the Minister, is that there are adequate sources of income. The Minister of Revenue and his confreres must look at those and determine where the money is coming from. He must provide an adequate financial base for these new regional governments for the amalgamated city of the Lakehead. Unconditional grants must go there. They must provide their own part of this according to the foundation plan which we have outlined.

But unless the government is willing to do this in amalgamated cities and in regional government, they are going to run up against

exactly the same problem that the Minister of Education (Mr. Davis) is running up against. They are going to have to backtrack and wonder where they are. This alone, in years to come, can destroy this government and perhaps that is not a bad thing to happen in the province of Ontario.

That is about all the remarks I want to make on the principle of this bill. By and large, the general idea of the bill is a good one, but I think there are many details that need to go back for more consideration. The Minister heard many submissions from the people of the Lakehead last week and he seemed quite willing to listen to them and make certain amendments and certain changes in the bill as it stands.

I have brought other ideas before him this afternoon. I think they would not only strengthen this bill, but would strengthen the whole concept of regional government and amalgamated cities within the province of Ontario. I hope he is listening and I hope he is going to take action in this regard.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I would like to add a few words on the principle of this bill. First of all, I would like to observe that the member for Port Arthur used material that dealt only in one subject, backing up the argument that the people of the Lakehead wanted a plebiscite on this matter.

I was very saddened to see the debate from the member opposite get out of hand and be used as a personal attack on the member for Port Arthur and on the Liberal Party. I do not think that has any place in the debate on this bill.

The member to my left used it as a method of expounding this theory on partisan politics in municipal affairs, the NDP philosophy of foundation tax plan and an attack on the ineptness of Bill 44.

I was disappointed that the speakers were not brought into line for these infringements of the rules of this House.

As one who comes from the last twin city in the province of Ontario—that of Kitchener-Waterloo—I can maybe add a little bit to the debate on the principle of this bill which will make it a little more relevant to those of you.

I have lived in the twin cities all my life. The member for Kitchener (Mr. Breithaupt) has too. The difference is that he was born in Waterloo and now lives in Kitchener and I was born in Kitchener and now live in Waterloo. This in itself shows that, when two municipalities are side by side—as Port Arthur and Fort William—a kinship and a kindredship grows up among the peoples of the cities, as well as a very friendly type of competition.

There are joint boards and commissions serving people of both areas, and there are independent councils and mayors, and other agencies which look after the needs of both people. So, the point I would like to make boils down to this:

Twenty years ago, in our community—and I think the same would be true in Port Arthur and Fort William—it would be worth your life to mention the word amalgamation on the streets of the city. Fifty years ago you would not even dare mention it.

Things have changed tremendously since the war and in the last 15 years especially. Many people are realizing that there is need for a change in government structure in many parts of the province. In spite of the fact that this appears to be a revolutionary concept, I believe the people have realized that this is very necessary.

However, I think the important point we have to keep in mind here is, that although people's feelings change over the years, they do so through their own observations, on a local level, without any outsider coming and telling them what to do. We have all had communication from the Lakehead. You notice some of it was not answered by the government, and I can appreciate very much the feelings of a great many of these people.

To return to the fact of how these people feel, I think that, in the last five years, the people in my area have been well aware that there is going to be a change in the government structure in our area. My own assessment of the situation is that the feelings have progressed very well.

I am glad to see that The Department of Municipal Affairs, through the Minister, is changing its tactics in bringing in government structure changes in a great many of the areas of the province. Their announcement in Norfolk-Haldimand was a step in the right direction. No longer are they saying that we are going to send an expert into your area, he is going to study the situation and he is going to come back and tell you what you have to do. In my opinion this is where the mistake was made in the Lakehead. The people up there, I think, were just as close to amalgamation—it has been shown that they are in favour of it—as anywhere else in the province. Now, I do not know what the feelings of the people would be in my

own area, but my own assessment would be that the feeling has progressed so far now that I would hate to see the wrong methods used by the department and by this Minister to come in and stir up a problem which could result in a situation that has developed at the Lakehead.

So I am asking the Minister to use the example of this bill, as you have now presented it, to benefit from the problems which have arisen. And may I state at this point that the policy of this party has been—and I have said this as long as I have been in the party—that we are not asking, we have said in this particular instance we feel that the feeling of the people in the Lakehead is that they want a plebiscite. This may not be necessary in every area where change in structure of government is going to be made.

Hon. W. D. McKeough (Minister of Municipal Affairs): The member cannot have it both ways!

Mr. Good: All right. I would say, if you were doing your job, you could bring people of different localities along by good public relations, good promotion, and let the people sit down and in effect write their own terms for their own type of structural change. People are intelligent enough to know that in this day and age there has to be a change in the structure of municipal government.

Interjections by hon. members.

Mr. Good: I would like to make one further point, Mr. Speaker. The attitude that has been taken by this department in various areas around the province, in my mind, has done a great deal of harm in promoting government structural change at the municipal level. To back this up I would just like to read from an article in the *Globe and Mail* of February 15—"The Hint of a Battle Over Regional Government"—and this relates to the attitude of the government towards people who are contemplating municipal change which, in my mind and the minds of some of his own backbenchers, is doing more harm than good. The article reads:

> Recent speeches by a government backbencher and the Liberal municipal affairs critic show agreement on one major point —that the government must not run roughshod over local opinions to an idea.
>
> The other criticism already voiced by the Liberals, and likely to be heard eventually from the New Democrats, is that moves to regional government must all be part of a master plan so that no part of the province will become a tag end.

Now I will skip a part of it.

> As if to punctuate his statement December 2 that no municipality will enjoy a veto right over the regionalization proposals, Mr. McKeough went to the Lakehead in January to announce an area-wide merger will take place next January 1.
>
> The first hint that the Minister may be in a real battle within his caucus came this week when Eric Winkler, PC, Grey South, urged Mr. McKeough to use the area of consultation and flexibility in the application of this form of government. "The acceptance clause of this legislation, in my opinion, is the most important," he said in the Throne Speech. "As I have said to this Minister on previous occasions, I believe officials in his department are much too dictatorial in the rural areas especially where there can be orderly progress without complete control."

Well, he blames it on the officials—

Mr. Speaker: It being 6 of the clock, can the hon. member finish shortly?

Mr. Good: Yes.

Mr. Speaker: I thought the end of the editorial might be an appropriate place, but if the hon. member wishes to finish, we will allow him to finish.

It being 6 of the clock, p.m. the House took recess.

No. 95

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, April 24, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, April 24, 1969

City of the Lakehead, bill respecting, Mr. McKeough, second reading 3553

Motor Vehicle Accident Claims Act, 1961-1962, bill to amend, Mr. Haskett, second reading 3571

Public Vehicles Act, bill to amend, Mr. Haskett, second reading 3572

Highway Traffic Act, bill to amend, Mr. Haskett, second reading 3573

Motion to adjourn, Mr. Welch, agreed to 3581

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 24, 1969

The House resumed at 8 o'clock, p.m.

CITY OF LAKEHEAD
(Continued)

Mr. E. R. Good (Waterloo North): Mr. Speaker, the province varies greatly from one area to another. I think the Minister of Municipal Affairs (Mr. McKeough) must realize this. I think he has already changed his tactics to some extent in other areas, but since the method of study for municipal government reform at the Lakehead has brought on this intense desire for a referendum, surely it is not too much to ask that the wish be acknowledged. Over 6,000 people have signified their desire to vote and I would think that this in itself must be considered.

I would like to make one additional point and that is that the principle of this bill reflects that the wrong method was used by the government to bring about reform in municipal government. Why not stop this business of antagonizing municipalities across the province? You talk of community acceptability and community participation. Let us not, to use the Minister's own words, adhere to this in principle and violate it in practice.

Until this Minister is willing and able to sit down and tell the people of any municipality what a restructuring of government will do for them; until he is able to tell them what the cost will be; until he is willing to tell them what their powers are going to be and what will be given to them or taken away, he will continue to have people who, because they are not properly involved, will wish to have plebiscites.

It is interesting to note that the statement of the Minister of Education (Mr. Davis) this afternoon, in the matter of education costs, shows that these things are not being properly figured out and presented to the municipalities before the changes are being made. Consequently, with other criteria being adhered to, the population status would mean that at the present time, the cities of Port Arthur and Fort William could qualify for additional educational help, where under amalgamation they could not.

Mr. Speaker, I feel in the case of the Lakehead a plebiscite is necessary to restore the confidence of the people in good government. I hope that the Minister will act in a manner in other areas so that people will not feel their rights of self-determination have been violated.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I have listened with a great deal of interest to the discussion in connection with Bill 118. As you are aware, Mr. Speaker, the implications of this bill and the amalgamation of the two Lakehead cities and the two surrounding municipalities is of great importance to me, representing the riding of Thunder Bay, since the riding goes right around the two Lakehead cities and the particular geographic area in question.

So it is with a great deal of interest that I watch this bill and its provisions, particularly the implications of the legislation as it affects the surrounding municipalities and the Lakehead area, being the only centre of significant population in northwestern Ontario, in all deference to the member for Kenora (Mr. Bernier). I think that we do look upon the Lakehead area as the service centre for all of northwestern Ontario, certainly, the area that I happen to represent, rural Thunder Bay. Since Mr. Hardy's report on regional government one and two-tiers, we are very much aware of the implications of regional government both as it applies to the Lakehead area and the surrounding rural municipalities.

Now the people that I happen to represent are watching very, very closely just what regional government and the amalgamation of the two Lakehead cities will do to the surrounding area. When one considers that it is the educational centre, the distribution centre, the communication centre and the transportation centre for all of the Thunder Bay district, we want to make very, very sure that the kind of government that they ultimately end up with in the Lakehead area will contribute to the well-being, growth and development of the whole area.

I am very gratified to see that the Minister of Municipal Affairs has taken a go-slow

policy with regard to the second tier as envisaged by Mr. Hardy. He has given some opportunity for consultation in that area and I have his assurance that he will continue to do so. It will only be by consultation that he will extend it further into the rural areas where the criteria, the objectives, the goals and the aspirations of the people are much different from those in the immediate area of the Lakehead.

While I do not agree with the stand taken by the member for Port Arthur (Mr. Knight) on this particular issue, I must say that I admire his tenacity. I admire the doggedness with which he has pursued this whole issue. On many occasions he has stood up almost alone in the fight, particularly around the Lakehead. I cannot agree with the stand he has taken on it. As a matter of fact, if I might allude to an editorial in the *News Chronicle* on March 4, 1969, where it was discussed at some length by the Fort William Liberal Association, it says:

> Fort William Liberals compromised their way out of a dilemma last night. Nearing the close of the annual meeting, a motion presented to the membership by former MPP John Chapple asked that the meeting endorse a stand requesting a referendum on amalgamation.
>
> Immediately the sides on the issue formed. Speakers began making their way up to the microphones. "I think the Liberal Party should pursue the democratic rights of those who supported us," said Chapple. "This is a most serious matter. Our leader, Robert Nixon, has said he will fight for us in the House. This issue is not cut and dried."
>
> Fort William Alderman Wally Bryan said he regretted the issue being brought up and turning the gathering into a meeting of dissension.
>
> "I am also concerned that it might pass. A vote on amalgamation will only separate the people even more. I do not want to differ with men like Robert Nixon or Hubert Badanai, but I feel there are enough safeguards to make amalgamation a suitable arrangement. MP Hubert Badanai said his constituents were being denied the sacred privilege of having a voice on an issue. They should be given the right to express an opinion."
>
> Officials of the Lakehead University Liberal Association, Fred Porter and Eric Wilson, told the meeting that the final decision must go to the Ontario Municipal Board.
>
> "It is the option of any municipality to hold a referendum on any issue at any time and the municipality does not need the permission of Municipal Affairs Minister, Darcy McKeough."

This has been mentioned by my colleague, the hon. member for Yorkview (Mr. Young), and I think that the hon. member for Port Arthur is well aware that at any time, on almost any issue, the Lakehead cities could have held their own referendum regardless of any action.

Mr. R. F. Nixon (Leader of the Opposition): That would not be binding on the Minister.

Mr. Stokes: It would not be binding on the Minister, but I feel quite sure, though, that had the people in the Lakehead felt strongly enough about this issue, they could have prevailed upon the councils of both Lakehead cities to hold a referendum just to demonstrate to the Minister how they felt about it. I feel quite sure that if the majority had indicated that they were against amalgamation, a referendum would have dictated a course of action that the Minister would have taken.

Mr. R. H. Knight (Port Arthur): That is what they want to do now.

Mr. Stokes: By the hon. member for Port Arthur's own admission, there are anywhere from 75 to 79 per cent of the people of the Lakehead area who favour it. You can argue all day about the merits of plebiscitory democracy—

Mr. Nixon: He said 79 per cent want a referendum.

Mr. Stokes: If we, as legislators, want to abdicate our responsibility in this field and put it off on to somebody else, this is another matter.

Mr. Nixon: I abdicate the responsibility.

Mr. Stokes: I happen to think that the Minister is well enough aware of the implications of regional government and amalgamation of the two Lakehead cities that he is prepared to suffer the consequences in 1971 if events prove him wrong, and I think he is big enough to stand that threat.

Hon. W. D. McKeough (Minister of Municipal Affairs): As is the member for Fort William.

Mr. J. Jessiman (Fort William): There is only one member for Fort William.

Mr. Nixon: An overnight guest though!

An hon. member: We will see about that.

Mr. Stokes: As I said in my opening remarks, Mr. Speaker, I, as a member for Thunder Bay, am watching with a great deal of interest. Since it is not likely that the course taken by the hon. member for Port Arthur is to be successful, I would hope that he and all members of this House, and all members in particular representing ridings in northwestern Ontario, will join together and see that the amalgamation that is imminent will take place in an orderly fashion, that we will get the best type of government and administration possible for the Lakehead area, so that they can contribute in a very significant way to the development, not only of regional government where it is possible and feasible in northwestern Ontario, but more particularly, regional development in northwestern Ontario. I would invite both the member for Port Arthur and the member for Fort William to strive for that end, and I am sure that if everybody looks at it realistically, we will come out, in northwestern Ontario so much the better for it.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, on section 19—I know we are not going by sections, but I just want to make a very brief comment on the offer of employment as a guarantee. I think that the Minister has provided the protection that is necessary, but I am wondering about their guarantee of tenure of employment. I can only assume from what is in the bill that you are relying on the collective bargaining agreements that the employees have through their union. The only comment that I wanted to make was that I wonder if the Minister, while he is speaking to the bill, could make some remarks as to their guarantee of tenure for these employees.

As I said, it seems to me that you have guaranteed the salary, the sick leave, and you have mentioned the question of holidays and the offer of employment, but I just do not see in the bill the guarantee of employment following the date of amalgamation. Maybe the Minister will allude to that so that we could have some elaboration on that section 19 particularly as it refers to the employee.

Mr. R. Haggerty (Welland South): Mr. Speaker, in travelling through northwestern Ontario last September I had the occasion to talk to many people in Port Arthur and Fort William, and the feeling was there, I think, that they wanted amalgamation. In some cases the businessmen did not want it. Of course, when business still would like to keep the free enterprise system, the rivalry between one municipality and the other, but when you get down talking to the people on the street, their concern is the cost involved. Today in Ontario we have the federal government spending beyond its means, and the provincial government spending beyond its means. The local government is the one that has to suffer.

Interjection by an hon. member.

Mr. Jessiman: What is the member's point?

Mr. Haggerty: I am talking about regional government. This is a trend in Ontario, the new evolution of government, a change in Ontario, as quoted by the Prime Minister (Mr. Robarts) in Welland, Ontario, the guidelines he says here:

> To accomplish this the government is being guided by a set of basic guidelines. They are:
>
> 1. A region should inhibit a sense of community.
>
> 2. A region should have a balanced interest.
>
> 3. There must be throughout the region an adequate financial base.

And this is what is lacking at the municipal level. For a number of years now, since the Mayo report came out, and the Hardy report, they are excellent guidelines—there have been a number of times that I have attended the Ontario Municipal Association when the question has been raised—what about the grant structures? When we talk about regional government in this province and the great change that is going to come about we think about Metro Toronto, where the tax grant there on a *per capita* base is $7.50. Through other regions or other areas in the province, they vary from $3.75 to about $5.50 in some other cities.

Now what I would like to know is what is the grant structure going to be at the Lakehead? What is it going to be for the regions of Lincoln and Welland? What are the road grants going to be? We find in Metro Toronto they have received some 50 per cent subsidy on roads, 80 per cent on bridges, but I am afraid that when you take in the townships in the area of the Port Arthur and Fort William area you find that perhaps they receive 50 per cent grants. I am sure they do, and once they enter into this larger unit of government they will receive some 33⅓ per cent.

Now, one can see here the shift of provincial responsibility on local taxes again, on local real estate. I think these are the questions that people in the Lakehead want to know. For three years, this government has played around with regional government but has refused to give the local municipal governments the answers to the grant structure.

I think we learned a lesson when the county school boards went into larger units, and we all agree that this is good, but look at the financial fix that each municipality is in today when some local taxpayers have to pick up $70 and $90 alone for educational tax, additional from last year; they cannot bear this cost. Some place along the line the Minister has to come through with this grant structure. And I think the people—the members of local government—should know what this grant structure is going to be.

Hon. Mr. McKeough: Did the member for Grey-Bruce (Mr. Sargent) support that?

Mr. Haggerty: I am asking the Minister, not the member from Owen Sound.

Hon. Mr. McKeough: I am just wondering.

Mr. Nixon: Did they know what they were getting into before they got into it?

Hon. Mr. McKeough: Certainly.

Mr. Haggerty: Well, he does not.

Interjection by an hon. member.

Mr. Haggerty: This is right, and I have a grievance here, when one looks at the members sitting here tonight that are going to have to vote on this Act.

Mr. Jessiman: Bill 118, in case the member has forgotten.

Mr. Haggerty: Well Bill 118, there will perhaps be many more. There is about 25 per cent of the members here in this Legislature from Metro Toronto and Toronto. Now, we have often heard in Toronto that they are talking about amalgamation of the Metro region. I was just wondering—perhaps I should put this question to the Minister—is this going to be the stepping stone for amalgamation of Metro Toronto? They are forcing it on the Lakehead.

Mr. Speaker: The hon. member is far off the principle of the bill now, and I would ask him to come back to the bill or to the principle of the amalgamation of the Lakehead cities.

Mr. Haggerty: I quite agree with you, Mr. Speaker, but I am talking about the evolution and change in local government in Ontario, and I think this covers it as well as many other changes throughout the province. This is going to be a guideline, there is no doubt about it, and this is the point that I raise. Are we going to have amalgamation in Metro Toronto?

Mr. Speaker: The hon. member's remarks are quite out of order; we are not talking about amalgamation of Metro Toronto. Would he please go back to Bill 118?

Mr. Haggerty: When one looks at the bill, we find out that in many cases they are not going to be elected officials. I find, reading into the bill, that hydro is going to be appointed, the public utilities will be appointed, the library board is going to be appointed. So when you look at it, are the people going to have government by the people?

Mr. Jessiman: Good government.

Mr. Haggerty: Yes, the member for Fort William might say this, but I might say that he is going to have to live with it. But I do believe that the people in this province—

Mr. Jessiman: I was born with it and I will stay with it.

Mr. Haggerty: —the people in this province are entitled to know what grant structure is going to come forth from the Minister, what help is going to be passed on to the local municipalities, for this is the problem in this province, taxation.

Mr. Speaker: Is there any other member wishing to speak to this bill before the Minister? The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, there are a number of rather important points that I think should be made in speaking to the principle on second reading of this bill. I think they can be made briefly and I intend to do so.

Mr. Nixon: A great expediter!

Mr. MacDonald: I think at this point some of these rather important areas have been buried in a Niagara of words and at least those that I think are important, I am going to attempt to rescue.

Mr. Nixon: That is not the word the member usually uses.

Mr. MacDonald: Last week, as the House will have learned from the comments of my hon. colleague, the member for Yorkview, he and I visited the Lakehead. I might say that this was only the final stage of a continuous living with this problem by close contact with not only our own riding associations, but with individuals in the Lakehead.

In fact, I am sure the Prime Minister would be interested to know that we were able to use the northern tour of NDPs last fall, by one evening at the Lakehead being devoted to meeting with the riding associations for the very purpose of an initial discussion on the Hardy report. So as far back as then, we were looking at it.

But we were particularly interested last week to find out what the reaction was after all of the cross-currents had been dealt with, and therefore, we met on the Wednesday evening with our riding associations. Thursday morning I had the opportunity of being on one of those "hot-line" programmes at the Lakehead, in Fort William, with a namesake by the name of Hugh MacDonald.

It was rather interesting—there were no calls for the first ten minutes, though the issue was obviously the issue of the day, since it was the day of the public meeting and everybody knew that a gentleman by the name of McKeough was arriving in town. At the end of ten minutes no queries had come in, so Hugh MacDonald rather chided the militants of the Fort William Ratepayers Association for having gone into the wood—they apparently had nothing more to say.

That brought them out of the woods, and we had a lively period for the remainder of the hour. That gave me a good indication of the grass-roots feeling on this issue. Finally we had the meeting in which, as has been indicated, there were some 200 to 300 people representative of the inter-municipal committee, and various bodies, both public and advisory bodies in the four municipalities that are being brought together.

I found it a very useful exercise. I was a little puzzled, quite frankly—and I do not want to say this provocatively—as to why the hon. member for Port Arthur did not attend Publically he was credited with saying there was not going to be room for him. There was plenty of room for the so-called VIP's in the front row, and there were 40 empty seats at the back for general public who could have come to have listened in.

The Minister summed it up at the end that there was obviously no very serious objections to this bill at this point, and gave that as his explanation as to why he had updated the actual time for the elections for the first council of the amalgamated city.

If there were any serious objections, they certainly did not emerge at that meeting. They had been worked out in what had been a rather continuous process of negotiation, behind the scenes and out in the public, over the last four or five or six months.

The first basic point that I want to make, Mr. Speaker, with regard to this situation is the Minister's image in this whole development. Quite frankly, I do not know what the Minister did at the earlier stages, but if he had sat down and tried to plan a campaign to picture himself in the community, not only with horns and a tail, but combining that picture of the devil with something of Hitlerian proportions in terms of arrogance and authoritarian approach, he could not have done a better job.

An hon. member: It is the way he looks down here!

Mr. MacDonald: Well, sometimes he does and sometimes he is quite a congenial fellow. I can never quite figure him out. But certainly this is the image throughout the whole community. You can talk to newspaper men, you can talk to workers, you can talk to people on the Council—a cross-section and this is the kind of image he has acquired. Quite frankly, I think it is in the public interests that the government, and the Minister particularly, should rather quietly, and in detail, review how this bill has been handled, because to a considerable extent it has been mishandled. I think the whole proposition of regional government, and the steps for the publical educational process to get acceptance of regional government in the area, are too important to become fouled up by mishandling. I suspect, in the first instance, it arose partly from the fact that Eric Hardy, in preparing his report, went beyond his original terms of reference.

Now, that may be defensible, Mr. Speaker—let us be rather objective about this whole thing. When one starts to look at an area, and a person is doing an honest objective study, he might come to the conclusion that he cannot really provide the best solutions to the problems for that limited area if he does not go beyond it.

Hon. Mr. McKeough: All the Commissioners have!

Mr. MacDonald: I accept the Minister's word for it—that all the commissioners have

found this to be the case. I think we are breaking out of our tendency to a parochial approach into a regional approach. Perhaps in setting the terms of reference, we were a victim of the old parochial approach.

However, the reaction in the community was one of quite understandable amazement and puzzlement as to what in heaven's name was going on when this "bureaucrat" from down in Toronto—and Toronto is regarded as a rather nefarious corner of the world—in all parts of Ontario, but when you get to Northern Ontario it takes on an extra overtone. Unfortunately I think this set the stage.

I will say this to the Minister—I think another factor that contributed to it was the way he handled the announcement of the Hardy Report. I do not think the Minister can afford to go in and say, "now here it is, and I am not going to answer any questions at this stage". As a result there was created a feeling which has never died—indeed, it has been fanned and developed since then—that this was the Minister's rather arrogant approach: he was not going to comment, take it or leave it, here it is. I suggest there may also be some lessons to be learned in terms of the mechanism for continuing study. Indeed, some questions were raised during the course of last week's meeting with regard to the personnel of the intermunicipal committee, as to whether it could not have included and should not have included people from some of the citizens' bodies in addition to the elected representatives. There was one at the meeting—I have forgotten which body it was—but a spokesman rose and asked the Minister why, for example, they had never been consulted, and the Minister said, "Well, perhaps we should have consulted with you."

I think there are lessons to be learned here. It is too late as far as the Lakehead amalgamation is concerned, but this is an important and ongoing process that we are going to live with perhaps for the next generation—certainly the next ten years—and we should not fail to learn them.

However, the important point, Mr. Chairman—and now I begin to relate my remarks to some of the comments that were made by the hon. member for Port Arthur. That is, that you have divisions in all parties. Let us not try to kid ourselves on this score, or hide the fact. I suppose it is inevitable when you get into a local community on an issue of this nature, that you are going to get these divisions. The issues are not wholly ideological and in keeping with the normal philosophy or approach, so you get a lot of other community factors influencing people's thinking.

However, I think this significant point should not be missed. As far as the New Democratic Party is concerned there is no doubt that the majority view is in favour of amalgamation. Indeed, the definitive vote—if there ever was a definitive vote, because there was never a referendum taken among all the members of the New Democratic Party—was at a seminar on municipal affairs held the first weekend in March at which two things happened (1) a vote on amalgamation was at least 2 or 3 to 1 in favour, and (2) a decision that as a party we were going to go into municipal politics.

Quite frankly I am proud of that decision. I think it was evidence of maturity on the part of the New Democratic Party in an emerging urban area. Indeed now at the provincial level, at least two of the parties, the Liberals and our own, have recognized that if you are going to get more meaningful democratic representation, the individual candidate can be rescued from the anonimity of his stand, and an incapacity to fulfil his election promises by relating to a party, for the platform and the capacity to implement it, when they get adequate numbers elected to council to have a majority, or indeed a minority group that can push for it.

The hon. member for Port Arthur has predicated his case on the proposition that the Liberal party is going to oppose this bill because a plebiscite has not been held.

Mr. Nixon: That is not one of the principles of the bill.

Mr. MacDonald: All right, it is not one of the principles of the bill. I accept the addition that the hon. leader of the Opposition has made.

Now, Mr. Speaker, if there were any doubt, any doubt at all as to what the overwhelming majority view of the people in the Lakehead is on this issue, there might be some validity in this proposition. But, quite frankly—and I say this as unprovocatively as I can—the logic escapes me—

Mr. E. Sargent (Grey-Bruce): There is a pattern set.

Mr. MacDonald: Would the member listen for a moment and perhaps you might know what I am talking about.

The logic escapes me when a case is put that state, "I am in favour of amalgamation, 78 per cent of the people in the Lakehead are in favour of amalgamation but I am going to

oppose the bill if we do not have a plebiscite."

If there was any doubt on the proposition, if it was 52 to 48 or something of this nature, then I think there would be real validity in the proposition. It would be like holding a vote, for example, on a farm marketing plan. To establish a farm marketing plan when it was split down the middle, is certainly a good way to invite disaster for that plan very early in its life. Likewise, it would be, I think, rather disastrous to move in to the establishment of amalgamation without a good majority.

But the hon. member for Port Arthur says himself, that there is 78 per cent. You see, the big difference between our positions is this: As far as I am concerned, I am speaking for the majority of New Democrats with regard to this issue in the Lakehead. I concede there is a minority who are opposed. This is their right. That is the democratic process. However, I suggest to the hon. member for Port Arthur that he is speaking for a minority of the Liberals at the Lakehead.

Mr. Knight: I am not speaking for Liberals, I am talking for the people at the Lakehead.

Mr. MacDonald: Now how I come to that conclusion is that if I go to the elected representatives, if I go to those people who are the elected officials in the riding association of the Liberal Party at the Lakehead, the overwhelming majority of them have indicated that they are in favour of amalgamation. They are opposed to a plebiscite.

I am not objecting to the hon. member pursuing a point on which he obviously has conviction but he is pursuing it to the point of it becoming an obsession. The difference between a conviction and an obsession is that an obsession blinds you to the full context in which you are working. You begin to get things out of perspective. And I say to him, with all respect, I think that is what has happened to him.

What puzzles me is that the Liberal Party here has been willing to support what is a minority view at the Lakehead among Liberals—for their own particular purposes. Apparently they could not cope with the hon. member for Port Arthur.

Mr. Jessiman: Poor leadership, that is all.

Mr. E. A. Winkler (Grey South): Just sounds like Ottawa!

Mr. Knight: He is talking through the top of his head!

Interjections by hon. members.

Mr. MacDonald: Through you, Mr. Speaker, I thank all of my collaborators in this debate. It gave me an opportunity to have a drink of water.

I want to repeat, in passing, a point that has been made a number of times in the debate—that there has been nothing standing in the way of the Lakehead holding a plebiscite on this issue at any time. I submit—it just seems to follow logically—that if there was such an overwhelming majority of people in favour of a plebiscite, those elected representatives in the council, who are political animals and who are going to respond to political pressures, would have bowed to it. They would have exercised the right, which they have in The Municipal Act, to have held a plebiscite.

I grant you it would have been no commitment on this Minister. He could have defied it. And if he lived up to the image of his arrogance in the community, he undoubtedly would have defied it. But at least, they could have held the plebiscite and they could have found out what the people thought. But there has been no effort by the members of the council to hold a plebiscite.

Mr. Knight: How does the member know that?

Mr. MacDonald: Therefore, I conclude that there is not a majority who are in favour of a plebiscite, even though there are some people who hold it with a very strong conviction which has become an obsession.

However, Mr. Speaker, there is another point that I want to draw to your attention at the moment. That is, that I do not object to a person being in favour of or opposed to a plebiscite. But when opposition to this bill, because there is no plebiscite, is coupled with all the arguments against amalgamation, then we are entitled to wonder whether they are now opposed to amalgamation.

Mr. Nixon: That is not right.

Mr. D. M. De Monte (Dovercourt): That is not right and you know it.

Mr. MacDonald: Just a moment!

Mr. Knight: The member believes in forcing it on people.

Mr. MacDonald: Just a moment! I spoke to people at the Lakehead, some of whom I know very well, who were in favour of

amalgamation and predicted their whole discussion of this development on their support for amalgamation two or three months ago. Because they have not got a plebiscite, they are now opposed to amalgamation. I suggest this is missing the real point, the real issue at stake. Because we are going to come back in a moment to what is the real issue here—and its wider implications for the province as a whole.

I am not going to speak for the hon. members here in the Liberal Party as to whether they are genuinely in favour of amalgamation. But I could not help but interject during much of the debate by the hon. member for Port Arthur that, unwittingly, he got himself off into five and ten-minute presentations which were a solid presentation of the argument against amalgamation.

It could not be financed; it was going to cost more, he agreed.

Mr. Knight: That is part of the views of the Lakehead; who are you speaking for?

Mr. MacDonald: He even used, I suggest, a rather unwise analogy for a man who is in favour of amalgamation. If we get to the edge of the precipice, he said, we are willing to jump over ourselves, but we do not want to be pushed over.

I suggest it is rather an unhappy analogy. I suppose, philosophically, all life is a bit of a gamble. When you get married, it is a bit of a gamble. If you go into amalgamation, it is a bit of a gamble and you never know exactly what is going to happen. But the thought that amalgamation is jumping off the precipice, that they would have been willing to have done it themselves but they did not want anybody to push them over, is just not convincing—at least to me.

My colleague from Yorkview made the comment that at the Lakehead, insofar as we were able to discover in talking with people, the plebiscite is now a dead issue. I acknowledge, with some people it is not a dead issue. But this much is certain—at this stage the plebiscite is not an issue to unite the people and deal with the problems involved in amalgamation. It is the most incredibly divisive – not only divisive but diversionary—because it divides groups and I do not care what group it is. I am certain that if you got into a meeting of Tories, I know if you got into a meeting of Liberals, as the news account my hon. friend from Thunder Bay read, when you start talking "plebiscite" immediately it becomes an Irish Donnybrook. They forget to deal with the issues that they have to live with in implementing amalgamation.

That is the reason why I think that if it is not a dead issue, it is a divisive and diversionary issue. For better or worse we have now reached the stage where we have got to move towards a larger unit of administration and this is the next point I want to make.

Again I find the logic a little beyond my grasp, for the Liberal party to be arguing against the proposition of amalgamation of the Lakehead, for a party—

Mr. De Monte: We are not against amalgamation at the Lakehead.

Mr. MacDonald: Well if they are opposing this bill. Mr. Speaker—

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, let me try to state my case. If the purpose of this bill—

Interjections by hon. members.

Mr. Speaker: Order! Order, please!

Mr. MacDonald: I have noted, Mr. Speaker, that when six Liberals are speaking, it is no more contradictory than when one is speaking.

The point I was going to make, Mr. Speaker, is that the Liberal Party and the New Democratic Party have been pioneering and fighting for regional government and for larger administrative units for years, as we tried to badger this government into acceptance of it. Now the Tories are moving in that direction. They have got a few deadweights to carry along, like the hon. member for Lambton (Mr. Henderson), because he is not persuaded yet.

They are now moving and the proposition of regional government with the amalgamation of the Lakehead being a step towards it, certainly involves the necessity of a larger administrative unit. Some experts tell us that to have an effective administrative unit you should have up to a quarter of a million people. Others say that 150,000 is adequate. I have not heard anybody who has suggested that—

Mr. Nixon: That is not an expert view.

Mr. MacDonald: —who has suggested that anything below 100,000, in the range of 100,000, permits the kind of administrative unit necessary for modern procedures so as to avail ourselves of all that is possible in modern administration. We have only reached

at the Lakehead, partly because of the restrictions of population in that area, the minimum necessary to establish an effective unit.

Mr. Speaker, the reason I am strongly in support of this bill—and I am not going to use any excuse about not having a plebiscite to oppose it—is that at the level of Queen's Park we simply cannot begin to decentralize powers which have been taken over by the provincial government down through the years to the point that today there is no local autonomy. That is part of our problem.

Mr. Sargent: First true thing you have said all day.

Mr. MacDonald: Right. That is part of our problem. We can start to decentralize some of the responsibilities that have been drawn to Queen's Park, so that they can be handled more effectively by the people only when you have got a large enough administrative unit.

Hon. Mr. McKeough: Hear, hear!

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, I am glad that the Tories—if I may borrow the phrase of the hon. leader of the Opposition—"love me" on this point. It raises the question as to whether the Tories, as the new converts to regional government, have not got a clearer concept of what is necessary than the Liberals who, presumably, have been promoting it for years. So you had better put that in your pipe and smoke it because you cannot have it both ways.

Mr. J. Renwick (Riverdale): I have never seen this. I have never seen such a display in favour of my leader.

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, I said at the outset that major points could be made briefly—there were four or five of them. I have made them and the conclusion of them is that we have got a bill which is moving to establishing a large enough administrative unit—

Mr. Sargent: Where does the member get all that stuff?

Mr. MacDonald: There are 78 per cent of the people in support of it according to the testimony repeated *ad nauseum* by the hon. member for Port Arthur. Therefore I do not think that there is any fundamental violation of the democratic process to move ahead and get on with the job. We will support this second reading of the bill so that that can be done.

Mr. Nixon: Mr. Speaker, those taking part in this debate on behalf of the NDP-Conservative axis have spent a considerable amount of time assessing the opinions of those in politics and the man on the street in favour of the position that they support, and in searching for those who have the responsibility to seek out this opinion and express it clearly, they have forgotten that the man who speaks for the people of Port Arthur has expressed the view that there should be a plebiscite and this is a significant view indeed.

The other speaker from the Lakehead, that eminent toady of the government, who is prepared to trot out all sorts of scurrilous rumours and repeat them on the floor of this House—

Mr. Jessiman: I will document every one of them.

Mr. Nixon: —who was certainly the last to be consulted by the Minister of Municipal Affairs or anybody else, is simply trying to make the best of a very difficult situation.

Mr. Jessiman: I will send the member over copies.

Mr. Nixon: A situation in which his own Minister has made his political future completely impossible. Mr. Speaker, I, too, would like to deal in as reasonable a way as possible with the issues as we see them and our responsibility in this issue is not to support the government, not to support the NDP, but to put forward the proposition that has been so excellently expressed by the member for Port Arthur.

Now I, too, have visited the Lakehead on many occasions and I would hasten to say, sir, that during the summer of 1968, when many of us as hon. members were on a tour of northwestern Ontario, I appreciated the hospitality of the hon. member for Fort William—

Mr. Jessiman: And he never came back.

Mr. Nixon: —who was indicating the usual hospitality of the citizens of that particular municipality, or group of municipalities. But I would say further that it was on a very important day, indeed, March 11, 1968, when the hon. member for Port Arthur and I arrived in the Lakehead. That was the day that Mr. Hardy brought forward his report publicly. We felt it was an occasion in which

we could assess opinion and we made a point of doing so.

Now the view has been expressed by many people that Liberals in the Lakehead are divided on this and there has been ample—

Mr. Jessiman: Sure they are, to a man.

Mr. Nixon: Mr. Speaker, there has been ample evidence to show that this is true, but it is not my duty as leader of the party to go from house to house and say are you a Liberal and what do you think. We had meetings of the party there, we had meetings in the university. I talked to the mayors of both cities and it is right that Mr. Laskin, who in all probability will become the first mayor of the new city if, in fact, this bill goes through, and there is every possibility and probability of that, has indicated to me in a most reasonable way his reasons for supporting the legislation and for recommending that there not be a referendum. But everyone here is prepared to assert that there is a division of opinion, and we are expressing the other side of the argument.

Mr. MacDonald: The minority!

Mr. Nixon: The minority remains to be seen and we for one are prepared to base our future on the vote and not the prediction of the vote.

Now the cities of Port Arthur and Fort William are a special case in this province. They are 1,000 miles from here; they are not on the frontier of the north; they are both 900 miles from here.

Mr. Jessiman: On a point of personal privilege, I would correct the leader of the official Opposition. I do not know how he measures miles—1,000 mile around, square, or directly to—

Mr. Speaker: The hon. member is asking a question and if he wishes to do that, of course, he must have the permission of the Speaker. If he is rising on a point of personal privilege he has not stated it, and if it is a point of order he has not stated it.

Mr. Jessiman: I am just questioning his authenticity.

Mr. Speaker: The hon. member really has not the right to interrupt an address by a question such as that.

Mr. Nixon: I, of course, measure miles in units of 5,280 feet and I think the point is perhaps this that these two major cities are very remote from this provincial capital. It accounts for the reason why they are so suspicious of those who carry great authority like the Minister of Municipal Affairs, or any other member of this government, when they travel in the government plane up to the Lakehead, move down the main street into a secluded room, confer with the local officials and come down with a decision that affects the future of these people.

I think that there is an essential point here, that these two cities are under no circumstances to be considered frontier towns. This attitude is too much the attitude of the government across the way. They think that if it is in northern Ontario, people have to have a lot of patronizing help in their decisions, and a lot of direction. I believe that this is not the case. I would say to you, Mr. Speaker, that these two major cities in Canada; they are equal in size.

I ask you to compare this with the situation of many of us as citizens in our own community and as politicians where we have come up against a city that has grown out into a surrounding rural area. The rural township is obviously containing areas which should be annexed by the growing city, and there is the problem of what to do. A situation like that, of course, requires direction and decision by the Minister of Municipal Affairs, as his responsibility.

Hon. Mr. McKeough: It is not my responsibility. It would require a decision of the Ontario Municipal Board until now with no direction from the Minister of Municipal Affairs; and of course the member would also want to add that it would require a decision of the Ontario Municipal Board without the benefit in any way, shape, or form of a plebiscite.

Mr. Nixon: The point is, Mr. Speaker, that this is the highest court in the land, can do whatever it chooses within our constitution, without a plebiscite. And our point is that in this particular case, two remote cities, populations 50,000 each, should have an opportunity to discuss, to have the opportunity of reasonable, meaningful consultation, and, in this case, the opportunity to vote on their own future and their own municipal future.

Now I would say this, in fact, is the ramification for the province, as the leader of the New Democratic Party has said, that we believe that regional government must come upon this province in separate circumstances. We must not pull out some sort of a regional cookie cutter and say, that is what we do for

the north, that is what we will do for Niagara, this is what we will do for Brant county, this is what we will do for Essex. This is a special circumstance, and it is necessary that the local citizens be involved in this decision which is of such great importance to them.

Now, much has been made of the point that we, as Liberals, should not vote against this bill if we as individuals favour the amalgamation of the Lakehead community. The point, Mr. Speaker, is that we are not citizens of the Lakehead community, we believe that a further principle of the bill should be the principle involved in it permitting the citizens to have a vote and express their own opinion.

So, as I have said to you, Mr. Speaker, these circumstances must be recognized as separate and special. The needs of the Lakehead communities are of great importance, and related to their distance from this capital. These needs have been expressed by the citizens of that particular area. For these reasons, Mr. Speaker, when the time comes, we must certainly—representing the opinions expressed by the member for Port Arthur and many other citizens to me and many other members on both sides of the House—offer as an alternative a referendum or plebiscite, which in my view is a reasonable alternative, a democratic alternative. An alternative from which we, as elected members of this Legislature, should not shy. We should not step back from any fear. We should not use the authority, that is undoubtedly the authority of this Legislature and the authority of the Minister, to impose these changes.

Now, for these reasons, Mr. Speaker, since this principle is not contained in the bill, we must oppose it in its present form.

Hon. Mr. McKeough: Well, Mr. Speaker, I have enjoyed most of what has gone on these last two days and tonight. I suppose, if I might say, I was shaken enough by the member for Port Arthur's entreaties, that I thought perhaps I had better seek some solace from somewhere and some guiding words for what I might like to say tonight and perhaps set the stage. I did not turn to the Holy Scripture, I turned to our holy scripture which is *Hansard*, and I found these words:

> The hon. Minister has said himself, that considerably more research would have to go into the redrawing of the boundaries, but I submit to him, Mr. Chairman, that you can research and study forever, but somebody must make the decision to redraw these boundaries.

Now, who would have said that?

Mr. Nixon: It is called leadership.

Hon. Mr. McKeough: Well, that was the leader of the Opposition in 1966, who is the present leader of the Opposition.

And then I looked a little further, Mr. Speaker, and I found these words, and I thought these were rather interesting:

> Now to get back to amalgamation. The report suggests that there might be three kinds of amalgamation: permissive, persuasive, and mandatory amalgamation. What I am going to suggest, Mr. Chairman, is that the only way this is going to come about, if it is worth while at all, is by mandatory amalgamation, the same as the select committee—

And this is referring to the Becket committee on municipal affairs:

> —suggested in its report. If you are going to get the type of regional government that the committee believed in unanimously—there was some disagreement about how it would come about—unanimously believed was needed, then the impetus and the direction has to come from the top down. If you are going to get the kind of government that you want, it cannot come voluntarily and it is not going to come voluntarily. All these years we have been talking about it and it has not been happening.

Mr. MacDonald: What date was that?

Hon. Mr. McKeough: Those words were on May 6, 1965, and it was the deputy leader of the Liberal Party who was making those statements, the hon. member for Downsview (Mr. Singer), who is not here.

Interjections by hon. members.

Hon. Mr. McKeough: And then I think you know, that having been said once, then this is, in 1965, further holy writ, Mr. Speaker:

> This regional autonomy is a very important thing. But the hon. Minister can be too afraid of showing the leadership that is surely his responsibility. We are at a point of departure. If we are going to go along the lines recommended by the select committee—not particularly about jails but in the whole area of regional development—this is one place where the councillors from a number of counties, with no real leadership among them, need someone to step forward and say, "I will be chairman." They are going to look to the hon. Minister and his representative to bring this thing forward, not with undue haste, but with all deliberate haste, I would say—

And this was to the then Minister:

> —do not be afraid to give leadership.

Now that was the leader of the Liberal Party who happens to be the same leader of the Liberal Party today. Now, Mr. Speaker, I put these things on record because it distresses me, as a member of the Legislature and a believer in parliamentary democracy as we know it, to see the waffling, and the

shifting of that party over there. Really, it is rather sad.

Mr. P. D. Lawlor (Lakeshore): They do not know their own minds.

Hon. Mr. McKeough: Well, yes.

Mr. MacDonald: That is why they rationalize.

Hon. Mr. McKeough: Well, the leader of the New Democratic Party says that is how they rationalize the position of a minority position. I would put it this way, the hon. member for Port Arthur got them away out on a limb and they are still trying to get off it. It is sad to see.

Interjections by hon. members.

Mr. Nixon: They cannot postpone the vote forever.

Hon. Mr. McKeough: In speaking to the principle of the bill, perhaps we might review, very briefly, a little of this particular bill, number 118. In 1965 the municipalities, three out of the four we are talking about today in particular, approached the then Minister of Municipal Affairs. There were conversations and discussions back and forth over a period long before that. There have been referendums. There have been studies. But in 1965 the then Minister, Mr. Spooner, agreed with the municipalities that a commission should be decided, and I think that in December of 1965 Mr. Eric Hardy was appointed.

The commissioner was to take a look at the situation at the Lakehead and report to the municipalities and report to the government. I would disagree with some of the items in his report as hon. members would, but I think it is fair to say that Mr. Hardy held public hearings, he talked to people, he gave the fullest opportunity for the councils to go on record. There was collected for him in the preparation of his report a great deal of data.

He received the suggestions of the people at the Lakehead and finally, after a lengthy period—and I well recall when I first became Minister of Municipal Affairs, the member for Port Arthur asking rather nagging questions about when Hardy's report was going to come in because, "we want to get on and do something about it and where was his report?" He was echoing the word of the mayor of Port Arthur, who is still the mayor, with whom he seems to have had a certain falling out in the meantime.

However, Mr. Hardy's report arrived in the spring of 1968. And I went up, and I would say to the member for York South, that I went up and presented the report. I was interested in the comments that he made because I am the first to admit my role throughout all this has not been 100 per cent, the way I would do it again if I were doing it all over again. But I was interested that "I did not present the report in perhaps the way it might have been presented."

I had not thought about that particularly. I read that report going up on the plane that morning and we presented it in the afternoon. It was not a report which was in my office for days or months before we went up, it was that close time-tabling. I did not comment on the report. Perhaps I did that rather bluntly. I think I drew that from what the member said. I did not know really, had not thought about, all the implications of the report.

We gave them the report, sir, and said "It's yours". I did not comment on it and I certainly did not indicate any opinion, I do not think, at that particular point in time. I suppose if I had sat on it for a couple of months, then the hon. member would have been the first to criticize that, I think, for I would have if he had done the same thing. I might have had a comment to make, but I did not. It is an interesting bit of reaction from the leader of the New Democratic Party.

The report was presented in March, 1968, and we awaited reaction. We had reaction from individuals, municipalities, associations, the trades and labour congress and the chamber of commerce, from churches, from people. I had letters. I had some petitions, I might add. It became evident to us that the report divided itself, or could be divided, into two parts.

Mr. Hardy was asked to look at the Lakehead in particular and he decided in his wisdom that he should look at the district itself because he felt the district and the Lakehead city, which he was about to propose, were bound together and the one needed the other that there was an interplay. I would think it would be safe to say—and there has been this reaction in particular from the hon. member for Thunder Bay (Mr. Stokes)—that Mr. Hardy did not have the interplay and the communication and the discussions with the people in that area and the district which he had at the Lakehead. Perhaps this was, I think it came along later in his thinking, after he had concluded his hearings. We separated the report; at least, I did in my

mind when I read it and came back from the Lakehead and thought about it and talked about it to my officials. We separated it in our minds into two parts.

We decided that if we were going to move, and it could be separated temporarily perhaps, we might be able to move on one part, i.e., the amalgamation, if that made sense and was agreeable, but that the district was going to take a great deal more studying. We then wrote to government departments and to the municipalities and said, "Try and keep your comments on the two levels." What also had happened was that there was very little comment, and I think this is fair to say, either internally or from outside on the district proposals which Hardy made. Part of the reason for that is because the district did not know that they were going to be included in the report, I think; they were not conditioned for it.

We separated the two things and tried to think about it for the time being as two different things. The Prime Minister, through the Minister of Lands and Forests (Mr. Brunelle), on that same tour in September, announced that we were going to set up a committee of civil servants of some department, of about ten departments, to report by July 1 next—and I hope they will—on the implications as far as Hardy's recommendations on the district were concerned. But realizing that what perhaps was appropriate for that district might well be appropriate for other districts, with variation, we had better know completely what had been recommended. That committee is working and I think working effectively. It has been to Quetico; it has been to Nipigon, it has been to the Soo. They are not involving politicians at this point.

They will report on or about July 1 and I think that will be the beginning then. It will be the beginning of the dialogue which we have been talking about a little bit here tonight. Because they are civil servants and —although they are entering into some dialogue, not all the dialogue which we would want to enter into—they are collecting fact and figures and perhaps putting the departmental positions into some sort of a perspective.

We were impressed, Mr. Speaker, with what Mr. Hardy had to say in terms of amalgamation. We were also impressed in terms of the reaction to Mr. Hardy.

Mr. Speaker: The hon. member for Grey-Bruce has risen on a point of order. Will he please state the point of order?

Mr. Sargent: Mr. Chairman, over the years there has been quite a love affair between Mr. Hardy and this government.

Mr. Speaker: There is no point of order.

Mr. Sargent: My point of order is this, I would like to ask the Minister—

Hon. Mr. McKeough: That is not a point of order.

Mr. Sargent: Will the Minister permit a question then?

Hon. Mr. McKeough: No.

Mr. Speaker: The hon. Minister has the floor.

Interjections by hon. members.

Hon. Mr. McKeough: We were impressed by what Hardy had had to say and we were impressed by the reaction. Hon. members in the Liberal party particularly may have forgotten that there was an endorsation in principle by the two cities and by Shuniah of what Hardy had had to say about amalgamation of the Lakehead. That did not influence our opinion completely. We studied it; we decided it was a good idea. We were also fortified by the responses which we saw in terms of council resolutions from three of the councils; in terms of letters which came to us from individuals; in terms of resolutions which came to us from various groups and organizations; by contact with one of the local members, who gave us his opinion forthrightly and openly and said that it would be acceptable to the people. We thought it was a good idea and on November 25 we announced that we were going ahead with the amalgamation.

Let us try and put this in some sort of context in terms of what some members have tried to do with the regional government programme. This is not regional government; this is restructuring of a part of local government which has been talked about for I do not know how long. It has been talked about seriously since Hardy was appointed in 1965, four years ago. Hon. members opposite cannot say that we are acting in undue haste, which I heard from two of them. Four years! How long do you talk?

An hon. member: One year and one month.

Hon. Mr. McKeough. We have been talking about it for four years. Where was the member? He was apparently saying he was in favour of amalgamation and then when it

comes to the crunch he sits on the fence. He cannot sit on the fence forever.

Interjections by hon. members.

Hon. Mr. McKeough: I am interested—

Mr. Knight: Let them vote on it.

Mr. Speaker: Order!

Hon. Mr. McKeough: My hon. friend wants to vote on it. He is going to have that opportunity in about five minutes and he is going to have to make up his mind one way or another. He has had four long years; now he has to make up his mind.

I am interested, you know. The member for York Centre (Mr. Deacon) talked about what we have called in our term "community acceptability" and "community participation." We have not been perfect in this, at the Lakehead or anywhere else, and we are not going to have anywhere in Ontario—and the Liberal Party should remember this—100 per cent approval of everything we do, but we are going to have to make up our mind and move ahead.

By community participation we mean that we are going to try to involve as many people in the thinking as we can. And you can always involve more. By community acceptability we are going to try to have as many people in favour of something as we can, but there will always be a few more if we waited longer. Sooner or later, in terms of participation, in terms of acceptability, you have to move. And the Liberal Party has forgotten about the term "moving" since some 26 years ago, except in other terms which we perhaps will not go into.

Mr. Nixon: Would the Minister clarify that?

Hon. Mr. McKeough: I hardly think so, Mr. Speaker. We have been talking about undue haste. Now if I might comment for a moment. We announced in November that we were going ahead and from November 25 on, we worked with, in particular, the inter-municipal committee, which is a committee chosen of representatives from each of the four councils and from the district as well, some 10 or 15 people who have given a great deal of their time and effort. I am sorry to hear, and I do not say this provocatively, that the member for Port Arthur in his remarks tonight did not speak as kindly about the inter-municipal committee as I would speak about them. They have served well. They have gone over the sections in the bill. It is my responsibility and the government's responsibility for what is in this bill, but they have been a great help to us on what should be in the bill and what should not be in the bill.

We could have consulted with other people or we could have taken the position we would consult with no one and make it our responsibility. We chose to consult, in the drafting of the bill and the particulars of the bill, with a group of elected people from the four municipalities and we will continue to do so. We will deal with elected councils, elected by the people to try and arrive at their opinions. But, in the final analysis, it must be our responsibility. But we will deal, where we can with elected councils and their representatives.

In this particular instance, I think the bill represents a great deal of their thinking on the details, on the principles and I would be proud to say and am pleased to say and pay tribute to the work of that committee. I pay tribute, of course, too, because there has been some suggestion there were some bureaucrats who were sent up there. I do not think Mr. Hardy can be described as a bureaucrat and I resent the tone of the voice of some of the members opposite who described my staff as bureaucrats. They have been up there. John Pearson is well known—I am not going to enumerate them—to many members of this House John Pearson has sweated many hours at the Lakehead, has worked with those people and to dismiss him as a bureaucrat being sent into town at the behest of the Minister is just no being fair to a very kind public servant.

Now, Mr. Speaker, there was some mention of cost factors.

Mr. Nixon: Mr. Speaker, perhaps if the Minister would permit a point of order—a point of clarification. The term "bureaucrat" refers to a person employed by the government rather than a person elected to the government. Now there is a difference here. If you are going to let an employed person, no matter how skillful, no matter how well motivated, do the liaison between yourself as Minister and those people whose responsibility it is to, let us say, hold their own future in their hands, then we can use the term "bureaucrats". That is what he is. There is nothing there critical of the Minister for not taking some responsibility.

Hon. Mr. McKeough: Mr. Speaker, the point that the leader of the Opposition makes is well taken. Unfortunately, he was not here

to hear the member for Port Arthur and the particular sneer in his voice when he said they were bureaucrats. Had he been here he would have understood what I said.

Mr. Speaker, I think I would like to comment just for a few moments on some of the points raised. I was interested in the remarks of the member for Yorkview who came down on the idea of what we had chosen to call community participation, community acceptability, and he added this bit about the plebiscite and the referendum.

Of course, Mr. Speaker, it is interesting and I must comment that what we are talking about in terms of regional government is a recommendation of the Smith committee which said nothing about a plebiscite; a recommendation of the select committee endorsing the Smith committee's viewpoint practically completely, but with no mention of a plebiscite.

The Liberal Party who dissented on everything that they thought was politically expedient failed to dissent from that recommendation of the select committee. If they had, and had said, "We dissent because we think there should have been a plebiscite," what you are saying here tonight would be a little bit more plausible. There was no mention of a plebiscite then, no mention and that, Mr. Speaker, was last September?

Hon. J. H. White (Minister of Revenue): Last September.

Hon. Mr. McKeough: Last September, they could not dissent and say, "We want a plebiscite, we believe in regional government." No dissent then. But we have to point that out.

Why did you not dissent from the select committee's report?

Mr. Nixon: It did not have anything to say.

Hon. Mr. McKeough: Oh, it certainly did. It gave a four-year timetable with no mention of a plebiscite. You just cannot change your position every day of the week.

Mr. Nixon: Since the Minister is getting personal, there was no issue in that report at all.

Hon. Mr. McKeough: Consistency. You have got to be consistent. I say to the leader of the Opposition, let us be consistent. He may be wrong but at least be consistent and do not waffle.

Mr. Speaker, the question of the cost factors was brought up. Now this bill, if the member for Welland South will read it, makes very definite transitional provisions phased over a four-year period, I believe. I have said this, I have explained this and I will detail this in the course of my estimates. When we get down to the crunch of making a regional government proposal, we examine the financial figures to the very best of our ability, remembering that in the case of the Lakehead, for example, when we did this, which would have been probably in November, December or January—or perhaps we did it two or three times—we were then dealing with 1967 audited figures because the 1968 audited figures were not available then, although they may be available now.

Remember also that we are dealing with about half of the tax bill because education under bill 44 is something separate and apart. We are dealing with 1967 figures and using them in our present calculations which can become a very difficult task because there are a number of things which can happen in three years' time to upset those figures completely.

We looked at the figures and what I have said is that we look at them and if we see something which causes alarm, our finance branch within the department blows the whistle. Now they blew the whistle on several instances in this bill and when we get to the committee stage we can discuss them—the provisions for phasing in McIntyre and Neebing; provision for a grant to the residual portion of Neebing. I think those things are in the bill. They will be, if necessary, in the Niagara Bill and they will be in future legislation insofar as it is possible for us to project what may happen and may be done by a local autonomous, brand new council.

The member talked about extra grants. Well, he can refer to the unconditioned *per capita* grants and he can find out that the Lakehead will get 50 cents more per capita —and that is it pure and simple. He can also find out what will happen to Niagara. I am not going to stand in this House and sell a programme in which I believe, in which this government believes, in which the New Democratic Party believes, and in which we think the leader of the Opposition believes but we do not really know, and say I have got to sugar-coat it with grants.

It will stand on its own merits. We are not here to sugar-coat something. It will stand on its own merits. It will stand on its own merits

without any sugaring. I do not have concurrence? I would like to have it, certainly, but he had better straighten that away with the member for Grey-Bruce, because when Toronto gets 50 cents more, he screams. So let him straighten that away in his party and then let me know what his policy is going to be. While I may recognize what it was tonight, it may be different tomorrow and I will understand that.

Interjections by hon. members.

Hon. Mr. McKeough: Now the member for Yorkview, and I appreciated his comments, the member for Yorkview talked about—

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. McKeough: We will talk about that and you will look like a bigger fool on that, than you do tonight. I guarantee it—and that will be hard.

Mr. Speaker, the member for Yorkview mentioned the question in the context of party politics, and I guess we should debate that at some other point in time. I say to him frankly that the fact the mayor is to be elected at large, that the aldermen are to be elected at large, although they are within wards, was really recommended by Hardy. It was conferred on by the committee, and we accepted it completely. You could make the criticism that we did not consider party politics; I do not think they did. I am not quarrelling with that particularly; we could debate that at another time and place, but no one has suggested that perhaps it is the appropriate thing at the Lakehead.

They did suggest, and finally agreed, that they wanted as one of the two municipalities has had, the city manager, administrative manager system, which one of them has had, the other has not. They agreed that they may appoint someone, and that is why that is in the bill.

The ward system which the member wondered about. In particular, I think it was devised to protect, in the short run for the first two terms, Neebing and Shuniah, to make sure that they had a representation of one person each which they felt was very important, and with which I would agree. I think we might debate at some other point in time whether a ward system is, in that particular size municipality, a good thing or not. We could argue, and there are sometimes plebiscites on that matter. It is a philosophical matter and a municipality, I think, becomes a size where a ward system becomes necessary.

Here, I agree with what the committee wanted and suggested, and with what Hardy suggested. It certainly is a transitional provision in the bill. It is written that way and the local council will make a determination at a later date.

I appreciate the remarks of the member for Thunder Bay which were concerned mainly with regional development, but I do not think we should lose sight of this. The Treasurer (Mr. MacNaughton) talked, in the Budget paper, about four or five very significant things which we are trying to undertake in the province—reform of our own provincial taxation, reform of local taxation, reform of provincial aid to municipalities, and reform of the local government structure and regional development.

Each one of those things is probably complementary, one to each other, they depend on each other. There is a plan—if I can put it that way—the Treasurer summed it up rather well in Budget Paper B, in my opinion and I have been quoting him at some length. Each one of these things may appear, perhaps, to be going forward in a different pattern, in a different way, but they are co-ordinated and each one is necessary, one for the other. We must not lose sight, as the member for Thunder Bay pointed out, because I have not been allowed to lose sight, of the fact that what the Lakehead needs in many ways is perhaps not a regional government, which we may consider at a later date. But they are concerned about their growth prospects, which have not been as rapid as some other parts of the province. They point this out to us and we want to give them the structure with which, we hope, they can do something about it.

This is part of the story. It is not the whole story and we should not lose sight of the regional development need in that particular part of the province and we do not.

The hon. member for Oshawa (Mr. Pilkey) mentioned section 19 of the bill and I think his concern is met. I would just say, in passing, the bill speaks for itself and I think tribute should be paid to the council and the senior staffs of the Lakehead municipalities and to the unions at the Lakehead municipalities. I think we had one of the nicest letters we have had about anything in a long time just about a week ago. I have not got it here with me but it was saying how well the staffs and the union were working to bring this thing together. The provisions in the

bill, I hope, create the kind of atmosphere to have that happen. I hope that the concern of the members will be met, and before we get to committee I will try to answer it specifically.

To the member for York South (Mr. MacDonald)—I had made the point about not reading the report till the way up—I would say frankly I have learned some lessons in this; the government has learned some lessons. I think I would have to say that what we cannot lose sight of is that there are a number of very sincere people at the Lakehead who, no matter how much time we had taken and no matter how well we had explained it, may well have come down on the same side that they are on at this particular moment.

They are, in my own mind I am convinced, a relatively small group. There is another group which has been inspired or stirred up by—well, it does not matter by whom really in the final analysis. I would be the first to admit that we can always, as a government, do something better than we have done. But looking back, I do not know what we would have changed commensurate with behaving responsibly and commensurate with not just going out on a bandwagon and trying to sell something.

The local councils, the local organizations, certainly have a responsibility in this area to generate and focus public attention. If we tried to do it, I think we might be suspect. Another time, I would like to try and get those local organizations to generate more of the discussion—perhaps the trades and labour council for example—to which we would go as participants. We have learned something and I appreciate his remarks. I do say that there are those who, I think no matter what we did, perhaps would have come down on the side that they are on now. There are others who, in my opinion, have overlooked what the bill is doing, what the proposal is all about, because of a blind obsession—and I think these were your words—a blind obsession with a plebiscite.

We have talked about a plebiscite and I am not going to answer those thoughts completely. We have said it is not a matter of yes or no. We have pointed out that this matter has been dealt with in this province. The hon. leader of the Opposition knows this. You can look to St. Catharines and Merritton and Port Dalhousie six or eight years ago. He could talk to the member for Windsor and find out about the Windsor annexation. He could look around the province; he could go to the Lakehead or to Sault Ste. Marie and find out from the Attorney General (Mr. Wishart) what happened there. And he would find out for his considerable edification that for the last 40 years municipalities have annexed and amalgamated with other municipalities and there have been public hearings in front of the Ontario Municipal Board and there has not been a plebiscite.

Mr. Nixon: When has the government ever amalgamated two cities?

Hon. Mr. McKeough: What about Whitby and Whitby township? What about North Bay and Widdifield. What does it matter whether they are equal or not? It is only because they are equal that we are going to consider a plebiscite? Do you not think the people in Whitby township who were not quite equal to Whitby had a say.

Mr. Nixon: This is a different situation.

Hon. Mr. McKeough: Yes, they are two big boys, we treat them differently. We will treat all the municipalities in this province on the same basis.

Mr. Sargent: He is drunk with power, this boy.

Hon. Mr. McKeough: To talk about, Mr. Speaker, and I do not suppose we should, but to talk about the erosion of democracy, the beachhead for democracy, is so ludicrous it leaves me a little speechless. I think I will leave it at that.

These sorts of things have been going on. Talk to some of the people in your party who are involved in municipal affairs.

Interjections by hon. members.

Mr. Speaker: Order! There is an hon. member on the government side who is not in his seat and persists in interrupting. He is voiceless as he sits there.

Hon. Mr. McKeough: Talk to some of the members. Perhaps the Liberal caucus suffers from the fact that they do not have many people who were formerly in municipal politics, other than the former mayor of Owen Sound, but he is in a category by himself. If they talk to some people they would find out how these things have been done and they could put it in a perspective which does not so becloud their minds, as they have obviously been beclouded on this particular issue.

We have said and we believe as a government and as a party that these are not things

you settle by plebiscite. This is an American tradition; it is not in the British tradition as we know it.

Mr. Sargent: What is wrong with that?

Mr. Nixon: And therefore bad.

Hon. Mr. McKeough: I would say this. What is wrong with it is one of the problems with the great American cities today—Detroit, New York, Chicago, Buffalo—you name them—big and small. One of the problems is that they have been hamstrung completely by the business of their charters, by the necessity, so-called, for a referendum. Their states and their governors have been hamstrung to do anything about moving those cities ahead. That has not been true in this province and as long as we are the government, it will not be the position.

Mr. Jessiman: Does the hon. leader of the Opposition want to join the Americans?

Mr. MacDonald: It is also the Mackenzie King way.

Hon. Mr. McKeough: Right! It is a Liberal tradition, but we in this party believe in standing up to be counted—the member for Hamilton Mountain (Mr. J. R. Smith) says, "stand up and be counted"—assuming our responsibilities. The member for Fort William (Mr. Jessiman) stood up on this matter right from the beginning. He has been convinced of the rightness of this. He has talked about the rightness of it. He has not got confused by the talk or otherwise of a plebiscite. He has pressed forward to do something for the Lakehead community.

But it is just a little bit much for the leader of the Opposition, talking about the member for Fort William toadying to the government on this. The member for Fort William has been part and parcel and is of this team.

Interjections by hon. members.

Mr. Nixon: He will not be back.

Hon. Mr. McKeough: So, Mr. Speaker, what we are saying in Bill 118 is that we recognize our responsibilities. We are prepared to assume leadership, to provide the kind of government which the people of this province want and need—

Mr. Sargent: Steam roller tactics!

Hon. Mr. McKeough: We are pleased, in this particular instance, because we are convinced and we know that the great majority in the Lakehead communities support what we are doing. Look at what has happened. The member for Port Arthur echoed what some people at the Lakehead got all upset about—because there was an article in *Maclean's* magazine about one of the more exciting things, perhaps, which is going on in this country. I do not know whether it is feasible or not. I do not know whether it is practical or not. I am talking about the mid-Canada development corridor. I do not know that much about the north. I detect a little bit of a ring between what he is talking about and what the member for Sudbury (Mr. Sopha) is talking about. Maybe they are one and the same thing. I think it is exciting. *Maclean's* said: "Here is the Lakehead city right at the centre of it."

No municipality in this province could buy the kind of publicity that the Lakehead has in that article, about where they were in the context of the Canadian north. Some people, in this government, the member for Fort William, and the members of the New Democratic Party I must say too, look for what can be done at the Lakehead, the challenges of the Lakehead and how we can make the Lakehead bigger and better. That is why I ask you to support Bill 118.

Mr. Speaker: Order!

The motion is for the second reading of Bill 118. Is it the pleasure of the House that the motion carry?

The House divided on the motion by hon. Mr. McKeough, which was agreed by the following vote:

Ayes	Nays
Allan	Ben
Apps	Braithwaite
Auld	Deacon
Bernier	De Monte
Boyer	Edighoffer
Brunelle	Farquhar
Davison	Gaunt
Deans	Good
Demers	Haggerty
Downer	Innes
Dymond	Knight
Evans	Nixon
Ferrier	Paterson
Gilbertson	Reid
Gisborn	(Rainy River)
Grossman	Reid
Hamilton	(Scarborough East)
Haskett	Ruston
Henderson	Sargent

Ayes	Nays
Hodgson	Singer
(Victoria-Haliburton)	Smith
Jessiman	(Nipissing)
Johnston	Spence—20.
(St. Catharines)	
Johnston	
(Carleton)	
Kennedy	
Kerr	
Lawlor	
Lawrence	
(Carleton East)	
Lewis	
MacDonald	
MacNaughton	
Makarchuk	
Meen	
Morrow	
McKeough	
McNeil	
Peacock	
Pilkey	
Pitman	
Potter	
Reilly	
Renwick	
(Riverdale)	
Reuter	
Root	
Rowntree	
Simonett	
Smith	
(Simcoe East)	
Smith	
(Hamilton Mountain)	
Snow	
Stewart	
Stokes	
Villeneuve	
Welch	
White	
Winkler	
Wishart	
Yaremko	
Young—57.	

Clerk of the House: Mr. Speaker, the "ayes" are 57; the "nays" 20.

Motion agreed to; second reading of the bill.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

Hon. I. Haskett (Minister of Transport) moves second reading of Bill 101, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Mr. P. D. Lawlor (Lakeshore): Just a few remarks on this bill. The increase is long overdue, from $35,000 to $50,000 exclusive of costs to a claim under this bill. Mr. Speaker, of course the bill would not be necessary at all for the purposes of the motor vehicle accidents claims if this province would bend a little, like British Columbia has done recently and introduce a liability without fault formula.

The bill in principle is questionable perhaps insofar as it may not go far enough under certain headings. I wonder why it is that the Minister, for some time past, in the case of hit and run accidents includes only the personal injury aspect of claims and does not take cognizance of property that is damaged in these accidents. Surely the logical principle is there and it should be extended. This does not do so.

The other thing, and speaking on behalf of the legal profession at least in some regards, and against the interests of the insurance companies, this bill does not extend—when it is widening its terms you would think it might do so—but it does not extend its terms to the business of "limitation period." One of the small irritations under The Motor Vehicle Accident Claims and The Highway Traffic Acts is that one year time limitation. In most of our law we reach a point of flexibility, a point where at least you can appeal to a court, by a motion before a judge, and obtain a certain leeway with respect to time limitations. As long as the other fellow is not being prejudiced or, if he is being prejudiced, then you may, who is seeking the boon in question, be placed under terms.

But why the coerciveness, why the restrictiveness in the legislation as it now stands as to this mandatory Damocles and the sword of one year? Let me say that many, many times the insurance companies and other individuals escape liability by using that technical device and luring their opponents, by malice of forethought, into a false position, letting the time go over and then saying, "You are out of court, boy." Those things have not been taken under cognizance of the bill. Apart from that you used a fairly innocuous undertaking and I think we are in favour of it.

Mr. Speaker: Does any other member wish to speak to the bill?

Mr. G. Ben (Humber): Mr. Speaker, I just want to make this one comment. I am rather surprised that in this particular bill, payments for damages to property is given priority even

though it is to the extent of $5,000 over injuries to the person. However, I imagine that that is the way that this government thinks and that is about the only comment I can make on it. I hardly think that is a good principle to follow.

Hon. Mr. Haskett: Mr. Speaker, in that the comments have been by way of approving what we are doing, I do not have to add anything to what the bill has set forth. The two matters dealt with are both of a nature that I think have elicited general approval. I do take cognizance of the comments made by the hon. members opposite. They do not deal with matters that are in the bill but with matters that are not in the bill. Nevertheless I shall be happy to give thought to what they have said.

Mr. V. M. Singer (Downsview): Does the Minister want me to tell him about other things?

Mr. Speaker: The motion is for second reading of Bill 101.

Motion agreed to; second reading of the bill.

THE PUBLIC VEHICLES ACT

Hon. Mr. Haskett moves second reading of bill 106, an Act to amend The Public Vehicles Act.

Mr. Lawlor: Mr. Speaker, we will be shortly approaching another bill, 105, with a principle that is embodied in this bill. Lord knows it is short enough. Nevertheless, it is an increase of a penalty, it is increases of fines. I am sure we will have enough to say about the peculiar Philistine; puritanical, punitive approach that this Minister takes to these matters—seeking to rectify human psychology and bring about the new utopia by whipping everybody with scorpions, such as it is. And I claim that he does that within the terms of this bill.

You know, there is a range of offences under The Public Vehicles Act. If the hon. Minister would advert to say, section 12 of that Act, the "no operating license shall be transferred except with the written approval of the Minister."

Mr. Singer: Mr. Speaker I hesitate to do this, but on a point of order. We are dealing with a bill that does not have a section 12 in it. There are sections one, two and three. If we are going to go through these bills in any semblance of order we should keep to the principle of the bill that is before us.

Mr. Lawlor: As usual, my obtuse friend does not know what he is talking about. This is a penalty provision which covers all the sections in the Act, and if he looks at the sections of the Act the dunce, he would find that it is—

Mr. Nixon: Is that Parliamentary? That is certainly beyond Parliamentary language, Mr. Speaker!

Mr. Speaker: I would point out to the hon. member for Lakeshore that a moment ago the hon. member for Downsview was on his feet on a point of order and should have yielded the floor.

Secondly, I am not sure whether the appellation is quite proper and I am sure that the hon. member for Lakeshore meant in the laudatory form rather than otherwise. I would also say that in part I agree with the hon. member for Downsview, that this is a bill, the general principle of which is to raise the minimum forfeiture of fine, and that the hon. member therefore must not reduce himself to discussing sections either of this Act or of the Act as being amended.

But if he wishes to make remarks with respect to the general principle of the minimum fine increase he is quite in order.

Mr. Lawlor: Mr. Speaker, first of all when the hon. member for Downsview begins to make some positive contributions to these debates and simply does not interrupt somebody else—

Mr. Speaker: Order. The hon. member is—

Mr. Lawlor: I shall desist, Mr. Speaker.

Mr. Singer: Not feeling very well tonight? That is too bad.

Mr. Lawlor: Mr. Speaker, section 23 of the section being amended reads as follows:

> Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than $20 and not more than $200.

That is the first section, and that is the section being amended. At the present time it is being changed up to $50 from $20.

Therefore, Mr. Speaker, with respect, I suggest that since this section says "any of the provisions of this Act" I want to point out that some of the provisions of this Act, perhaps even in the opinion of the Minister,

ought not to receive so punitive a penalty, and I shall do it shortly. There are only two or three sections which are of this kind. The one I adverted to—the section 12 and "no operating license shall be transferred except with the written approval of the Minister"—well, I do not know if that is such a heinous thing after all. You know, somebody might do it quite innocently, unbeknowingly and is hit with this added penalty.

The next section—

> No driver or operator of a public vehicle carrying passengers shall drink any intoxicating liquor during the time he is on duty or at any time use intoxicating liquor to access.

Now really. First of all, that section should be deleted completely. Imagine saying that a man may not even have a swig of wine before he climbs onto the vehicle and is subject to an increased penalty for so doing. Then to go into his private life and claim that at any time he may not use intoxicating liquor to access—

Mr. Speaker: Order!

The hon. member is discussing another section not being amended at all. The only amendment is the increase in the minimum fine and he is not talking about that now. Had he prefaced his remarks with the general statement which he made a moment ago, then certainly his remarks up to a moment ago would have been in order. But it is not in order for him to discuss whether or not the section in the Act, with respect to the condition of the person, is a matter of principle in this Act at all. It is merely whether the increased minimum fine is proper in principle.

Mr. Lawlor: Mr. Speaker—

Mr. Singer: What is the member going to call the Speaker now?

Mr. Lawlor: He is a fine fellow. He happens to be right on this particular point.

There are a number of sections but the final one I will make mention of is section 14, Mr. Speaker—

> No driver or operator of a motor vehicle carrying passengers shall smoke any cigars, cigarette tobacco or other substance while driving the vehicle.

Well, I again would question whether this increased penalty ought to apply if a man inadvertently pulls out a package of cigarettes and has a little smoke as he drives along looking into the bright summer day. He has to pay a fine of $50. I mean, I just do not see that, and mention should be made of it. Maybe the Minister will subsequently alter some of these sections to bring them into a state of greater human finesse.

Mr. Speaker: Any other member wishing to speak to this bill?

Motion agreed to; second reading of the bill.

THE HIGHWAY TRAFFIC ACT

Hon. Mr. Haskett moves second reading of bill 105, an Act to amend The Highway Traffic Act.

Mr. Speaker: The hon. member for Wentworth has the floor.

Mr. I. Deans (Wentworth): Yes, Mr. Speaker—

Mr. Singer: Mr. Speaker, I thought on second reading the official Opposition—

An hon. member: He was on his feet before you even called second reading.

Mr. Singer: He was!

Mr. Speaker: The Speaker has stated that the hon. member for Wentworth has the floor. The leader of the Opposition has a prior right at any time, but apart from that, I recognize no other official person on that side of the House. I do not think that our rules call for that, and it is whoever has the Speaker's eye first. If I did not get the hon. member for Downsview's eye, or if he did not get mine, I am sorry, but the member who got my eye was the member for Wentworth.

Mr. Stokes: By divine right?

Mr. Singer: No, we are here because we have eight more members than the hon. member has. That is what is in mind.

Mr. Stokes: And the hon. member has one vote, and he has one voice.

Mr. S. Lewis (Scarborough West): Last time he had a hell of a lot more than that.

Mr. Singer: The member is wrong again.

An hon. member: Obviously the Speaker must be wrong then.

Mr. Lewis: The Speaker has never been more perceptive.

Mr. Deans: Mr. Speaker, in speaking to the principle of this bill, I think it could quite easily be summed up in two words, punitive

action. There is no doubt that the main purpose of this is to impose more severe penalties for breaking the laws as laid out in this particular Act. It appears that the Minister, in some misguided state, feels that perhaps he can attack the highway problem through imposing more severe penalties.

Now, I do not happen to believe that this is the case. In many instances—and I do not intend to do, as did the member for Lakeshore (Mr. Lawlor), go through the Act section by section and point it out where these changes ought to be made at this time—but there are many instances where the penalty suggested by the Minister is far in excess of the offence that has been committed. And what I suggest to the Minister is that prior to introducing these changed penalties, he ought first of all to define more clearly what the offence really is. For example—we will just pluck one out—in careless driving or in the case of—there are others which do not come to mind easily this evening—but there are many instances where the penalty appears to me to be far in excess of the offence. One other thing that the Minister, I think, ought to consider in doing this, is the tremendous burden that he will place on the Attorney General.

There is no question that by imposing a $100 fine where a $10 or a $20 fine previously existed, he will force most of those who have broken the law into the courts. Where, in prior cases, they would have paid the fine, they no longer will do this. They will go into court because they will be forced to go into court.

I am quite sure that this will place a tremendous added burden, both in terms of manpower and in terms of cost, on the administration of justice.

Now, if the Minister's intent is to raise additional revenues from the province, he could be far more forthright about it and raise them in some other method. If, as I imagine, his intent is to attempt to cut down on the highway accidents, and to improve highway safety, I think he is going about it in entirely the wrong way.

By imposing these penalties he is not going to solve the problem at all. It is going to create more problems than presently exist. If he attacked the problem from the point of view of making a more safe automobile, as he has the power to do, then I am quite sure it would be a much better means to the end that he has in mind.

The bill in itself has many, many changes in it, most of them housekeeping measures, but in particular the ones dealing with the increases to the fines—I would ask the Minister if he could in some way, prior to imposing these, define more clearly exactly what the offence is, rather than leave it in the vague state that it is in many instances.

Mr. Singer: Mr. Speaker, by and large we applaud the principle in this bill, or the series of principles in this bill. It is rather strange to hear the approach of the hon. member for Wentworth this evening. It is his party that, very effectively over the years, and his colleague from Yorkview in particular, who have spoken about one aspect of the cause of accidents on the road, and that is the safety of the motor vehicle. I think that he made a good point in that regard. I do not think it is a major cause of accidents.

I think all the accident statistics that we have seen indicate that, while imperfect cars do cause some accidents, and this should be stopped, and there is a vehicle available for us to stop it—the Minister has not seen fit yet to use it properly, but there is a method of doing it. But by far the greatest percentage of accidents, damage, injuries, fatalities on the road, are caused by the person who is behind the wheel.

For many years, Mr. Speaker, on this side of the House, and occasionally on the government side of the House, we have had people stand up and say, "It is time that we got tough with erring drivers." And this is what the Minister is doing. To say that there is going to be a burden thrown on The Department of the Attorney General I think begs the question. If we want to be meaningful in our legislation concerning offences on the road, then one very good way of doing it is to increase the fines, so that people will believe that those in charge of enforcement of law mean business.

Mr. Deans: Not indiscriminately!

Mr. Singer: Well I do not think it is indiscriminate, with great respect to the hon. member for Wentworth. I would think that the offences are there. They are defined in the old statute. The comparison of the offences there with the penalties that are here is reasonably ascertainable; it has been for some considerable time.

This may be a new theory that the NDP has discovered tonight—that The Highway Traffic Act does not clearly define the offences. If so, I have rarely heard it argued in court, and I do a fair bit of defence work relating to The Highway Traffic Act. I have never heard it suggested, and I would doubt

that most of the provincial judges before whom I have appeared would accept that kind of an argument as being meaningful.

If there is a charge which would form an offence under The Highway Traffic Act—careless driving, improper terms, you name it, and there it is—the Crown has to prove that the accused is guilty beyond reasonable doubt. That is why the courts are there; the Crown does this or else the accused is acquitted.

What more precise definition the hon. member for Wentworth is talking about, I do not know. If he has evolved a new legal theory I would be very happy to hear it, and let him expound on it, or let one of his legal colleagues expound on it, but that kind of criticism is just completely meaningless.

By and large, sir, I say that we are going to get a little more sense in the control of people who use the roads if those in charge of law enforcement make the penalties sufficiently meaningful that they are going to act as a deterrent. This is why, on this side of the House, we have advocated this sort of thing for some considerable period of time. This is why we, in keeping with the NDP, have advocated things like compulsory breathalizer tests and that sort of thing. I suppose, following the logic of the member for Wentworth, that he would think that the compulsory breathalizer test would be somewhat vague, and meaningless and would let us concentrate on the safety of motor vehicles.

Mr. Deans: Mr. Speaker, on a point of order.

Mr. Speaker: The hon. member for Wentworth has risen on a point of order.

Mr. Deans: Mr. Speaker, I did not at any time state that I was opposed to breathalizer tests and the member for Downsview well knows it.

Mr. Singer: I did not say that the member for Wentworth said he was opposed to it. I said to follow his theory through to its ludicrous conclusion he would have to say that a compulsory breathalizer test would be meaningless because it is not sufficiently well defined. Now, whatever that means I do not know, but—

Mr. Deans: Everyone else knows what that means.

Mr. Singer: —but that is the ludicrous end that you must arrive at if you accept his arguments. That is all I said, Mr. Speaker.

There is one section, Mr. Speaker, that concerns me. That is section 8, which says that every person who is unable or refuses to produce his licence in accordance with subsection 1 when requested by a constable to identify himself, and refuses to do so he can be arrested.

It is difficult to pull out one section on second reading, Mr. Speaker, but since this is a composite bill, I respectfully suggest that there are many principles in it. This is one principle that, I think, probably invades the whole idea of civil rights—the compulsion and the necessity of people to identify themselves.

I recognize that there is a strong feeling amongst some law enforcement officers in this province that it would be neat and tidy if everyone carried around an identification card—if everyone had a number. And this is abhorrent to many people, including those of us in the official Opposition.

Mr. Nixon: Hear, hear!

Mr. Singer: I think that this section is a beginning of an *entree* into this kind of thinking, and on that basis, sir, I am very concerned about establishing this in a statute such as The Highway Traffic Act.

I would commend to the Minister's attention the remarks of Mr. McRuer, in his report. I am sure the Minister of Transport must have a pretty good idea of what Mr. McRuer said. I am a little surprised that in an Act that, by and large, has very substantial merit, he would introduce a principle that, to my mind, is an offence to the civil liberties of the citizens of this province.

Now, sir, with that remark I think when we come to section 8 in committee of the whole House, we will probably vote against it. We are going to support the bill in principle.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, the real intent of the bill, of course, is to do something to reduce the number of accidents and bring about saner and safer driving habits in the province of Ontario.

No group in this House has proposed more ways and means to bring this about than our party and particularly the member for Yorkview. We know of his deep interest in this whole problem, but the methods proposed in this lengthy bill are to do it by imposing heavier penalties and that is, in the large way, increasing fines.

First, I would make two suggestions as to why this is not going to do the job that it is intended to do. One, I think that more

attention has to be paid to the law enforcement availability in the province. I do not think that police recruitment has kept up with the growth of the province and the development of highway traffic. I think we have to start and enforce some of the laws that are now on the books by more policing.

Again, in regards to the fines method of penalty. There are a large number of people who drive cars who can well afford to pay the increased fines. This bill will have no effect upon their driving habits.

A small group will be affected drastically by it if their habits do not change drastically.

So just to raise the fines, we are going to set up a discriminatory feature. I would suggest if the Minister can find some real purpose in this method of reducing violations of traffic rules in this province—if it is feasible that a higher fine, as a penalty, will do it—then he has to start thinking about a fine based on ability to pay, or based on income in a sense.

If a person is in a high income bracket and he violates a law in the sense of driving, then he should be made to pay a heavier fine in relation to his income than the others. This way it will have some real intent. Otherwise, some people will just pay the increased fine and it will not have any effect upon their habits whatsoever.

Mr. Ben: Mr. Speaker, I wonder if I may be permitted to say a few words on this particular bill? I was rather surprised at the statements that have come out of the party to our left today on both this bill and the previous bills.

They talk about penal bills. The bill itself is penal, before any amendments were ever suggested to it. The purpose was to penalize, also to serve as an example. The party to our left, Mr. Speaker, has always been harping on what it calls a safer car and I do not know how you are ever going to get a safer car. There may be a car that is so cushioned that it is like the barrel in which one goes over Niagara Falls, but that does not mean the person operating it is not going to involve it in an accident.

Like the barrel that goes over Niagara Falls, it is cushioned enough but there are no windows or no steering wheels and this is probably what they are after. I said once during a debate on this topic that the weakest component in the automobile today is the nut behind the wheel and as far as I am concerned, perhaps this bill will act as a sort of a wrench to tighten some of these nuts so they will not be running around so loosely over our highways.

Nevertheless, Mr. Speaker, there are some weaknesses in the bill. One section here, and I am just referring to section 74, not suggesting any amendments, which has a glaring contravention of a person's civil rights. It is things like this that are a blot on the escutcheon of British democracy and justice, when it talks about, as it says here, "that every constable who on reasonable and probable grounds believes that a contravention, if any, of the provisions," and then recites a number of sections that have been committed, whether they have been committed or not; "and who on reasonable and probable grounds believes that any person has committed such contravention may arrest such person without warrant whether such person is guilty or not."

To me, with a great personal respect for the British system of law and order and administration of justice, nothing is as repugnant as the section such as this, contained in different statutes where they say "on reasonable and probable grounds" and then the courts deny anyone brought before them the right to determine what were those reasonable and probable grounds.

If there was ever a gestapo form of administration of justice in the British system it is those sections which keep on saying, a police officer can do anything if he has reasonable and probable grounds and Lord help you if you dare try to ask what those reasonable and probable grounds are. Nobody has the right to ask a police officer what were those reasonable and probable grounds and if they have the temerity to do it, the answer will be, on information received.

Now to me this is reprehensible. It is disgraceful. It is contemptible and that is the character of anybody who would introduce such legislation into this Legislature.

Now the gentleman over there says, "oh well." Well, I thought he was one of those that stuck up for democracy.

Mr. Lewis: I did not say that.

Mr. Ben: I apologize, I did not know—I thought that was what he said. But to me it is reprehensible that any citizen, in this day and age, in this province, should be in a position to be arrested with or without a warrant, guilty or not and not be subject to the right to have recompense from the person arresting him because that person can say, "well I have reasonable and probable grounds. What are they? None of your business." If that is justice you can have it. I do

not think that is. This is exactly what this Minister is doing here.

Mr. Speaker: Is there any other hon. member who wishes to speak to this bill?

Mr. Lawlor: Yes, I would like to say a word or two, Mr. Speaker.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Thank you.

There are many ways of approaching the problems of quasi crime or crime. Some of them, I suppose, can be done by purely punitive measures. As I said a few moments ago, whipping people with scorpions—to use this device wholly and exclusively—is certainly a totally wrong approach in this day and age. It shows a retrogressive mentality with respect to human psychology and to its possibilities. I suggest that if this government did more on safety and on education in this regard, it would not be obliged to turn to these penalties.

Some of the penalties actually are divided into three different areas. Some of the penalties, curiously enough, are justified—that is, increased penalties in some areas. For instance, I would say that the provisions with respect to the penalty for driving while one's license is suspended has been increased and justifiably so. Perhaps the penalty was too light in those circumstances.

The second area of penalty is what the Minister does. He takes the second offence and makes it a first offence. In most cases where he does that, I suspect that the penalty is too severe for the purpose he has in mind. It will not, by placing people on the rack, cause them to be good. It has been tried a long time in civilization. One of them, I think, which comes to attention, is the sale of new motor vehicles in section 19 of the bill, etc., where your fines were formerly from $50 to $350; now they have gone from $100 to $500 in your new bill and I would avert for a moment to the charge of careless driving under this section 60 of The Highway Traffic Act. You know what careless driving consists of?

It exists at the whim of the magistrate or now, our provincial judges. It is one of the most difficult cases to try, just as ability impaired is the rule of thumb kind of thing where any lawyer would say, I think, that it is easier to try many cases of murder than to try a case of careless driving and succeed if the magistrate was not at all determined that morning to see that you did not, because it is a question of discretion.

It is a question of the flick of an eyelash, it is a question of inattention, of incaution. It is not reckless driving; it is not dangerous driving; it is some degree, some nebulous degree which one feels in their viscera. Who can re-live those incidents; who can say whether the inattention was such-and-such on that occasion? I always find the pleading to that particular charge kind of fruitless. What does the Minister do under this head? He increases the penalty, I suggest, exorbitantly. It is on page 12 of the bill.

The minimum fine is increased from $10 to $100, ten times the amount. He is really going to straighten them out, he is going to put the knuckles on and drive the point home. If they have to go back to the little woman with their pockets empty, they will never forget it, will they, Mr. Speaker? The Minister makes them straighten out, they will not be careless any more. It sounds like sergeant-majorship exercising the school of potentiality over there in The Department of Transport. And a term of imprisonment up to three months is increased to six months—doubled. You pay six months for a state of inattention and a noxious magistrate. That is a pretty grim penalty, I suggest to the hon. Minister. When you run through this there are many headings, in many ways, indicating severities, but the whole thing stinks to high heaven; the approach, the vindictiveness, the curious, twisted, almost neurotic sensibility contained in this document.

I would like to read to you, Mr. Speaker, an article which appeared a few days ago in the Toronto *Daily Star* by John Weingost, a letter. I will read a portion of the letter anyhow:

> While everyone is greatly concerned about the increase of traffic accidents on our highways, I take little comfort in the proposed legislation introduced by Transport Minister Irwin Haskett to The Highway Traffic Act for the purposes of reducing accidents. The public is ever so ready to embrace the prospect of automobile safety that they have failed to scrutinize the proposed legislation to determine its true purpose and character. Taking into consideration that the rate of automobile accidents increases in proportion to the number of automobiles on the highway, this writer finds the punitive character of the proposed legislation quite shocking.

> The proposed amendments are neither designed nor framed towards safety legislation and will do little but increase the coffers of the provincial government from the exhorbitant increase in fines that will be collected.
>
> And among those of the general public, of whom one in five are below the poverty level, who nevertheless have to drive automobiles to get to and from work, such as their work is.

And what do you do, you penalize them, even in that prospect.

> Secondly, the proposed amendments have the character of police state legislation—

I think that may be a little harsh, you know, but there is that tone about this thing.

> —which will increase the already great powers given to police officers in respect of traffic offences, especially the amendments that will require a driver to identify himself at the demand of a policeman, the arrest without warrant; such powers can only lead to abuse insofar as they may be exercised whether or not a traffic offence has been committed.
>
> Further, traffic charges are usually laid at the discretion of the investigating police officer, who carries out a quasi-judicial function in deciding who was to blame where there has been an accident. Taking into consideration that, in about 90 per cent of the cases involving traffic offences, there is a conviction registered, the very laying of the charge itself by an officer is almost tantamount to a conviction.

And then he goes on to talk about the careless driving sections and about the speeding sections. It is pointed out that this is mandatory across the board. You leave no room for the variations of possible circumstances. Going at 80 miles an hour on a highway, a completely empty highway late at night, the courts have ruled that not to be careless driving and it may not even be subject to speeding regulations. No one is in danger. The only one danger, if you will, is the individual who himself performs that trick and if he wishes to do so, who are you to stop him? If people wish to commit suicide, that is their own business as long as they do not involve harm to others. I am suggesting, in the circumstances I am talking about, there is no harm to others.

On the business about making left-hand turns or stopping at stop signs, and a whole host of things you have doubled the penalty all the way through; and failure to yield right-of-way, going from different lanes. All this is aimed at the pocketbook of the driver. There is very little being done on the whole, for the education of that driver, and that is where the real weight of the legislation should fall, not on penalization. I venture to say, Mr. Speaker, as we become slightly more civilized, I would trust in the next ten years —such is the escalation of our party—and the coming of humane power, the position of a great many of the sections of this legislation, after its testing and its full vindictive effects are felt, will have to be reversed.

Mr. J. Renwick (Riverdale): Mr. Speaker, I have only a very brief comment on this bill, but I want particularly, not only the Minister responsible for the bill, but also the Attorney General, to check carefully what I have said about this. I happen to be a person who carries all his means of identification in one wallet. If, by any chance, I should have inadvertently mislaid or lost or forgotten to have this in my pocket when I was driving an automobile, then the effect of the provisions of section 8 of the bill, without going into the specific details and the effects of the provisions of section 74, means that if I am stopped while driving my automobile on the highway—operating a vehicle on the highway —and since I cannot produce my operator's licence and cannot produce any other evidence which would be acceptable as satisfactory to the constable to identify myself, then I am a person who has contravened a particular section of the bill. The constable may, knowing that I have committed that contravention, arrest me without a warrant which means in fact that I have been deprived of my liberty.

I am suggesting that that is not a necessary corollary to the administration of The Highway Traffic Act. I do not think there was ever any intention that if any member of this assembly, who undoubtedly carries all his identification in one particular wallet, finds himself in the predicament that I have just put forward, that this Minister or, indeed, the Attorney General in his role as Minister of Justice and Attorney General, should permit this particular bill to go through with that clause in it. We intend to oppose it on clause-by-clause reading of the bill.

Mr. Lewis: The Attorney General is checking his pocketbook.

Mr. Speaker: Does any other member wish to speak to this bill? If not, the hon. Minister.

Hon. Mr. Haskett: Mr. Speaker, when I introduced this bill, members may recall that I spoke at greater length than is my custom in bringing in legislation. In the course of my remarks, I drew attention particularly to those sections of the bill or those phases or aspects of the bill that I thought were of particular interest to the members and to which I invited their particular attention. I did it, asking that they view these in the perspective of their purpose and their need. I come back to that now as I have listened carefully and attentively to the remarks made by various members speaking to the principle of the bill. Paying attention to all of them, I reach this conclusion—that we need to attack this whole matter of traffic safety with greater severity than we have heretofore.

Penalties are as reupugnant to me as they are to other humane members of this Legislature and I do not beg any special attention there. But when we looked at the penalties, they had to be reviewed in total because they were an accumulation over the years and some of them had become completely inadequate as times had changed. We made the major changes that were required and I spelled them out in my opening remarks. If members refer to those comments they will see they detailed pretty carefully the major aspects of the revisions in the penalties.

I do not want to quote from the press extensively because we have had exceptional coverage and almost unanimous endorsement of what we are doing. But pertinent to what was said tonight, perhaps a sentence or two out of the *Globe and Mail* editorial that was highly commendatory— and I can skip that except to say that after commending the work he had done, it went on to say: "The revised Highway Traffic Act introuced in the Legislature this week should help carry on the good work." Then it went on to deal with the specific matter of arrest and the inadequacy of penalties, particularly with regard to careless driving, and I had used an example in a quotation from a magistrate's remark that was reported in *Chitty's Journal,* and it said:

> Perhaps Mr. Haskett has placed his finger on the flaw. One would hope that the judges would collectively examine their consciences. One would also hope that if this examination does not produce penalties more fitting in such crimes as leaving the scene of an accident, Mr. Haskett's next round of reforms will include mandatory jail sentences for all the more dangerous offences.

Now, this goes beyond what I think most members would want to see and certainly beyond what I would want to see. I go into one other editorial I thought was germane in its overall application and this is from *Le Droit* in Ottawa:

> La Securite Routiere en Ontario
>
> Sage décision que celle du gouvernement ontarien—de M. Irwin Haskett, ministre du Transport, plus particulièrement—de donner plus de mordant au Code provincial de la route.

And he finishes with this sentence:

> Encore une fois, le gouvernement ontarien agit sagement en accroissant la sévérité du Code: dommage que les amendements n'aient pas force de loi immédiatement.

What it was saying, for the benefit of those who did not follow me was:

> It is a wise decision that the Ontario government has taken—more precisely that of the Minister of Transport, to give more bite to the provincial road safety code. Its increased strictness regarding careless drivers is imperative, when you consider the increasing number of cars on the roads during the past few years.

And I finish with that other sentence I read:

> Once again, the Ontario government acts with wisdom in increasing the strictness of the Code: too bad that the amendments do not become law immediately.

Now, I am not going to try to spell out our reasons for doing each and every one of these things. Suffice is to say I have noted carefully what has been said. I come to the matter of what is careless driving. Careless driving has been in the law for many years and the record of charges and convictions in careless driving are recorded every year in our statistics and in our annual report.

I come down finally to the amount of use that has been made of the power of arrest in careless driving, which has been as I said on the statutes for some time. In the Toronto area last year, careless driving charges numbered 4,182 and the power of arrest was used in only 170 cases, approximately four per cent.

In most of those cases, if you go into them, you would find that the reason for arrest in those careless driving charges where the power of arrest was available, stems from some other consideration, a vehicle from outside the province, a driver perhaps at borderline in intoxication, a questionable *bona fide*

of the holder of a driver's licence, if he had one, or the absence of a driver's licence.

So I say that these things give us some reason to expect that the power of arrest extended now for the first time to this offence, namely, that of failing to identify, will not be abused. Now, why did we bring it in?

Mr. De Monte: How de we know that?

Hon. Mr. Haskett: I say that gives us reason to expect this. Now, why did we bring it in? And the member questions me properly on this except that he either did not listen to, or he has not read, what I said when I introduced the bill because I was very careful to specifically set forth why I had done it, and exactly what we did. We went back to the report on civil rights by the McRuer commission. The McRuer report says that those who take vehicles on the highway have no civil right to do so, they may do so only if they hold a licence for that purpose.

And then he went down the list and itemized the arrestable offences, those allowed under The Highway Traffic Act and other Acts, and in consequence of careful scrutiny of that report we removed three arrestable offences from the pertinent section, section 154 of the Act?

Mr. J. Renwick: Yes, that is right.

Hon. Mr. Haskett: I think so. And we put in this one, and why did we put in this one? This is what the McRuer report says:

> Excessive powers may be useful in assisting the police in the investigation of crimes but the investigation of crimes does not justify the confirmative powers of arrest and detention for trivial offences. If the police require such powers, the problem should be faced with legislative honesty and power ought to be given for the purpose for which it is intended to be used.

And for that reason we deleted three offences that were arrestable. Then it goes on:

> It might well be that the police should have greater powers to control and investigate the use of the motor vehicle on the highway. A motor vehicle is a dangerous machine. If it is not carefully used, it is a lethal one.
>
> It is a convenient vehicle for the commission of crimes of all sorts. Those who take motor vehicles on the highways have no civil right to do so. They may do so only if they hold a licence for that purpose. This requirement is no invasion of civil rights. There is no reason why anyone driving a motor vehicle while on the highway should not be required to show an officer of the law enforcement agencies that he has a licence to do so.
>
> If the police have power to question the driver of a motor vehicle for the purpose of verifying his right to drive it, the ownership of the vehicle and the name and address of the owner and driver, there would appear to be little or no need for all the drastic powers of arrest that we have been discussing.
>
> The necessities of the case would appear to be met if the power of arrest without a warrant were restricted to those cases in which the driver of a motor vehicle, without showing reasonable cause, does not properly identify himself as the owner of the vehicle and those cases in which the driver does not appear to have any legal right to have a vehicle on the highway.

And that is specifically what we did, I think, in complete conformity of what was suggested in the McRuer report. So we have put that into the Act as an arrestable offence, as was suggested, or as my understanding of what was suggested there.

Mr. J. Renwick: Mr. Speaker, would the Minister permit just one question on the comment which he has just made?

Hon. Mr. Haskett: Yes, I will.

Mr. J. Renwick: I do not want to enter into the principle of what we have already covered. I simply say there is no reference whatsoever in that section—even though I would disagree with it if the reference were there as being inadequate—there is no reference in there to "with reasonable cause" at all, it is a blanket statement.

I would suggest, Mr. Speaker, that if you have no identification on you, the officer can arrest you, period, because you have, by that fact, contravened the Act. I do not necessarily mean that it would be adequate to add those phrases, but I do not think you can call in aid Mr. Justice McRuer as I understand what the Minister read to the House.

Hon. Mr. Haskett: Mr. Speaker, I was just closing what I was about to say to the House anyway with that comment on our reason for putting that section into the Act, because I think it agrees with what was suggested in the McRuer report. We had, as I said, deleted

three of the powers of arrest we acknowledged were unnecessary and we added that one power of arrest where I thought it was in keeping with the recommendation of the Royal commission.

Mr. Singer: Mr. Speaker, I wonder if the Minister would permit another question? I wonder if the Minister is familiar with Mr. Justice Dalton Wells' report on the Leiner affair, Rabbi Leiner, who was taken and forced to identify himself, or the police attempted to force him to identify himself.

I would commend to the Minister's attention before this bill gets back into the House, the very cogent and apt remarks of now Chief Justice Dalton Wells in regard to this police power to force people to identify themselves.

Hon. Mr. Haskett: Mr. Speaker, I am sure that the Royal commission on civil rights took that matter into its consideration when dealing with this matter.

Motion agreed to; second reading of the bill.

Hon. R. S. Welch (Provincial Secretary): Just by way of explanation for tomorrow morning, it is my understanding there will be some Budget Debate in the morning. If by any chance the Whips are unable to produce a sufficient number of speakers until the private members' hour, then we will return to legislation.

Mr. Singer: Mr. Speaker, on a point of order, this phrase "legislation" that the hon. House leader uses, is a very difficult one. There is a tremendous amount of legislation on the order paper and it is very difficult for members of this party in any event to know, in any way, what we can anticipate in such a large volume. I would hope that there can be some indication from the government when they say, "we are going to go to legislation," of the approximate order of bills to which they are going to refer to.

Hon. Mr. Welch: Mr. Speaker, I just assumed that everyone is here to do the business of the Legislature, and that anything ready on the paper could be called.

Mr. J. Renwick: Mr. Speaker, if I could comment on the point of order that the member for Downsview has raised.

I do think it is quite an imposition to expect us, on this side of the House, to be able to stand up and debate intelligently any one of 36 pieces of legislation which are up for second reading, and an additional ten items which are in committee of the whole House. A reasonable area of delineation by the House leader of the legislation which may come, cutting it to eight or ten bills, would be quite adequate. We of course can, if necessary, speak on any bill at any time.

Hon. Mr. Welch: I have never known the hon. member to be speechless at any time, Mr. Speaker. I cannot be any more specific than I am. It is an academic question, anyway, because the first call will be for Budget speakers and if, in fact, the time is occupied by Budget speakers, there will be no legislation called. I am just preparing for these in case the Whips will not be in a position to fill the time until the private members' hour. I cannot be any more specific than that.

Mr. Lewis: Mr. Speaker, on a point of order, I think then that what we are asking is that if it is not possible for tomorrow morning, then in the future, if some likely area of legislation could be delineated by the House leader, even in terms of the Cabinet Ministers who might be involved, because members on this side of the House do have other engagements on occasion as well. It has been suggested, for instance, that the *ad hoc* committee on the rules may have to meet while the House is in session.

Hon. Mr. Welch: Not tomorrow!

Mr. Lewis: Not tomorrow, but in the future; it would be useful to know, therefore, when certain pieces of legislation are likely to be debated and how one could appropriate one's time. I do not think that is an unreasonable request to the House leader.

Mr. Speaker: I think the hon. members to my left have brought this sufficiently to the attention of the House leader and I am sure that will be given consideration, and I would hope that some reasonable arrangement could be made.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:05 o'clock, p.m.

No. 96

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Friday, April 25, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Friday, April 25, 1969

Resumption of the debate on the Budget, Mr. Sargent, Mr. Winkler 3586

Motion to adjourn debate, Mr. Winkler, agreed to 3599

On notice of motion No. 3, Mr. R. S. Smith, Mr. J. R. Smith, Mrs. M. Renwick, Mr. Ben, Mr. W. Hodgson, Mr. W. G. Pitman 3599

Motion to adjourn, Mr. Welch, agreed to 3608

LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 25, 1969

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: Our guests this morning in the east gallery are students from the Richard W. Scott separate school in Toronto; and in the west gallery from Richview collegiate institute in Islington. Later this morning in the east gallery we will have students from Gosfield North township school area in Cottam; and in the east gallery later from William E. Brown senior public school, in Wainfleet.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Mr. D. C. MacDonald (York South): Mr. Speaker, before the orders of the day, I rise on a point of order. This may or may not have been drawn to your attention.

Yesterday the hon. Minister of Trade and Development (Mr. Randall) gave answers to a couple of questions and he said they were rather lengthy and therefore he would file them with the Clerk. They were answers to oral questions and I think the rules of our House do not permit filing answers for reproduction in *Hansard* that are in the nature of part of the debate.

I can see what the hon. Minister was attempting to do; namely, avoid taking up the time of the House in lengthy replies. Maybe this is something that, once again, our rules committee should take a look at. I have an answer but I hesitate to advance it—namely, put it on the order paper and let the reply come back in two or three days; it would be printed without having been read. But since the delay is so long in answers to questions that are put on the order paper, I repeat, I hesitate to advance that. But I think it is a solution if it were combined with some sort of a time limit for answers that could be printed without reading.

Mr. Speaker: Yes. This matter was drawn to my attention; I noted it at the time. It was drawn to my attention by *Hansard* and the hon. member for Scarborough Centre (Mrs. M. Renwick) later enquired about it. When I phoned the Clerk of the House I was advised that action had been taken by him to have it placed in the journals of the House and that the procedure apparently was in order.

I would have preferred, since the hon. Minister did not wish to take up the time of the House and it had been done that way, to have had the answer printed in *Hansard* rather than in the journals of the House. Perhaps the Clerk might wish to advise me further on that.

Instead of being printed in the journals it becomes a sessional paper as a return, the Clerk advises me; that is what happened to those answers. In the future I will endeavour to see that they are answered orally. I believe that day we had had a long question time, and the Minister stood up and said he was filing them with the Clerk, or tabling them. It escaped my notice at that particular moment and when I did investigate I found that it had gone to the Clerk and had been dealt with as a sessional paper. Instead of dealing with it otherwise, I thought it best to have it done that way.

I agree with the hon. member for York South that the problem is one which this committee, I hope, will deal with, because it is full of pitfalls, not only for the questioners and the Ministers to whom they are directed, but certainly for Mr. Speaker and his deputy. I hope the hon. member understands that we did have this under advisement and that we did not know just what to do in view of the action which had been taken.

Mr. MacDonald: Mr. Speaker, just one point. If it is filed as a return, it does not get printed at all so that one has to go and seek the answer from the Clerk. That is even more unsatisfactory and I trust will never be repeated.

Mr. Speaker: If Mr. Speaker misses it on another occasion, I hope the member who asked the question will remind him at that

time, because normally I do not allow questions to be answered, even in that way, without either the member being present or the consent of the party.

The hon. Minister has a word on that point.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, at the time the questions were asked there was some difficulty in getting all the answers. My staff at the Ontario Housing Corporation were away. In the interim, the Minister of Social and Family Services (Mr. Yaremko) was presenting his estimates and most of the questions were answered. So in respect to the member for Scarborough Centre, I wanted to make sure she got the information, and as it was somewhat redundant I thought this was perhaps the best way to handle it after we had received the advice from the Clerk.

Hon. A. Grossman (Minister of Correctional Services): We could handle some of the redundant speeches, too, like the "Last Post" one.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into the committee on ways and means.

ON THE BUDGET

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, in continuing and finalizing my remarks on the Budget Debate, I wish to say the large crowd this morning is very flattering. The last time I spoke there were six in the House.

Mr. D. C. MacDonald (York South): Just give them five minutes and the member will be down to six again.

Mr. Sargent: I believe the hon. member for York South is right.

I want to take this time, when I have the good humour of the House for a moment, to thank the hon. Minister of Trade and Development (Mr. Randall). He was in Owen Sound yesterday and he made a very important announcement that we are to be designated—and I think this is long overdue—and I do want to thank the Minister for his consideration on behalf of my people. I understand he made a very fine address in opening the first new Kiwanis home for senior citizens in the Dominion of Canada, and I want to thank the Minister for his co-operation in this and other things. However, this does not preclude the fact that I may take a shot at him in other ways.

At the same time I would like to thank the hon. Minister of Health (Mr. Dymond) for his kindness in coming to Owen Sound on the day before Good Friday on his holidays to make an address at our hospital and assess hospital needs in that area.

Mr. Speaker, at this point I think it is a serious situation we are in where, in about ten days of discussing estimates, we have a system whereby only one vote is passed. I think that any system like that needs review, and I think that somewhere along the line the leaders of the three parties should get together very quickly and assess where we are going. I cannot see, Mr. Speaker, how we are going to get good men in government if this system continues.

There is an old saying that you see a lot of small men rattling around in high places, because good men cannot afford to. Well, I think it is going to be the case that progressively we are causing the House to deteriorate. Maybe I am part of that deterioration, I do not know. But I say as a businessman, I do not know how one would ever operate in the business world the way we are operating here now.

So I think we are long overdue for setting up of guidelines, so far as time limits are concerned, in every aspect of present issues. No one has the right to subject me to three or four hours of his or her opinions on any subject. I am speaking not for the Opposition, but as a private member.

Hon. A. Grossman (Minister of Correctional Services): That is why we are not getting any place.

Mr. Sargent: Getting back to what is more important. We witnessed yesterday the beginning of the crumbling process of this government in the admission of the Minister of Education (Mr. Davis) that the foundation is starting to crumble. He is going back to the people of Ontario to ask them for another $50 million, or maybe $100 million, no one seems to know.

Mr. R. F. Nixon (Leader of the Opposition): Least of all the Treasurer (Mr. MacNaughton).

Mr. Sargent: Least of all the Treasurer, is right! No one seems to know how big a ball of wax he is asking us to support.

An hon. member: Another blank cheque!

Mr. Sargent: Another blank cheque is right. In other words, if anyone in the area of business were asked to set up a formula for spending money, the first thing they must know is the net, or how much gross cost is involved. This Minister admits he only knows 50 per cent of the budgets of the 952 municipalities in Ontario and he has the lack of sagacity to come to 117 would-be intelligent people and tell them that he wants a formula for something—an unknown quantity—x millions of dollars. I suggest that we are watching the beginning of the end for the party here.

A few weeks ago the Prime Minister (Mr. Robarts) was interviewed and he told the reporter that, mainly, his job was one of bluff. He said you should always appear to be in control, or do not appear—

Mr. Nixon: Or do not appear.

An hon. member: That is why we do not—

Mr. Sargent: —and it is an amazing thing, Mr. Speaker. Since the first two shots I had at the Prime Minister in this House, he has never yet shown up for any more of my remarks, because he cannot take it. But he is a great guy at dishing it out to the people of Ontario.

I am not going to go into the—

Hon. S. J. Randall (Minister of Trade and Development): He is always elected.

Mr. Sargent: Pardon me?

Hon. Mr. Randall: He is always elected.

Mr. Sargent: Well, he is getting hit progressively harder, as I understand it. A lot of highly regarded editorial writers have said that—

Hon. Mr. Randall: He laughs all the way to the Legislature.

Mr. Sargent: —have said that the Prime Minister is, and I quote from the Kingston *Whig Standard*—

An hon. member: That is a Liberal—

Mr. Sargent: From the Kingston *Whig Standard:* "Premier Robarts said the government, which favours the vested interests . . .". He goes on to talk about Medicare and the sweet package deal the government had with London Life Insurance Company and to spell out the tie-up it has with the big corporations. And so Mr. Newman said to the Prime Minister, on page two of the *Whig Standard,* March 1, 1969:

> Mr. Prime Minister, is it not politically risky to ask the people of Ontario to pay taxes for a national Medicare scheme in which they are not going to participate?

An hon. member: He did not ask him that.

Mr. Sargent: No, Mr. Newman asked the Prime Minister that and he replied: "Yes, it is. It is very politically risky." And he said, "How tough can I be?"

It goes on to tell that he is going to stand up and, in effect—if you read between the lines—fight for London Life. Somewhere along the line—

Hon. Mr. Grossman: Is that what he said?

Mr. Sargent: No he did not say that, but he said it between the lines. That is unquote.

Mr. W. Newman (Ontario South): That is the member's interpretation.

Mr. Sargent: Sometime it would be nice to know how many millions of dollars a year go into payments to London Life from the civil service insurance plan, but that is ancient history. We know that he is married to the big boys, and the taxpayers are paying the shot, year after year.

So the hon. Prime Minister, being very frank and saying that he is very risky in the approach to this matter, says that he is going to take his lumps where they come.

Well, he will get them all right. All the turkeys are coming home to roost here, Mr. Speaker, and even with the big dollar budget the government has for public relations, to spend on the image of the Prime Minister, I suggest that it cannot con the public anymore.

Let us take a look at just what this government has been responsible for in the past three or four years. I have been watching this scene. We have a $20 million University Avenue subway which the government is closing half time because it does not take enough in to pay for the ticket takers. That cost the taxpayers of Ontario $20 million. And we have the $15 million investment in the GO-Transit system, which costs us $2.5 million a year, and of which the Prime Minister promised that like sums of money would be forthcoming across this province to other areas which had transportation problems. Not five cents has come out of that.

We have a $600 million nuclear research programme going on. We are pioneering for the world, the rest of the nations cannot afford

it but we can afford it. We have a $50 million project in Queen's Park in building these monuments to the Tory government, and if you walk into any of the offices of the Cabinet Ministers, they have the Hollywood type of setup there, very lush and beautiful. Madison Avenue, New York, does not have this type of accommodation, but we can afford it here in Ontario. So much so they have had to call off some of the development because the bankers have said, the people of Ontario have said, "It is time to call a halt".

Hon. R. Brunelle (Minister of Lands and Forests): The member will have to come to my office.

Mr. Sargent: If you do not have it now, you will have it soon, I guess. We have about a $15 million a year bill for supper parties, and travelling expenses. This is a part of the picture every year in the Budget. It cost us $1 million to have the hon. Prime Minister put on a Confederation television show where he was the star.

We spend millions of dollars a year for foreign offices across the world, and most of the offices are, in the words of the Minister, right next to the federal offices, so we have great duplication here. We spent $30 million on the Centennial project, which is two years behind in the schedule. It still is not opened yet; and it was to have cost $5 million, so we are just, in this case, only 600 per cent wrong.

We have contracts given to the friends of the Prime Minister, the MacNamara boys, for the Expo pavilion at Expo, and they did not have to tender on it. They got the deal and six per cent of their gross, which gave them about $500,000 to $750,000 profit, which no one else had access to.

We could go on and talk more about the London Life insurance deal. We could talk about the Melchers deal, which has never come to trial yet, where they were charged $10,000 to get their name on the Ontario liquor licence board list. The money is going to the Conservative Party's treasury. We can go on and talk many hours about the deal with Victoria and Grey where the government used $3 million of taxpayers' funds to bail out the bankers, where millions of dollars were made in a tax split, using taxpayers' funds.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): On a point of order. That last statement is not correct.

Mr. Sargent: Well, Mr. Speaker, I thank the Minister, and I know that it is true. He is just putting in his piece as House leader to let us know he is here. But it is a matter of record that we did commit $3 million of taxpayers' funds to Victoria and Grey so that they could buy the British Mortgage set-up which was a multi-million dollar profit. He knows that, and if he wants to talk about it I will sit down for a moment. Does he want to talk about it?

Hon. Mr. Rowntree: What the member is referring to, I think, had to do with the stabilization of British Mortgage.

Mr. Sargent: I know the Minister does not believe that because of the fact that Victoria and Grey went to the bank to borrow money. They could not borrow it. They went every place else, and they could not borrow the money, so the government gave them $3 million credit to buy British Mortgage. We know that.

Mr. E. A. Winkler (Grey South): Did the member give that information to the president of the company?

Mr. Sargent: It is in *Hansard*. It is on the record here!

Mr. Speaker, we have seen this government operate, using public funds to further themselves right down the line. I know that it is old history to all of them, and they are very embarrassed about it, so we will not go into it too far.

The Minister of Trade and Development has an operation called Sheridan Park, and they must have $50 million worth of investment down there, of our money. They are doing research for industry.

Now, the parallel in the United States is that industry down there does its own research and the taxpayers do not pay for it. But here, the taxpayers are paying for it. The Minister told the House, last week or last month, that the money from any sale of copyright or of new ideas would come back to the taxpayers. I think he told the House that there was less than $100,000 that came back over the years from sale of patents from this $50 million investment of our money.

The Provincial Treasurer is spending $500,000 of our money to do a survey on how to cut down and save some money. Well, it is a matter of record that we spend millions of dollars for consultants to this government and we get such light-weights as Eric Hardy who went up to the north country to do a job in Fort William. I was president of the Ontario mayors and reeves and I do not know

how this man got to be such an authority. He certainly was no heavy-weight in this field at that time but he has been married to the government here—

Hon. Mr. Randall: He has improved lately.

Mr. Sargent: He has been one of the government's lackeys for a long time. There must be somebody else in the business who can do these things other than Eric Hardy.

Mr. Speaker, we have about a $3 billion debt here and now in this province, sir, we are paying about $1.5 million in interest. The Minister and the Treasurer MacNaughton hie off to Germany to borrow $60 million, but Hydro goes down to New York and borrows the money there.

Is this an excuse for the Prime Minister and the Treasurer to take a junket in Europe at our expense? After we pay this loan back in the rising economy of Germany, we will have to pay it back in increased funds.

We have the case of the basic tax exemption on shelter. It was an admission of an over-taxation of $150 million. It cost them $5 million to give it back to the people and it cost us $500,000 worth of advertising to do it.

The Minister of Transport (Mr. Haskett) over there has an operation where they sell the names of people who own cars across the province. That sweet little deal is worth about $250,000 to $500,000 in anybody's money, and he gives away about $30,000 to some of his friends—I do not want to say his friends, but the department's friends. I think the truth should be told about this kind of thing. In Ottawa, an audit department digs into things that are going on, and every member of the House knows of any hanky-panky going on, but there is never any hanky-panky in this outfit.

The government was five cents wrong in one of its estimates last year in 1968 in The Department of the Provincial Secretary. What is wrong with us when we are so naive that we do not think that something is going wrong over there? I am not suggesting to any one of you that there is any conflict of interest in this, but in all this maze of thousands and thousands of people and billions of dollars being spent, there are bound to be things that should be corrected, yet the Provincial Auditor here gives you a *carte blanche* every year and somewhere along the line there is need for review here.

They have in the United States, in New York state, what they call an audit on funds, and this is a quote of the paper, the New York *Daily News*:

> One of the last items approved by the Legislature was a performance audit bill that might give the answer to budget questions.

In other words, we do not only suggest that there might be something wrong internally in the operation of our funds, but we like to see the taxpayers know they are getting a performance deal. This is what this bill does in the United States, but we are not ready for that here because the government will not entertain anyone looking inside its books.

When I was mayor of Owen Sound I changed the rules. Anybody could walk into the tax office and find out what his neighbour was paying in taxes. Our books were wide open; you could walk in off the street and see what was going on. There are no secrets in public business there. But let me try and find out something about any department and you have got to have a Royal Commission enquiry to find out if you pay 50 cents for a shoeshine. It is simply ridiculous, the fact that our books are not public. We cannot find out what is going on.

We have the closing down of our hospitals. They are building these big monuments to the OHSC. We have the corridors of our small hospitals in the country flooded with beds; they cannot handle the people. But we are going to close these hospitals down. We have schools being closed and they are building new ones. There are hundreds of millions of dollars of unpaid debentures on the schools they are closing in the effort to build new ones, under a plan submitted yesterday. They bungled; they do not know how badly they have bungled.

This is the situation in Ontario in 1969, in the place where we are supposed to have equal opportunity. In our area we have the lowest economy; I will give you those facts in a minute. I think that there is a great need, Mr. Speaker, for a chance for the outlying parts of this province to have some say in the development of a roads-to-riches programme.

Before I say that, I want to say that in a general analysis of this government's move towards central control, and viewing the chaotic conditions in every aspect of municipal government across Ontario today, hundreds of municipalities are asking themselves just where did we go wrong? Why and how did we suddenly lose the right to govern ourselves? It is a long story, Mr. Speaker, but we are well along the road to

central government today, the form of a police state.

As I said yesterday, we have these steam-roller tactics. If we do not stop this we are going to have a socialist takeover, the home of free enterprise in Ontario is going down the drain.

Mr. F. Young (Yorkview): The sooner the better!

Mr. Sargent: The sooner the better, he says. No place else in the world can you live as affluently as you do here and the hon. member talks like that.

Mr. Young: It can be still better!

Mr. Sargent: But still, we are going to lose the whole thing because the government is moving into this type of police control from here. We have the last area now of taxation in municipalities being taken over by the government. They are going to take over all the assessment and all the taxing is going to be done from Queen's Park. It breaks down that less than ten per cent of the tax dollar will be autonomous at local level. You cannot even go fishing.

In discussing the steam roller technique on the final control from Queen's Park, if one is to depend on his own wisdom he must say, "I shall not be a fake." Secondly, what do I know or think I know from my own context and not by literary osmosis?" An honest answer would be, "Not much" and "I am not so sure of most of it but one think, however, seems pretty sure, that the tasks in front of the front bench over there are hard ones and that the right to govern ourselves at the local level has all but disappeared." This did not come from any lack of ideas or suggestions. Simply a case of where the government has listened to a bunch of eggheads and theorists who, to justify being on the gravy-train they have been riding for a long time, I suggest have come up with this regional government theory. These deliberations pour out on the unhappy labourers in the local governments across the province in a generous and varied flux.

There are two kinds of people in this world. There are those who talk about things and those who do things. The competition in the second group is not very heavy but here we have a motivation for control that needs a springboard, and regional government springs into action, with no consideration or direction or method. It comes pretty directly from the medium in which one works, that the human animal feeds upon itself.

I also feel that one man has about as much human nature as another, perhaps a little more. We find ourselves involved in focusing the will of 7.5 million people into a revolutionary new concept of living and taxation and control. We find ourselves in trouble.

There is a reason behind all this, Mr. Speaker, and it is simply a plan where a firmly entrenched government, 25 years in power, feels it is not responsible to the people any more. It has looted and drained the provincial Treasury in the same manner that the directors of the finance companies we have watched, have looted and drained their companies. Using the assets of the people of Ontario to build their own empire.

The final steps of this drive are now in the hopper, and the takeover of the last step, even—the control of taxation at the local levels.

Hon. Mr. Randall: Do not stop, I will be back.

Mr. Sargent: I will look for the hon. Minister of Trade and Development.

This control by commission is not responsible to the people in every segment of our lives—hospitals, police, law enforcement, power, you name it, the whole complete spectrum now. The government has the whole ball of wax and the people have lost the right to govern themselves.

Mr. Speaker, I submit that the people of Ontario are in trouble. I could be in trouble, sure I could. But I can tell the House that the taxpayers will have the final say here—

Mr. Winkler: The member always is in trouble.

Mr. Sargent: Pay day always comes. The only reason the member is there is because the NDP put him there. He did not get there by himself.

We saw the love affair yesterday between the hon. member for York South (Mr. MacDonald) and the Minister of Municipal Affairs (Mr. McKeough). It was a pretty sick outfit, I will tell you.

Mr. Speaker, as I said before, up our way we have top regional government. In the springtime when the frost is breaking up, the roads are almost impassable and at one crossroad I saw this sign. It said, "Take care which rut you choose, you will be in

it for the next 50 miles." I was going to talk about "roads to riches" on behalf of my people but I think the answer is not in roads to riches for my people because we have the report of this map which came down, on March 7, about a month ago, showing that the Georgian Bay area is in trouble with a king size prosperity gap.

I want to tell the House about the problems of my people and I will try and be as brief as I can, but I think that in summation, in watching this thing, I would tell the story about a quotation of Abraham Lincoln's during the American Civil War. A young man showed Abraham Lincoln a railroad map of the United States. The young man pointed out that most of the railroads ran east and west and said that if they had been built running north and south the war would not have lasted six months because they would have been able to get troops into the deep south so fast that the rebellion would have been crushed before it had time to get a real start. Lincoln's great sad eyes looked earnestly at the young fellow and from the eloquent tongue of the great emancipator, came these words of wisdom. He said, "Son, if the railroads had been built running north and south there would have been no war because the people of the north and the people of the south would have been better acquainted, too well acquainted with each other ever to enter into any fratricidal conflict."

I say there is a parallel here, Mr. Speaker. We have all our highways—main highways —running east and west, but if we are to open up the great area of the peninsula, the resort areas, the Owen Sound and Grey and Bruce area, we need major highway development.

Mr. Nixon: Hear, hear. We will build them.

Mr. Sargent: Thanks, that is a promise. I will hold him to it; and he will keep his word, Mr. Speaker. The hon. Minister of Highways (Mr. Gomme) never admits to having received the brief which was sent to him.

Mr. Nixon: Where is he?

Mr. Sargent: He is never in the House any more.

Mr. Nixon: Which member is that?

Mr. Sargent: He sits just in that second row there. This brief was submitted by the Grey-Bruce special highway committee—

Mr. Nixon: He is conferring with the Minister of Education.

Mr. Sargent: —to show the urgent need for a controlled access highway linking the counties of Grey-Bruce with the highly populated section of the province to the south. It says briefly:

> 1. The Grey-Bruce area has an economic position in Canada's most prosperous province that is far from enviable. Studies by the Ontario Department of Economics and Development show that the two counties have one of the lowest economies of Ontario.
>
> In 1965 the study indicates that among 53 counties and districts in the province, Bruce ranked 48 out of 53, and Grey 43. It is worse than that now. The counties stood 47 and 41 in respect to the percentage of wage earners making under $1,000 a year, and 50th and 38th in disposable incomes; the disposable incomes being only $980 and $1,180 compared to the provincial average of $1,640. The low economic condition is reflected in nearly every phase of the lives of the residents of these two counties. In education, for example—

And this is important.

> —the counties rank 45th and 49th in percentage of population with university education. As a matter of fact, only 2.8 of our children ever get to university, as against six per cent average across the province.

Hon. Mr. Grossman: The hon. member just said we had too many "eggheads".

Mr. Sargent: Now, come on, be intelligent. You must have an education to get along today.

Hon. Mr. Grossman: Just a few moments ago, the member said it.

Mr. Sargent: And our people are 300 per cent behind the rest of the province.

Mr. W. Hodgson (York North): Poor leadership!

Mr. Sargent: Glad to have the hon. member back.

In education, for example, the counties rank, as I said, 45th and 49th. The provincial average is six per cent as compared to 2.8 per cent in our area. It went on to say:

> It is also reflected in the value of our lands and buildings per acre, which is only $79 against the provincial average of $138.

> Our purchasing power means we cannot as readily obtain the articles of which those in other sections take ownership for granted. For example, automobiles purchased can be considered an indication of affluence or lack of it. These two counties rank 52nd and 49th among the 53 counties in charge of motor vehicle registration.

We cannot afford to buy cars up there.

Mr. R. Haggerty (Welland South): Problems, problems!

Mr. Sargent: To continue quoting:

> Not only is our economy low, but we face years with no likelihood of marked improvement unless measures are taken to stimulate our economy. The Department of Economics and Development forecast of 1964 indicates that we will still be in the lowest position by 1981, unless concrete action is taken to bolster the economy and provide more job opportunities.

Now, recognition and continued concern for their plight brought several hundred people of these two counties to a joint meeting. And the meeting felt that unless this part of the province is linked by a major road to the industrialized south of Ontario, the clouds of economic depression will not lift from Grey and Bruce areas, and for succeeding generations. We felt that a tremendous impact would come to our area if we had the same deal that Highway 400 has given to Barrie and Midland. Contrast the economic growth of the two other communities—Owen Sound and Orangeville are not blessed with such gold in their areas. For example, there is not a worse highway in the whole of Ontario than Highway 10 from Toronto to Owen Sound through Orangeville.

Mr. H. Peacock (Windsor West): That is a lovely drive.

Mr. Sargent: Try that drive. It is the worst; it is a disgrace in this affluent province. The people of Grey and Bruce counties feel that the economy will remain stagnant unless a controlled access highway links it with the south.

Mr. Peacock: One of the nicest drives in Ontario.

Mr. Sargent: The Minister never admitted having received this, and I asked him in the House repeatedly, what goes on? He looks out of the window; he has no answer at all. Apparently there is less chance now because the highway budget is getting cuts right down the line.

Yesterday, the Minister of Municipal Affairs was trying to justify equalization of assessments. The fact of the matter is that across this province today there are hundreds of municipalities that do not bother to assess their correct business tax. There are 803 municipalities in Ontario, or 85 per cent, not using mechanical assistance to prepare their assessment rolls. And 154 municipalities have no appraisal records of any kind.

There were 590 municipalities, or 62 per cent, which showed completely unacceptable deviations from their valued norm of a certain class of property. So we are in this regional government takeover, paying increased wages of $20,000 and up for assessment people who are now receiving $8,000, $9,000 and $10,000. And in the area of education, the Minister is being paid $31,000 or $35,000 a year, while the taxpayers are paying increased tax rates.

Mr. Speaker, I say the people across this province are getting fed up with the accepted traditions of paying tribute to this establishment, to the banking industry and the insurance company monopolies, and giving banks the right to increase their interest rates.

Hon. Mr. Grossman: That is not a provincial matter. It is under the Liberal government's jurisdiction.

Mr. Sargent: As I said before, if I were the Premier of this province, or if we had our leader as Premier of the province here, he would make sure that there was co-operation from the federal level right down to protect our people in Ontario, because this is our operation here.

But getting back to the picture in our area. As I said, three per cent of our children get to university as against six per cent in the rest of the province. The farm income is growing worse every day. Half of the farmers are going broke in Grey-Bruce areas, and many never make enough money to pay income tax. Of 4,000 farmers in Grey and Bruce counties, half of them are over age 60.

Anyone who could make a success of farming could run any business on Main Street today, but the trouble is that farming is not a good deal for a young man because he never gets out of debt. The cost of everything he buys and the way the banks are today make it progressively worse.

A story was told about an ignorant sheepherder who was faced with the loss of his flock during an unusually severe winter when

no food was available. He finally had to go to town and for the first time in his life he went to the bank and asked to borrow $400 for feed. The bank manager was tough and he said, "We do not know you, and before we let you have any money you will have to put out some security. How many sheep have you got?" The banker took a mortgage on all the sheep and most of the other herders lost their shirts. The price of sheep was very high in the spring, so our sheep-herder sold his flock for about $4,000 and he went back to the bank to pay the bank back. As he was leaving the bank, the banker said, "Where are you going next?" And he said, "Back to the mountains." The banker showed great concern and said, "Well, you should not go up there yourself with all that money, you will be robbed." And the sheep-herder said, "What else can I do?" The banker said, "Leave your money with us." The sheep-herder looked at him coldly and said, "How many sheep have you got?"

This is the story today. Bankers are no help to the farming country, and progressively so in Ontario. We have had the province of Ontario cut off the junior farmers' loans. The fact is that a farmer in Quebec can borrow money for 7.75 per cent; the government pays a five per cent subsidy on it and the net cost to the farmer is 2.75 per cent. The farmer in Ontario is paying five per cent more for his money than the farmer in Quebec. This is the equal opportunity here in Ontario.

Mr. Speaker, I think we have seen this whole circle start here, the whole spectrum; assessment being taken over. Big Daddy controls everything now—sales tax, gasoline tax, beer and liquor. Now we are taxing hotels and meals, hospital tax, hundreds of hidden taxes. Queen's Park controls your farm and your home and your business and what is left? There is very little left. The picture is that the whole ball of wax is gone now that King Kong has taken over and the taxation is all directed by Queen's Park. In the process of this the school taxes are jumping in some areas about 30 mills. We are going to equalize that and it will cost us, maybe, $100 for the equalization; everything done by the wielding of the big stick.

But somewhere along the line, I think, Mr. Speaker, that there is a great need for recognition in the outlying parts of the province, that no one in this province, regardless of geography, should suffer in education for his children and their children; that no one in this province should suffer in hospitalization; and that no one in this province should suffer in their pay cheque because of geography.

And that is my plea. I think you must get tired of hearing about the outlying parts of the province, but by and large the people in the outlying parts are afraid of this big takeover; they are afraid of regional government being set up. I only warn the Minister of Municipal Affairs that insofar as regional government is concerned, stay out of Bruce county because we do not want it up there, we do not want any part of it. We want the right to run our own affairs, to look after our own economy. Let the system of democracy work at local level.

Mr. Speaker, I thank you for the opportunity to make these remarks. And you will hear more intelligent remarks from our leader on the Budget in time to come. Thank you very much.

Mr. E. A. Winkler (Grey South): Mr. Speaker, I am pleased to say that for the first time since I have arrived in the Legislature there are a number of points the member for Grey-Bruce has raised on which I can agree. And I shall elaborate on those points in due course.

First—

Mr. E. Sargent (Grey-Bruce): I am kind of worried when the member says that.

Mr. Winkler: Maybe the member is right. First, I want to say, Mr. Speaker, that I was pleased to hear the hon. member enumerate the facts, the points, that only 2.8 per cent of our people get a university education. At the same time, I think that I might compliment the Minister of Education (Mr. Davis) for his recent plan for extending the base of education so that our students and our young people will have this opportunity. This is, of course, as has been said before, the basic purpose of the programme.

I had the pleasure of being at the opening of one of the large new schools in Meaford on Georgian Bay the other evening with the Minister and it was quite evident from the comments of a group of local people from all the adjacent areas, over 2,000 of them I believe, quite a substantial number of students, that they were aware of what this programme will mean, and they will not shirk their responsibilities in seeing that these people have the advantage of an education.

Maybe then that area can develop from what it is today because I feel that contrary to what the member for Grey-Bruce (Mr. Sargent) says, many of the old parochial ideas in those areas cause our backwardness at this

particular time. I say that without any hesitation, Mr. Speaker.

Mr. Sargent: That will not get him any votes.

Mr. Winkler: I know it will not get me any votes, but it is the truth, it is the absolute truth and the member knows it. And if it is truthful, I am prepared to stand up and say so.

Mr. Speaker, let me say it is something like the hon. member's presentation that he keeps bringing up—I have heard it for five or six years, long before I ever got here—his determination to get at the people who have done something immoral in the Victoria and Grey Trust Company.

An hon. member: We will hear it the next time.

Mr. Winkler: Yes, that is quite right, but if there is something immoral in the development of that company he should go to his political friends, his own political friends, who can give him the answer in that regard.

Mr. Sargent: On a point of order, the member is misinterpreting my remarks, and I will say them again—

Mr. Winkler: No.

Mr. Sargent: Now just a moment, he had the lack of decency to know what I am trying to say and yet—

Mr. Speaker: Order! The hon. member will state his point of order.

Mr. Sargent: On a point of order; I am going to state—

Mr. Speaker: I would like to hear the point of order.

Mr. Sargent: My point of order is he is not telling the truth. The point of order is that I have nothing against Victoria and Grey. If they can got out and use public funds to buy a company, that is—

Mr. Speaker: No, the hon. member is making a speech on a point of order. The hon. member is not making a point of order.

Mr. Sargent: Yes, but I am correcting him.

Mr. Speaker: The hon. member has no point of order. The hon. member for Grey South.

Mr. Winkler: Mr. Speaker, thank you very much. I was aware of that, too, but I thought I might just open the trap a little farther if I may.

I say, Mr. Speaker, that I know the function of the Victoria and Grey, and know there are honourable men running that particular company and doing an exceptionally good job.

Mr. Sargent: They are pretty good at stick-handling.

Mr. Winkler: Well, the member belongs to a group of good stick-handlers, he should know. It takes one to know one. When I hear the member for Grey-Bruce decrying and deprecating the administration of this province. I want him to know that the people of this province have chosen it for the last 26 years—and perish the thought that he should ever sit on the front benches of any government.

Mr. Sargent: Do not hold your breath.

Hon. A. Grossman (Minister of Correctional Services): No, we will not.

Mr. Winkler: Now, Mr. Speaker, the way I was about to approach my remarks is that, I want to make a reference to a situation that arose in the House some time ago in regard to the committee on health, on which I did not have an opportunity to express my views. I would like to say that I am very concerned about the recent development that took place within that committee in regard to the hearing we had about the Brockville hospital.

I am concerned because of the charges that were made in this House that were not only untrue, but were unfounded. The thing that bothers me most of all is that a member, obviously without investigating the circumstances or the charges that were levied in this House, can rise and do so at the expense of a very—

Mr. Speaker: Order! The hon. member for Lakeshore has a point of order.

Mr. P. D. Lawlor (Lakeshore): On a point of order, I wonder if this is in order: This matter has been referred out to a committee of this House which has the matter under adjudication. A report is to be submitted, as I understand it, very shortly, and the hon. member is pre-empting the report forthcoming from a committee of this House. I would suggest that that is a breach of order.

Mr. Speaker: We have had a committee investigating the matter referred to by the hon. member. I do not believe the report has been submitted to the Legislature, in which

case the hon. member for Grey South would not be in order to refer to the matter.

Mr. Winkler: Thank you, Mr. Speaker. I raise the point in relationship to what happened in the House following that particular hearing, and the points I will raise in regard to the administration of the hospital.

I am not now referring to the report that is to be drawn, not at all, but I know that there was a very strong effort made immediately, and it was allowed to be put on to the record of this House, as to what the opinions of other people were in regard to what the problem was.

The point that I am making here, Mr. Speaker, I was not permitted to make at that time. Inasmuch as it is a rather wide-ranging debate, I do not believe that I am breaching in any way the rules of the House. I simply want to say that what transpired in the House following the hearing was a smoke job to cover up what the actual facts were—that a member of this House can actually deprecate an institution such as Brockville to the public.

Mr. Speaker: Order please!

Mr. J. Renwick (Riverdale): Mr. Speaker, would you clarify for me whether or not the member who is now speaking is challenging the ruling which you just made, or whether he is now continuing in the debate in contravention of the ruling which you have just made?

Mr. Speaker: I might point out to the hon. member for Riverdale that I did not specifically make a ruling. I suggested that any reference should not continue to a report as a result of the deliberations of a committee of this House which has not yet been given to the Legislature. Now the hon. member, as I understand it, was speaking about the matters that took place in this Legislature—in the assembly.

Mr. Winkler: To put the hon. member's mind at ease quickly, I will terminate these remarks by saying this. I believe that the member for High Park (Mr. Shulman) did this province an injustice, the institution at Brockville, everybody who works there, including Dr. Molner, and all the nursing people in that complex.

Mr. Speaker: Order!

Mr. J. Renwick: My point of order, Mr. Speaker, is that these are matters which are referred by this House to the standing committee on health. They are matters dealt with in that committee, and since the member is on the committee he should have at least the courtesy to wait until the report of the committee of which he is a member is presented to this House before making any allusions to the surrounding circumstances leading to the inquiry which that committee undertook.

Mr. Speaker: I do not really believe that there is a point of order.

I have suggested to the hon. member for Grey South that he should not bring into the record at this time any of the proceedings that took place in the committee—any of the evidence, any of the matters that were discussed—until that report is tabled. However, I do believe that it is perfectly in order for the hon. member to mention anything that has taken place within these Chambers in committee, or while the House is in session.

Mr. Winkler: Mr. Speaker, thank you very much. As I said, I will terminate my remarks immediately, but if that party is allowed to raise it subsequently in the House I see nothing wrong with my raising it in the House.

I will conclude by saying this: I am very happy that the NDP found room in their ranks for the member for High Park.

Mr. J. Renwick: On a point of order, Mr. Speaker. The member has just stated that a member of this party breached in some way the rules of the House, or was permitted to breach them.

The member for High Park, when he commented in this House following the hearing of the committee, did so within the terms of the rules of this House. I am suggesting, Mr. Speaker, that the member who is now speaking is engaged in a breach of the rules of the House, because he persistently continues to refer to a matter with which this House is dealing through a standing committee, which has not yet submitted a report.

When the report is submitted the member can make whatever comment he sees fit to make, but I suggest, Mr. Speaker, that you should direct him to proceed with other portions of his remarks.

Mr. Speaker: I must say that the hon. member for Grey South has made comments as to matters that took place in these Chambers. Whether or not his suggestion that certain other actions or remarks were in order, or not in order, is beside the point.

The hon. member, I believe, is perfectly within his rights to speak as he has been doing, as long as he does not refer to the

report, or anything that took place in the committee. In any event he has suggested that he has terminated his remarks at this time.

Mr. Winkler: Thank you, Mr. Speaker, that is the case and I thank you for your courtesy.

Now, Mr. Speaker, I wish to turn to other matters and another point I wish to make arises out of the previous speaker's remarks. He made reference to this government being interested in strong central government and compared it to a police state. Those were his remarks and they may be his thinking in regard to government, either in the province or in the Dominion of Canada, but I can assure you they are not mine, nor are they the thinking of his party.

I wish to refer now to a matter that has arisen which has a very serious provincial implication. That is the resignation of the Minister of Transport in the federal government. Mr. Speaker, following the debates that have taken place in Ottawa, and following the federal-provincial conferences, and following the constitutional debate that took place in this Legislature, I believe that most people, particularly here, are rather concerned because they feel, I think, as I do, that a strong central government in this country is still a very necessary thing.

I think it is insignificant that at the time of Confederation the difficulty was to bring enough provinces together to form the union that took place. Over the years it took the participation of a lot of people, a lot of political leaders, not only on the federal scene but on the provincial scene as well. To these people we owe a very lasting debt of gratitude for that which they brought about. I would think now that it is a sad situation, a sad commentary, when we see the beginning of a disintegration of central government in Canada the way it is taking place at the national level.

I have, Mr. Speaker, with me an edition called "Democratic Government in Canada," by McGregor Dawson. The last reprint was 1968, so it is rather topical, contemporary, and I would like to put into the record a portion of the thinking of this man regarding federal-provincial authority and responsibility. I quote:

> Provincial-municipal affairs are at the moment in a state of flux and the remedies which are most often considered suggest the dominion-provincial problem at another level.
>
> One remedy is increased grants, or grants in aid from the provincial Treasury, for there seems little likelihood that the municipalities can raise more revenue in an already overloaded tax system. Another is a redistribution of power, so that the province will take over some of the functions which the municipalities now discharge.
>
> Yet another is the possible combination of the above. The financial situation in most of the provinces however is such that little can be done to relieve the municipalities until the provinces and the dominion achieve a permanent adjustment in their relations. When those become stabilized the provinces should be in a position where they can pass on some of the benefits directly or indirectly through the municipal governments.

Mr. Sargent: What else is new?

Mr. Winkler: Well, yes, I wish that the member's party would recognize this at the federal level.

We have, as the *Globe and Mail* stated this morning, lost a very valuable man so far as the federal government is concerned, and so far as the province of Ontario is concerned, and as far as the city of Toronto is concerned. There is no question about that.

There is no development in housing that has been negotiated since last December. All the plans that were laid have fallen apart and I suggest that the new thinking internationally, as far as the Prime Minister of Canada is concerned, had a very strong bearing on what the Minister of Transport did. He was made the goat to bring about integration which was going to save a lot of money and it saved nothing. He was sent out on a task force on housing which was very necessary. Maybe he was not given the proper power, so what has happened? Nothing. He felt it incumbent upon himself in that dictatorial centre of power in Ottawa to resign.

He had no authority. He had no right to proceed, because his Cabinet colleagues knew that, scraping at the Throne, they could not support Mr. Hellyer in his views that were indeed for the benefit of the people of—

Mr. V. M. Singer (Downsview): That is safer than talking about the member's own government.

Mr. Winkler: What is that remark?

Mr. Singer: The member was there. Why did he come back?

Mr. Winkler: I came back because the Liberal knife eliminated my constituency.

They wanted to get rid of me. The hon. member for Downsview cannot deny that one. I will have a little bit for him, too, later on.

Mr. Speaker, it is an interesting thing to read the words of the now retired Minister of Transport. He goes on to say that his interests were with the small people of this country. That we know, Mr. Speaker.

Unquestionably, the need for housing, not only in Ontario but in the rest of Canada, was a very, very important thing in our economy. It was stated not many months ago that our requirement up until the year 2000, is going to be 300,000 units of one kind or another annually.

I think we were getting some place nearer to about 200,000, but you had a man who was prepared to put his heart and soul into this job. Let me tell you that it is a hard thing to swallow, to see a man who is playing with the federal powers and decimating the federal powers. It is hard to see where we are going, what direction we are going to take and what fate the people of Canada can have. That has all happened in a very short space of time.

I drove down to the hotel with a taxi driver the other day and there was some Liberal meeting on down there and he said, to me, "What is going on here? We cannot get in the side door." I said, "Oh, there is a Liberal meeting"; and did not say it in a discouraging way either, which I might have. He said to me, "I hope Trudeau is not here. If he is, he is only here for a party because he has not done anything else in the last 18 months." I think Gordon Sinclair made the same remark.

I would like to quote now what the Minister of Transport said to the press in filing his resignation, and I quote:

> I have now come to the conclusion that there really is no alternative but to resign and express publicly my disappointment at the fact that I have not been able to make greater progress in this area.

That is obviously defeat. He was defeated by his peers. A man who was the Deputy Prime Minister has had to stand down because his word no longer ranks. I suggest to you, Mr. Speaker, that not only Canada will lose, the province of Ontario will lose, and certainly every project in the city of Toronto that has been on the books since last November has been stalled for this fact. What will happen? Again Ontario will have to step into the breach and take the leadership.

Mr. Sargent: Talk about the closing of the hospital!

Mr. Winkler: We can talk about that too if the member wishes.

Mr. Singer: What did Mr. Stanfield say?

Mr. Winkler: But we will not play politics with things, my friend, the way you play it. No sir, I will never be guilty of that.

Mr. Singer: What did he say?

Mr. Winkler: I will never be guilty of that, I will tell the member for Grey-Bruce, and he knows what I am talking about.

Mr. Speaker, when we talk about housing, I think it is wise to relate what the people in this House have said in the past—running from the leader of the Opposition through to other members of his party—because it reflects directly on Dominion-provincial relations, it affects the economy of this particular province and adds a very strong flavour, I believe, insofar as the future of our province is concerned economically.

I have here a statement by the leader of the Opposition made in his reply to the Budget speech and dated March 20, 1968, where the leader of the Opposition made this statement, point two:

> The paltry commitment in dollars and initiative towards alleviating the worsening housing difficulties—

The leader of the Liberal Party in Ontario recognized what the problem was, but now the Prime Minister of Canada has said he is wrong too, he does not know what he is talking about—although the co-operation that took place prior to this, in this province, through the Ontario Housing Corporation and the federal government showed leadership over every jurisdiction in North America. Granted, I will say right away, we used 90 per cent federal funds, of which they received everything back with interest. It showed at least that this government in the province of Ontario, which I can disagree with on many points, certainly showed leadership in the field of housing. But what did other members of the Liberal Party have to say? I have a statement here—by the member for Sudbury (Mr. Sopha). Let us hear what the member for Sudbury had to say, he is quite an important man in that party. The member for Sudbury said.

> When you have three levels of government responsible for housing as we have,

in this country, then the buck-passing can be carried on at the highest development of the art.

The buck-passing is all finished. The Prime Minister of Canada fixed that. He passed every buck back to the provinces and said, now you carry your own load.

Now let us have a look at what the member for Parkdale (Mr. Trotter), said in a speech in this House, June 14, 1968, and I quote from *Hansard*:

Under these particular estimates, Mr. Chairman, one of the most important problems we have in the province of Ontario, and certainly it is a problem throughout this country, is the problem of housing.

He goes on to say, I will miss some of these lines:

I must say in all frankness, Mr. Chairman, that there is a bankruptcy of ideas in this department.

Who is bankrupt today? In the federal government, if anybody in this country should resign, it is the Prime Minister of Canada today. He is the man who is bringing about the disintegration of the federal authority, he is the man who is weakening the power of the federal government and he is the man who is decimating federalism.

I remember the day the airplanes flew over Toronto and I think the wording they carried was, "A vote for Trudeau is a vote for Canada." What is he doing now? He is clipping it up in little bits. That is what he is doing. He has done more harm to this country, in the short time he has been Prime Minister, than anything else that has ever happened.

Mr. Singer: They need the member up in Ottawa.

Mr. Winkler: What was that remark?

Mr. Singer: They need the member up in Ottawa.

Mr. Winkler: There are days when I think that is true. I must admit that; there are days when I think that is true. When I have to sit and listen to four-hour speeches from that side of the House I know I am wasting my time.

I have another quote here from the leader of the Liberal Party, again in regard to housing. He made this statement, and I quote:

Finally, it is clear to all, that the government has been totally remiss in its encouragement of public housing where this is needed—

This is a reference to the present administration in Ontario.

This inadequacy of housing for those who need it reflects, once more, the failure of this government to get its priorities in order. Ontario citizens in 1968 do not have access to a freely operating housing market.

Why? Because you cannot have one member on the front bench there saying it needs the co-operation of both levels of government, and then turn around and demand that the one authority that should take the leadership alone is the provincial government. You cannot do that. You cannot have two policies. But I must admit, this year the members of the Liberal Party are the tallest people in the world because they can walk down both sides of every fence I have ever seen at one time, the whole works of them.

Let us consider what the member for Downsview (Mr. Singer) had to say in regard to regional government. I am not going to put that to him now. I will save it for a better time. And then he went last night and turned full circle, turned turtle, and voted against what he had to say in 1966. To get back here to the housing problem again, Mr. Speaker, back to the—

Mr. Singer: I hide my head—

Mr. Winkler: Oh I am sure that he will!

Back to the words of the leader of the Liberal Party:

Today, Ontario has a totally artificial market in which the government, by its negligence and its irresponsibility in the matter of priorities, has already interfered ineffectually. The effect—

Interjection by an hon. member.

Mr. Winkler: I think we need an answer today from Mr. Paul Hellyer. He will tell us who has been ineffectual, he will give members the answer to that one, and it affects this province as seriously as it affects every part of Canada. Do you want to be part of the national scene or do you not? Do you want to be a federalist, or do you not? Oh, where is that little noisy member from wherever he is from—he came in; he wants to take up a little time with the noise, too.

Interjection by an hon. member.

Mr. Winkler: All right, there is another day. Quoting again:

The effect of the existing interference by the provincial government has been to distort the market completely. The supply of

homes has been cut off because it has proved uneconomic to build in a national manner.

Interjections by hon. members.

Mr. Winkler: Hon. members applaud that statement, when in the province of Ontario we have built more homes than any other government in any other part of Canada or any state in the United States. That shows you how far behind reality you people are, that shows how far behind the thinking you people are. The supply of homes has been cut off because—

Interjections by hon. members.

Mr. Winkler: Is someone else making a speech over there? Does someone else want to make a speech over there?

Mr. Speaker, I would think that when we come to the final reason for the resignation of the Minister of Housing at the federal level, we will see that there is not much feeling—

Interjections by hon. members.

Mr. Winkler: Mr. Speaker, every court has its jester and every Legislature has its fool, but I cannot figure out which one is the biggest.

An hon. member: A legislative fool!

Mr. Winkler: To conclude this, we just have to look at the headlines in the *Globe and Mail* of this morning, saying that Hellyer's resignation was over federalism. Indeed, that is correct, and I fear for the national future of this great country when we have an administration such as exists there now.

It is no wonder that the tax burden is great, too great perhaps, for some of the people in the province of Ontario, but without the acceptance of responsibility at the national level and without an interest in co-operative federalism such as we should have, it cannot be any other way.

Now, Mr. Speaker, before I proceed with the next point, may I adjourn the debate?

Mr. Winkler moves the adjournment of the debate.

Motion agreed to.

NOTICE OF MOTION

Clerk of the House: Notice of motion No. 3, by Mr. R. S. Smith:

RESOLUTION: That this House supports the addition of prescribed drugs and medication costs to present family benefits payments, in the same manner as hospital and medical costs are now included.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I move, seconded by the hon. member for Scarborough East, resolution No. 3 standing in my name on the order paper.

Mr. Speaker, over the past few weeks we have discussed at some length the estimates and programmes of The Department of Social and Family Services. So perhaps today is a good time to discuss a programme which has often been promised over the years by this government, even going back to the period of time of the predecessor of the present Minister of Social and Family Services.

Almost every year they indicate that they are going to go ahead and provide a programme to give to recipients of family benefits the cost of drugs which they incur in the period of a year. However, it has become, more and more, a growing problem for people on family benefits and general welfare assistance to meet their drugs costs as their fixed income shrinks in buying power almost daily.

There is one problem, however, which faces us with this resolution and it is that it should have been broadened so that the provincial government would take over the total welfare programme in the province and remove that portion of the costs and the administration that now rests with the municipal taxpayer and organizations. This is a position which our party has held for some years and is a position that received the support of the Minister of Revenue (Mr. White) in this Legislature last year. However, we must deal with the resolution as it is and that is that this government accept its responsibility in at least the one area of the supply of drugs to recipients.

The federal government, when it established the Canada Assistance Plan in 1966, recognized this need and included the supply of drugs as an allowable expense for a federal government grant of 50 per cent of the costs to the province.

Under the interpretation, section 2, of the federal assistance plan, it is set out that "in this Act" 'assistance' means aid in any form to or in respect of persons in need for the purpose of providing or providing for all or any of the following." And included under the following is:

"Part (iv) health care services", which are described as meaning:

"Medical, surgical, obstetrical, optical, dental and nursing services and includes drugs, dressings, and prosthetic appliances".

Section 5 of the Canada Assistance Plan sets out the contribution of 50 per cent of the cost for the supply of the above services.

The present Minister of Social and Family Services (Mr. Yaremko), when he signed the agreement with the federal government under the Canada Assistance Plan, placed his hand very heavily in the federal Treasury. But he only chose those programmes which were of an immediate financial benefit to the province and ignored those which would also provide essential extended services. So, since April 1, 1967, the recipients of our province have been short-changed and forced to go without many medical services for which the federal government is prepared to pay 50 per cent of the costs.

The Minister has now established two separate programmes and at the same time foisted their administration on the municipalities in order to provide some assistance in those areas of extraordinary costs, including drugs. Many municipalities have not seriously accepted the programme and, as a result, recipients obtain help only if they happen to live in a co-operative municipality.

In one programme called "special assistance", the cost of supplying drugs and other services to "general welfare assistance" recipients which are generally under municipal jurisdiction is shared 50 per cent by the federal government and the total, the other 50 per cent, is paid by the municipality. This provincial government pays nothing, although the Minister continues to point out in this House what the programme provides, as if it is costing his department a substantial amount of money.

This, I would suggest to you, is a direct steal from the other two levels of government on the part of the provincial government. In many cases the recipient in need is refused assistance, even though he would qualify, because the municipalities are unwilling or unable to pay what should be the provincial share. In accepting the federal government share of 50 per cent and contributing nothing itself, the province is not only denying needed services to the poor of our province, but also is not acting in good faith in regard to its agreement signed under the Canada Assistance Plan. The special assistance programme is, in effect, a federal-municipal programme for which this Minister continues to take credit.

As you are aware, Mr. Speaker, under this same Canada Assistance Plan the province shares equally with the federal government the total costs of family benefits programmes covering such things as mothers' allowances, disability pension, blind pension, old age security, and numerous other programmes. There is no municipal concern in these programmes and they are fully administered by the province. Under these programmes the widowed mother, or the dependent father, and their families, are not provided with the costs of drugs, but are told to go again to their municipality welfare office to receive help under another programme set up by the province to push their responsibility again on the municipality. This programme is called "supplementary assistance" and, under the programme, if—and I stress the if—a municipality decides to participate, drugs and other services—what the government terms extraordinary costs—are provided up to a maximum of $20 per month and the cost sharing is 20 per cent municipal, 30 per cent provincial and 50 per cent federal.

Many municipalities and county or district welfare boards do not participate in this fully, because they feel the costs and administration should lie with The Department of Social and Family Services. The niggardly attitude of the department in the programme is denying to a majority of family benefit recipients in this province a decent, reasonable health care programme. Of what value is a visit to a medical practitioner, paid by the department, if the patient on welfare cannot obtain the assistance to get the prescribed medication he needs to cure or allay his illness?

The person receiving assistance under a provincial family benefits programme must, if he requires drugs, apply to his municipality and again go through another test of financial ability under an agency other than the one responsible for his care. In many cases even if the municipality is willing to co-operate, the recipient cannot bear to go through another investigation ordeal to gain the small amount of assistance required but would rather endure the illness without benefit of drugs or medication. Similarly, in many cases the children of recipients are forced to suffer.

And I should point out to you here, Mr. Speaker, that the provisions of the health services under the Canada Assistance Plan are given in order to provide these facilities to people, but also in order to help them to get back to a position in life where they can go out and enjoy the ability to earn a living. In denying the right to these drugs by the province, they are, in effect, contravening the principle of the Canada Assistance Plan.

These two programmes then—supplementary assistance and special assistance — are designed by the government to deter the recipient from acquiring services. In spite of this, most municipalities in the province use them to some extent, but, because of the administration of the programme in a different manner by the different municipalities, the provision of services and drugs under them varies across the province. The basic requirement of need is, in actual practice, ignored. One may live in one area and receive full assistance and be eligible for no assistance if he lives in another area, even though his need and circumstances are exactly the same.

To point out the discrepancies in the administration of the programmes and, as a result, the different levels of help available across the province, I would like to draw to the attention of the Legislature the amount spent on drugs by certain municipalities under the supplementary aid programme from April 1, 1967 to March 31, 1968.

City	*Total Amount*	*Per Capita Expenditure (in cents)*
Ottawa	$ 94,614.16	33.0
Metro Toronto	549,308.15	30.0
Cornwall	46,332.00	105.0
St. Catharines	39,566.13	55.0
Oshawa	35,099.15	44.0
Welland county	8,621.86	4.5
Sudbury district	4,190.54	2.6
Sudbury city	8,780.93	11.0
Pembroke	1,569.25	10.0
Algoma district	962.94	0.9
Parry Sound district	157.15	0.7
Barrie	481.61	2.0
Nipissing district	392.10	0.6
North Bay	384.83	0.7

From these figures, Mr. Speaker, you can see the difference of service and provisions in different areas ranging from a total *per capita* expenditure of 0.6 of a cent in Nipissing district, to $1.05 in Cornwall. In our more prosperous areas with less poverty, such as Toronto, St. Catharines and Niagara Falls, spending is up to 60 times as much *per capita* as the poorer areas of the province, with higher numbers of recipients, spending proportionately less instead of more. The expenditures are inverse to the need and point up most spectacularly the complete inadequacy of the programmes presently administered under municipalities.

In Metro Toronto and London, where the expenditures are among the higher level, the municipalities have set up good programmes to provide drugs to both general welfare recipients and those on family benefit programmes. Each recipient of both programmes is provided each month with a drug identification card, which he places with one pharmacist. He then is able to obtain prescribed drugs for that month, under certain limitations, and the city welfare departments are billed at a prescribed rate.

A formulary is used to help keep costs down and the pharmacist associations have cooperated with the cities to provide a good and reasonable programme. All recipients are eligible and all receive their requirements without further indignity. The programme has worked efficiently and, for a great number of years has provided a service which the province has refused to provide.

These two municipalities are, however, the exceptions and in most areas the assistance is almost impossible to obtain.

If the government is to live up to the spirit of its agreement under the Canada Assistance Plan, it must assume its share of the cost of prescribed drugs for welfare patients across the province. It must also assure that all recipients are able to acquire their needs and it therefore has the responsibility to enter into and provide a complete programme for at least those people for which it is directly responsible under family benefits and to pay its 30 per cent share of the cost for those on general welfare assistance.

The programme developed by Metro Toronto is a reasonable programme which could be easily adopted to the provincial jurisdiction. Each family benefit recipient could be provided with a drug eligibility card with their monthly cheque right across the province. The provincial share of 50 per cent of the cost would not exceed $1.5 million per year based on experience in London and Toronto. Presently the government is spending in excess of $600,000 for the programmes I have mentioned before.

The present chaotic system has provided only a poor level of assistance and at the same time created a bureaucratic system involving municipal welfare offices, who must do a double check on recipients already qualified by the Social and Family Services field workers. The administrative costs must almost equal that amount that would be spent on a total provincial programme.

Mr. Speaker: The hon. member for Hamilton Mountain is next on Mr. Speaker's list.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, it is a pleasure for me to speak to this resolution since not only I, but my government, is very much concerned with the availability of health care for the people of this province. And this government has long ago accepted the principle of availablity of health care.

I wish to stress initially, Mr. Speaker, that the development and evolution of this availability is of a definite interest and relevance to the resolution that is before this House this very moment. However, Mr. Speaker, I found it rather interesting that at the last moment the sponsor of the resolution somewhat changed the context and intent of the resolution to cover the takeover of welfare entirely by the province and municipalities.

As we all know, hospital coverage for recipients was for many years an obligation assumed by the municipality under The Public Hospitals Act. Under his particular statute, the municipalities were obliged to pay hospital costs for indigent persons who received hospital care.

When Ontario entered into the national hospitalization scheme, these costs became a provincial responsibility under The Hospital Services Commission Act. In this respect, the government has accepted the principle that, where such general insurance schemes are available, recipients should receive treatment and services similar to those available to the general public.

Again, in the field of medical care, a similar progression can be identified. In that connection, as early as the 1930s, a plan had been devised under which, in co-operation with the medical profession, the recipients of welfare benefits could receive necessary medical care. When Ontario introduced a public medical insurance programme, the Ontario Medical Services Insurance Plan, the recipients under our programme became eligible for medical services under The Medical Services Insurance Act of 1965.

Now, Mr. Speaker, as we can all very clearly see, earlier arrangements were integrated with public insurance provisions, so that these beneficiaries received full benefits equivalent to those available to members of the public able to be self supporting. I should point out at this time that I make reference only to medical assistance as it relates to medical services and shall not touch on dental care since this matter is to be dealt with by another member.

As to the matter of prescribed drugs, the government accepts the principle that those on assistance require help with essential health needs. Of course, we fully accept that prescribed drugs are in that category, since the fact that they are prescribed on a physician's instruction is an indication that they are an integral aspect of a physician's care of his patients.

In direct line with this point of view, there is legislation which provided for drug costs. The legislation is The General Welfare Assistance Act, which has two separate ways by which municipalities may grant to recipients of family benefits, or of other governmental allowances, including old age security pensioners, the cost of prescribed drugs.

One of those ways is the provision of supplementary aid under section 14 of the regulations of The General Welfare Assistance Act. This section enables municipalities to pay assistance for extraordinary needs up to $20 per month and claim reimbursement from the province for 80 per cent of that cost.

Mr. Speaker, I know the members of this House will be interested to know that the city of Hamilton's welfare board had been one of the most progressive bodies in this province with its programme of drugs for welfare recipients and those under family and social services assistance, through the availability of drugs from the Hamilton General Hospital drug dispensary.

I would also like to add that those who are ill and are not able, through infirmity or sickness, to go with their prescriptions to the general hospital pharmacy, or to pick them up, that the welfare board does provide a taxi facility whereby the prescriptions can be picked up and delivered to the recipient.

The second way is covered under section 13 of The General Welfare Assistance Act. Here, municipalities may provide drug costs to recipients under so-called "special assistance". And you will find under subsection 3, item 9, that the cost of drugs prescribed by a physician is specifically mentioned as an item of need along with a great many other needs of a special nature.

The granting of these drug costs under both of these provisions remains at the discretion of municipalities. Perhaps we find that cities like Hamilton are more progressive than cities like Toronto; we do not have quite the same need. This is a practice I have heard being referred to as "not the most desirable kind of arrangement". Let me say this—the

practice in this regard is bound to vary somewhat from one municipality to another. However, I firmly believe that, in the great majority of cases, municipalities and their welfare administrators respond to cases of genuine need where drugs are required for the health and well-being of the person concerned.

At the same time, Mr. Speaker, I wish it to be known by the hon. members opposite that government policy on the matter is anything but "inflexible." Methods and extent of coverage have been changed in the past in response to developments in the entire field of health care. Further changes are being, and will be, made as situations change and as methods of coverage for the general public may change and develop and as needs which are essential, but are for some reason not being met under the present arrangements, are brought to the attention of this government.

I was interested to learn in doing the research for this that at this very time the research and planning branch of The Department of Social and Family Services is carrying out an intensive study specifically to determine whether there are areas or essential needs that are not being taken care of at present. This kind of analysis will provide the information necessary to determine the extent to which the drug coverage is now being utilized through the municipalities.

As is very clearly evident, Mr. Speaker, the government is doing a great deal to bring about what is needed by the less fortunate of our province. We are prepared to listen to everyone and anyone who has anything constructive and positive to offer in that respect. And, in this way, we intend to continue providing for the people of Ontario the very best possible.

Mrs. M. Renwick (Scarborough Centre): In this resolution, once again we hear a member of the Legislature attempting to interest the Minister of Social and Family Services, the Prime Minister (Mr. Robarts) and the Cabinet of this government in updating its antiquated Department of Social and Family Services.

We heard the Minister of the department state last week that there are some 50,000 recipients of benefits under The Family Benefits Act. These persons, when they need drug care, must somehow move over into the department of The General Welfare Assistance Act as the Minister has not seen fit to classify all persons in need as such and put the benefits under one Act and one standard of administration.

When the recipient moves over to general welfare assistance here is what happens to him. First, he perhaps does not know that being a recipient of government of Ontario benefits, he is entitled, as a person in need, to go to the local welfare authorities for assistance in the first place for payment of drugs.

Second, the recipient then is at the mercy of the local municipality which, of course, varies from county to county. In Metro, a $20 a month drug allowance is made. Drugs may be dispensed only on a monthly basis; for continuing need of drugs, the person is supplied with a drug card.

The role is confusing both to the doctor looking after the patient and to the recipient. The doctor runs into difficulty if he does not know that The Department of Public Welfare wants the drugs dispensed only on a monthly basis. If he prescribes for his patient, drugs or tablets for two or three months, as so often he does, then the person has to go back to the doctor and have it rewritten.

This is particularly a hardship on elderly persons for whom going to a doctor in the first place is a major trip in itself; the filling of the prescription should be the culmination of the effort. However, under the present system the person is faced with more red tape.

There are no taxis, Mr. Speaker, that I know of in my riding, for recipients or for picking up of drugs. I have seen elderly persons not go back to the doctor or to the specialist downtown who prescribed the original two to three months' prescription.

Of course, we support the resolution of the member for Nipissing. I feel that he made the case very well. We will simply add to his case that the municipalities are finding this a financial hardship which they are unable to bear; that to really provide a service as was outlined by the hon. member in the resolution—and I read from the resolution—"a service in the manner as hospital and medical costs are now included," would entail, of course, a provincial drug plan to be the method for the provision of drugs to persons in need, and in fact all persons in Ontario.

DBS surveys, in a report called "The patterns of family spending for personal health services in Canada," show that families pay close to 15 per cent, 14.5 per cent, of health care expenditures on drugs; this was selected from 11 cities in 1964. I think, Mr. Speaker, that that in itself makes a case for

consideration of a drug plan whereby the recipients of the benefits under family benefits might then have drug costs included in the same way as the hospital and medical costs are now.

Mr. G. Ben (Humber): Mr. Speaker, in rising to support this resolution of the hon. member for Nipissing, I want to first congratulate the hon. member upon having all the facts so clearly and lucidly before us.

It leaves, as the hon. member for Scarborough Centre commented, little to say on the resolution except to offer support and, perhaps, an addendum.

I might say, with reference to the statements of the hon. member for Scarborough Centre, that her attention must be drawn to the fact the member for Nipissing has not done very well in trying to impress the gentlemen she mentioned, namely, the Minister of Social and Family Services, the Minister of Health (Mr. Dymond), and the Prime Minister himself, with the need for this, because none of them is present in the House. As a matter of fact, the only Minister who has seen fit to warm the benches is the hon. Minister of Correctional Services and one to whom they have not given a portfolio yet.

I think that this perhaps represents the concern that this government does have for this very serious problem. I see one has just entered the House—perhaps the Minister of Transport (Mr. Haskett) has come in.

Hon. A. Grossman (Minister of Correctional Services): Is the hon. leader of the Liberal Party here?

Mr. Ben: Yes, that is why he got us to speak on this topic.

Hon. Mr. Grossman: He is not here now.

Mr. Ben: He is sitting there.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Ben: Mr. Speaker, I think that you cannot help recollect how long this House sat trying to convince the government that certain information with reference to the board of review and a certain Form Six ought to be brought to the attention of every welfare recipient because there are many people who are not cognizant of their rights when it comes to welfare.

The government, through the Prime Minister, finally conceded that they would do something to apprise welfare recipients of their rights. Too many of them did not know of the board of review. I would dare say, and it was pointed out by the hon. member for Scarborough Centre, that the majority of them did not know their rights with reference to the board of review.

I would suggest, Mr. Speaker, that the same ignorance among welfare recipients prevails when it comes to having knowledge of these two supplementary benefits—to supplementary aid paragraphs in The General Welfare Assistance Act, namely supplementary aid and special assistance.

It is our submission, Mr. Speaker, that this is done more or less deliberately by this government. They do not want it to be too obvious that these services are there, because if it is known, they are afraid that too many people will take advantage of them. For this reason they even have them in different paragraphs. It depends upon the generosity of the municipality whether in fact many people get much-needed drugs.

I had a situation where one of my constituents complained to me—I should say former constituents—that she just could not exist on what she was getting from mother's allowance because she had to buy drugs. When she complained about this to the field worker, the field worker told her that she was lucky she was getting what she did.

When I took the matter up with the department, I had to convince them that the drugs were necessary. Fortunately, for me, unfortunately for the recipient, I did not have too much difficulty doing that because the recipient was an epileptic, and these drugs were an absolute essential to her every day existence. She was spending some $9 a month for these drugs.

She finally was able to get her allowance for these drugs. But no one informed this recipient that she could go to the municipality and proceed either under supplementary aid or special assistance. This is why we support the resolution by the hon. member for Nipissing. It must be brought under The Department of Social and Family Services as a right, rather than as a benefit that one must plead for on bended knees.

The fact is that all municipalities find it difficult to supply this supplementary aid or special assistance; and it has been brought out by the statistics given to this hon. House, by the hon. member for Nipissing, that some municipalities spend less than one penny per capita under these supplementary special assistance provisions.

He named a number of them. I might just add a few. For instance, Wentworth county spends less than one penny per capita. Essex county spends less than one penny per capita. I think he already mentioned the district of Algoma which also spends less than one penny per capita.

Now it has always been the contention of this party, Mr. Speaker, that certain social services such as health, welfare, administration of justice and education are all social services that should be the responsibility of the provincial government because everyone in this province should be entitled to the same minimum standard of service in these regards and, in fact, in reference to any other services that governments provide.

In all truth, perhaps one should extend it and say that everybody in Canada is entitled to the same standard of services if, perhaps, the federal government should take this over. We cannot, however, help recall that Mr. Hellyer just resigned from The Department of Transport portfolio and in so doing he spoke about housing. He said that the people in this country need housing and they need it desperately, and that they do not care who supplies that housing, whether it is the provincial government, the federal government or the municipal government, they just want that housing.

Now I can only paraphrase his statement to say that the people receiving general welfare assistance or social services from this government, or in this province, need medical attention. They also need drugs and when they need drugs they do not care where these drugs come from, whether it is from the municipal, provincial or federal government. They want the drugs; they want them quickly and when they need them.

I do not think that this government adds anything to its already diminished stature by hedging the provisions of these drugs and by creating a labyrinth where the poor welfare recipient just cannot find his way to the drugs he needs.

It is one thing to say that in Hamilton, the Hamilton General Hospital supplies these drugs to welfare recipients. I do not think that is to the credit of Hamilton. In the city of Toronto, you do not have to go to any specific general hospital. You can go to your local drugstore and get the drugs that you need.

So I think that all the hon. member for Hamilton Mountain did was to establish that there is a crying need for the type of amendment that the hon. member for Nipissing suggested to this House, and I hope that we will receive the support of the whole House.

Mr. Speaker: I wonder if the hon. member for York North would allow me to advise the House that in addition to the students from the William E. Brown senior public school in Wainfleet, whom I announced earlier, we have with us the Fort Erie Young Progressive Conservative members in the west gallery.

Mr. W. Hodgson (York North): Mr. Speaker, it is a pleasure for me to allow you the time to announce the attendance of these young people in the House today.

Mr. Speaker, while I agree wholeheartedly with my colleague, the hon. member for Hamilton Mountain, I wanted particularly to speak today on matters pertaining to dental care.

It is my firm belief that dental care for our young people of this province, as well as those not so young, is every bit as essential as any other type of medical care and attention that one might require.

We are all constantly reminded of the importance of our teeth, particularly the importance of the teeth of our young citizens. If I am not in error, I believe that medical authorities attribute good or poor health, good or poor physical development to the state of teeth. That is why I feel that every possible consideration should be given our teeth.

It would appear, Mr. Speaker, that I am not alone in my belief. This specific area of health care has been provided for at least ten years for those under The Family Benefits Act, and it was done in a special agreement between this government and the Ontario Dental Association. It is a form of an insurance plan whereby all families with children are covered for general dental care. It is a plan which has worked exceptionally well over the past years and one that brings important benefits to thousands of Ontario citizens who otherwise would go without any dental care whatsoever.

Basically this plan provides for fillings, X-rays where necessary, and extractions. I am told that dentures are not included because they are removable appliances. Gold work is also not included. So, for all intents and purposes, it is a basic plan designed to fill basic needs.

Mr. Ben: On a point of order.

Mr. Speaker: The member for Humber has risen on a point of order.

Mr. Ben: Mr. Speaker, we find this most interesting, but I can hardly see how this has anything to do with the—

Mr. Speaker: Well, I would suggest that it is as much in order as the hon. member, who is now speaking, was in order in referring to the resignation of a certain Minister in another place. Therefore, we must have a broad view of these debates and I consider that the hon. member is quite in order and would ask him to proceed.

Hon. Mr. Grossman: Or referring to the absence of some members, when the member who made the resolution is not even here to hear the debate.

Mr. W. Hodgson: Thank you Mr. Speaker. The agreement covers the mother and/or father and those children who are under the provisions of The Family Benefits Act. Eligibility of children is determined by The Department of Social and Family Services, and it is usually based on whether they are still at school.

It is very difficult to establish how many persons are actually taking advantage of this service, Mr. Speaker. The Ontario Dental Association would only go so far as to say that it is at about 27 to 33 per cent of those covered by The Family Benefits Act.

What really happens under the plan is this. The Department of Social and Family Services pays the association $1.10 per eligible beneficiary per month towards the fund. The dentists bill the association for work done, and the association, in turn, pays those dentists out of the trust fund established for this purpose by the department.

Meanwhile, dentists are paid in accordance with how much money there actually is in the fund. And, I am told that these payments to dentists have been as low as 66 per cent of the actual fee.

However, even despite this, I am told by the association that dentists have indirectly subsidized the fund for years. Apparently, rather than turn the people away because the particular dental circumstances involved are not covered under the agreement, the dentists have gone ahead and done the job for nothing. I would like to say here, Mr. Speaker, that they are to be, at the very least, congratulated on this attitude.

There is one more thing that I wanted to bring to the attention of this House, Mr. Speaker. That is, that the Ontario Dental Association has advised me that to the knowledge of its membership, no person who is under this programme has ever been turned away from the dental chair. The association does admit that from time to time there have been rumblings of a refusal. These, however, according to the association, can be traced to the fact that the person concerned has sought the services of a dental specialist who does not do the type of work that the person actually requires. Consequently, that person has merely misunderstood. There has not been a refusal as such.

Obviously, Mr. Speaker, the dental service is not one we can consider as lavish. It is, however, sufficient. And with the study being done by The Department of Social and Family Services, it is possible that, as a result of findings, the services shall be intensified in the future.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I might just say a word or two in support of this resolution. I think it is important for us to realize the degree to which health, welfare and poverty seem to be very much interlocked. I was interested to look at the Minister's statistics for the years 1966-67 and noticed that of the case loads in the family benefits legislation, there were some 21,000 of the 66,000 who were disabled.

Now, it would be facetious to suggest that all of these required medication, but one could, I think, suppose and assume that a large number of these would need some degree of health services which would be provided by this resolution.

But that is not the total problem, Mr. Speaker, because if you look at the disabled persons' allowance breakdown, you notice that of the 3,050 that were approved in this specific year of 1966-67, there were some 2,550 or 40 per cent who were ineligible. In other words, they had a health problem even if they were not considered.

Hon. Mr. Grossman: Mr. Speaker, I wonder if the hon. member would mind me asking a question? Does he appreciate that the hon. member for Humber has left the debate too?

Mr. J. Renwick (Riverdale): The hon. member for Nipissing has returned.

Mr. Pitman: One of the problems, I would say to the hon. Minister—

Mr. R. S. Smith: Apparently, the Minister pointed out when I left the House for a few minutes that I did not stay to see his members participate. I did hear one of them, and

he did not add too much to the debate, so I thought I would leave for a few minutes.

Hon. Mr. Grossman: I would like to point out to the hon. member that it was nothing personal; it was only in reply to the fact that his colleague, the hon. member for Humber, was at great pains to point out those who were missing from the debate here, and I am sure he will appreciate that nothing personal was meant. There are, of course, other places some members have to be at certain times.

Mr. Pitman: One of the things that bothers me, Mr. Speaker, about this whole Friday session is that I look up above and see all these young people sitting in the gallery, and to think they walk out of this place with the impression that this Legislature is in the normal session on a Friday morning. It really does bother me to think that they might go away thinking that the legislative process in Ontario is as ghastly, and as dull, and as unimaginative as I am afraid these sessions tend to be.

Hon. Mr. Grossman: We are doing what we can to see that the debate is interesting.

Mr. Pitman: Might I suggest to the hon. Minister that we might try to close the doors up there and not let them see this rather ghastly affair, or that we put on a better show. I am not sure what the answer is.

Interjections by hon. members.

Mr. Pitman: I did want to bring to your attention, Mr. Speaker, that this whole question of health is very much a part of the spectrum and the fabric of welfare services, and not just a small matter as one might come to believe in looking at this.

I was very interested in the statement of the Canadian Welfare Council, "Social Policies for Canada, Part 1," and their concern over health services as being a major problem. They make two assumptions. The first is that Canadians accept the principle that in a country with such a high standard of living, every person has right and access to all the health protection and health care services he requires, whatever these may be. Canada's long-established public health programme, The Hospital Insurance and Diagnostic Services Act 1957 and The Medical Care Act of 1956, are major steps in support of this assumption.

Secondly, the implementation of the first assumption involves not only the elimination of financial barriers to the use of these services, but also the taking of measures to strengthen Canada's health manpower, and to improve the quality and distribution of personal health services. I think that what we are dealing with here is, to a large extent, the question of rehabilitation. It is very hard to rehabilitate a person who is on welfare and who needs public assistance, if that person is not in good health.

One only has to look at one's own concern over this matter. I think it is a major distraction if a person who is on general welfare is in a constant state of need in regard to some form of medication, drugs or the kind of assistance that is suggested by this resolution. I think also, it is a matter of inequality. They should be equal. It is quite obvious from what the member for Hamilton Mountain has said, and what the member for Humber has said, that there is a great inequality of services which are available across this province, particularly, I would suggest, in many rural areas where, indeed, people are not given the drugs, the health services and the medication that they need—in many cases, not even being aware of what their rights are in regard to securing this kind of assistance, I think it is a part of a whole much wider problem. And in conclusion, I would suggest that this is a problem which can only be dealt with through the regionalization of health services and the services of The Department of Social and Family Services. I would say, as well, that probably it is only going to come as we see rehabilitation of people as a total spectrum involving not just the government services but all the services which are available through the community.

Until we can have some kind of co-ordination and co-operation between the voluntary services, between the semi-professional services, and between the government departments, we are not going to be able to provide the kind of spectrum which people on welfare so desperately need. If we really believe we are out to rehabilitate people, rather than keep them on a kind of a penny-pinching budget which goes on and keeps them teetering between financial chaos and some measure of stability, then I think that in that regard I would support this measure as simply another step towards that dire necessity in this province's policies.

Mr. Speaker: Is there any other member who wishes to speak to this resolution? If

not, the private members' hour is concluded.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, on Monday it is our intention to go back to the order paper to consider legislation that will be ready at that time.

Mr. R. F. Nixon (Leader of the Opposition): Further to the discussion last night, Mr. Speaker, I wonder if the hon. Provincial Secretary could narrow the list of bills a bit beyond those pieces of legislation that will be ready at that time, sir? Any indication at all?

Hon. Mr. Welch: I am really sorry, Mr. Speaker, I cannot today.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.50 o'clock, p.m.

No. 97

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, April 28, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, April 28, 1969

Establishment, upon an opinion poll by secret ballot of the farmers in Ontario, of a general farm organization, bill to provide for, Mr. Stewart, first reading 3611
Airstrip programme in northern Ontario, statement by Mr. Haskett 3613
Implementation of regional government, question to Mr. Robarts, Mr. Nixon 3613
Education grants, questions to Mr. MacNaughton, Mr. Nixon 3614
Water pollution, questions to Mr. Simonett, Mr. Nixon 3614
OHSC and hospital costs, questions to Mr. Dymond, Mr. MacDonald 3615
PSI and medicare, questions to Mr. Dymond, Mr. MacDonald 3616
Constitution committee, questions to Mr. Robarts, Mr. Sopha 3616
Water levels on Gillies Lake, questions to Mr. Robarts, Mr. Ferrier 3617
Texas Gulf zinc smelter, questions to Mr. A. F. Lawrence, Mr. Ferrier 3617
Loan from European sources, questions to Mr. MacNaughton, Mr. Breithaupt 3619
Essex county request re assessment, questions to Mr. McKeough, Mr. Burr 3620
Canadian Research Services Ltd., question to Mr. Gomme, Mr. J. Renwick 3620
Channel Island milk, question to Mr. McKeough, Mr. Gaunt 3620
Chain link security fence, question to Mr. Gomme, Mr. Innes 3621
Zone painting and repainting, questions to Mr. Gomme, Mr. Innes 3621
Mowing on highways, questions to Mr. Gomme, Mr. Innes 3621
Mobile homes, questions to Mr. Randall, Mr. Knight 3621
Vick's Medimist, questions to Mr. Dymond, Mr. Ben 3621
Atrazene for farm use, questions to Mr. Dymond, Mr. Spence 3622
Algoma Central Railway, questions to Mr. Brunelle, Mr. Stokes 3622
Highways in Essex and Kent, questions to Mr. Gomme, Mr. Ruston 3622
Mrs. Pamela Jane Newman, questions to Mr. Randall, Mr. T. Reid 3623
Labour relations board and CUPE, question to Mr. Bales, Mr. De Monte 3623
Volkswagen passenger safety, questions to Mr. Haskett, Mr. B. Newman 3623
INCO stack and sulphur dioxide, questions to Mr. Dymond, Mr. Sopha 3623
X-rays from colour TV, questions to Mr. Dymond, Mr. Ben. 3624
The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963, bill to amend, Mr. Stewart, second reading 3625
Hospital Labour Disputes Arbitration Act, 1965, bill to amend, Mr. Bales, second reading 3625
Department of Health, bill respecting, Mr. Dymond, second reading 3632
Dog Tax and Livestock and Poultry Protection Act, bill to amend, Mr. Stewart, second reading 3635
Toronto Stock Exchange, bill respecting, Mr. Rowntree, on second reading 3635
Motion to adjourn debate, Mr. Sopha, agreed to 3640
Employment Standards Act, 1968, bill to amend, on second reading, Mr. Davison, Mr. R. G. Hodgson, Mr. De Monte, Mr. Pilkey, Mr. Ben, Mr. Gisborn 3640
Recess, 6 o'clock 3650

LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon in our galleries we welcome as guests to the Legislature: in the east gallery students from Sarnia Central Collegiate Institute in Sarnia and St. Basil's the Great School in Weston; in the west gallery, students from Havergal College, Toronto.

Later this afternoon in our galleries we will have students from Walkerton District Secondary School in Walkerton; from Forest Hill Collegiate Institute in Toronto, hosting students from Colorado in the United States of America; and students from Bramalea Secondary School in Bramalea.

This evening we will have the Agincourt 12th Scout Patrol with us.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

GENERAL FARM ORGANIZATION IN ONTARIO

Hon. W. A. Stewart (Minister of Agriculture and Food) moves first reading of bill intituled, An Act to provide for the establishment, upon an opinion poll by secret ballot of the farmers in Ontario, of a general farm organization.

Motion agreed to; first reading of the bill.

Hon. Mr. Stewart: Mr. Speaker, the purpose of this bill is two-folt: (1) to provide a formal means whereby the farmers of this province can cast a secret ballot in an opinion poll and express either approval or disapproval of a general farm organization; and (2) if 60 per cent of those farmers who vote approve this proposal, to provide the authority for a founding convention and subsequent continuity of representation.

The opinion poll provided for in part one of this bill will be conducted in midsummer under the supervision of The Ontario Department of Agriculture and Food, provided a petition from 15,000 Ontario farmers has been received requesting such action. Farmers, their wives and family members over 21 years of age who are engaged in the farm operation will be provided with an opportunity to express themselves in this poll. A number of alternatives relating to the basic structure of the organization and the method of financing and membership will be open to the voters at that time.

Part two of the bill provides for the establishment of a body corporate known as the general farm organization, which is authorized to act on behalf of farmers in Ontario generally.

The purposes and objects of the organization are briefly: (a) to conduct research into all phases of agricultural activity; (b) to make representation on behalf of farmers to any level of government or any agency or board or commission; (c) to develop, perform and carry out programmes for the benefit of farmers, either by itself or by negotiations with any level of government or any agency, board or commission, or any segment of industry and to develop processes for such negotiations; (d) to study, evaluate and make recommendations relative to policies and procedures of government, agencies or boards; (e) to co-operate with other organizations having similar objects; and (f) to assist in the establishment of a single general farm organization in Canada.

The general farm organization provided for in this bill seeks to establish financial stability through a form of check-off on farm products marketed in Ontario to a maximum amount of two-tenths of one cent on every dollar of total sales of the product. If this means of financing the organization is approved in the opinion poll, the organization will receive its funds through compulsory levies assessed against the commodity boards and associations that are defined in the Act.

The general farm organization, if established, will be governed by a provincial council which will have the power to pass bylaws, subject to ratification by the delegates at annual conventions. The composition of the

provincial council and the manner of electing or appointing its members are not spelled out in this bill, but will be a matter to be determined by the delegates at the founding and subsequent conventions.

The bill provides also for the appointment by the Lieutenant-Governor-in-Council of an interim management committee whose powers shall be restricted to the organization of the founding convention, the preparation of draft bylaws for the consideration of delegates to that convention, and the establishment of an interim provincial council. This interim management committee shall cease to exist at the conclusion of the founding convention.

The bill also provides a means whereby further opinion polls may be held from time to time on matters relating to the organization. In fact, it sets forth a provision requiring that such an opinion poll shall be held upon receipt of a petition bearing the names of 15,000 or more farmers. However, such petitions may not impose an opinion poll more frequently than every two years.

It is our intention that part one of this bill will come into force following third reading and upon receipt of Royal assent, in order to provide the authority for the initial opinion poll. Part two of the bill will not come into force until after the opinion poll has been taken, and only if the general farm organization is accepted by at least 60 per cent of the Ontario farmers who vote.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I wonder if the Minister can tell the House if the so-called plan "A" is going to form a part of the ballot as proposed by the farmers' union?

Hon. Mr. Stewart: Plan "A"—the ballot is not fully developed as yet—but plan "A", as a plan, will not be on the ballot, on the advice that I have received. However, the ideas and the principles incorporated in plan "A" will be on the ballot to some degree, so that farmers will have an opportunity for expression of opinion.

Mr. D. C. MacDonald (York South): Mr. Speaker, by way of further clarification, may I ask the Minister with whom the decision rests as to what will go on the ballot—with the Minister? Or with the committee that is sponsoring the plebiscite, or with whom?

Hon. Mr. Stewart: Well I think, Mr. Speaker, that there is no really clear-cut answer to that. Unfortunately, there really is not a committee as there is when a marketing board is set up. There is always an interim committee established to draft the plan and have it approved and worked out by the farm products marketing board, and what goes on the ballot is usually determined by that committee.

In this case a committee has been established to work on the promotion of the General Farm Organization and on the drafting of the ballot. I would assume it would be a part of their responsibilities, certainly I would think it should be; and we would certainly work with that committee as to what should be on the ballot.

I think we have to recognize, Mr. Speaker —without getting into any debate on this particular matter but if you will permit me to clarify this as much as I can—that we should avoid having a complicated ballot if we possibly can. It would seem to me that if a ballot were set out which would clearly indicate whether the farmers of Ontario wanted a General Farm Organization and how that organization should be structured, that is as to membership, as to whether the marketing board should be given voting rights in such an organization and whether or not membership fees would be required; this, I think, would pretty clearly indicate to the farmers of Ontario in their founding convention how their bylaws should be drafted.

Mr. MacDonald: Mr. Speaker, just so that I can make certain I clearly understand what the Minister has stated: since the committee has not got the official status of a committee when they are moving towards a marketing board, would I be correct in assuming then that the final decision with regard to what goes on the ballot will have to rest with the Minister?

Hon. Mr. Stewart: Well I would suppose it would have to. I think that is fair to say. I think we have to accept that responsibility to some degree, but I want to be sure that everybody has as much opportunity to say what should be on the ballot as possible; there are many plans that have already been advanced that should be on the ballot.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, in view of the possible controversy that may arise over this bill, can the Minister assure the House now that this bill will go to the agricultural committee some time before third reading?

Hon. Mr. Stewart: Oh yes, Mr. Speaker; as soon as the bill has had second reading

in this Legislature it will go to the agriculture committee for thorough review, and everybody can present their thoughts at that time.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, on a matter of clarification, am I to assume from what the Minister has said that the committee now promoting the GFO is not going to be given official status?

Hon. Mr. Stewart: Well really we have no authority as yet to give them official status. This is a bill that simply provides that the Lieutenant-Governor-in-Council may appoint a management committee, if 60 per cent of the farmers vote in favour of the GFO establishment, to arrange the founding convention and to arrange for the election, in the counties and districts of Ontario, of the delegates to that founding convention.

Mr. Nixon: Is the Minister going to follow de Gaulle's example on this?

Hon. Mr. Stewart: Well now that is a possibility.

Mr. Gaunt: I am just wondering; the interim-management committee then will not necessarily be composed of people who are now on the GFO committee?

Hon. Mr. Stewart: No, that does not follow at all in that regard. We have to appoint them, and I would think it is reasonable to assume there might be some of them appointed, but there is nothing definite about that at all.

Mr. Speaker: Before the orders of the day, I would like to remind the members that it is essential I be advised by them as to whether they are able to accept the invitation for the showing on Thursday at the Planetarium. So far less than half the members have done so. We do owe that courtesy to the director of the museum who is arranging it. I wonder if today those members who have not let us know would let my secretary know.

May I advise the House that as a result of the stress and strains in the printing industry in this city, the printed copies of *Hansard* are not going to be forthcoming for an undetermined period. I made arrangements with the printers that a small number of proof copies, which are run off by the proofreaders and not by the printers, will be made available and I am furnishing each party caucus office with ten of these copies as they come in. The legislative library, the press gallery, and the Prime Minister's office will also be furnished with a small number of these copies. These will enable us to know what will come out when the *Hansard* is printed, but we cannot do any more than that at the present time.

I trust the members will be able to accommodate themselves to this. Each party office will have the copies as they come in and the members will be able to consult them. Eventually they will come out in print and be distributed.

Mr. Nixon: Mr. Speaker, I wonder if you could tell us what the problem is in printing and how long we will be delayed.

Mr. Speaker: That I endeavoured to find out this morning, and I have also read the papers, as I am sure the hon. leader of the Opposition has. Negotiations are going on, but as yet there is no sign of any settlement of the matter. Of course, the *Hansard* is printed by Ryerson Press, a union shop, and I think that it would be very ill advised on the part of Mr. Speaker to make any arrangements at this stage which would have any effect in changing the contract which we have for the printing of *Hansard*.

I think with ten copies in each party office the leaders of the parties, as well as the caucuses, can keep up to date on what will eventually appear. I can assure you that it will not take too long for them to appear once the strike is settled, because the typesetters and the proofreaders are not on strike. The type is being set up and all that has to happen when the strike is settled is that they will have to be run off.

The hon. Minister of Transport has a statement.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, a report on the proposed development programme for airstrips in the northern section of Ontario is being distributed to the members today.

The report is provided as a matter of information. The department embarked last year on this airstrip programme that will play an important part in the life of our citizens in the north. I am sure the members will be interested in noting the substantial progress that has been made so far and the plans for this fiscal year.

Mr. Nixon: Mr. Speaker, I have a question for the Premier. Was the Attorney General (Mr. Wishart) speaking for the government when he was reported in the *Globe and Mail*,

Saturday, April 26, to have said that the rate of implementation of regional government was going to be slowed down?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I can only say this, that The Department of Municipal Affairs is not undertaking any more studies than it presently has in force.

Now, I have referred on several occasions, to the speed with which regional government might be brought into effect in the province, and I tried to make it very clear that it was not the intention of the government to impose regional government on a mass basis, to try to do this all at one time. It is extremely complex in each area in which it might be feasible, possible and necessary.

So that I think really what the Attorney General was referring to was some feeling, that seems to be abroad in the province, that this government is going to impose regional government on various areas, sort of immediately.

This is not our intent. I made this very clear in a speech which I made in Aylmer, I believe last December. I went into the matter very carefully then.

To be quite frank with the members of the House, there is enough work before those who have knowledge and skill in this area in The Department of Municipal Affairs at the present moment to keep them going for some considerable time in the future. I think perhaps that is what the Attorney General was referring to.

There is, I am quite aware, a feeling abroad in the province, and an apprehension, that we are going to, in some way, attempt to impose regional government, perhaps without consultation, and so on. This is not our intent.

Mr. Nixon: He was not simply reporting a change in the timetable that had been set out by yourself and the Minister of Municipal Affairs (Mr. McKeough) in the speech "Design for Development".

Hon. Mr. Robarts: I could refer the leader of the Opposition to the speech I made. I have it here, I will send him a copy.

Mr. Nixon: I saw it; there was a timetable in that. I believe the Premier referred to what could be done in the next three years.

Hon. Mr. Robarts: I referred to specific areas in which studies had commenced and were going ahead; and of course they will continue.

Mr. Nixon: So there is no change in the government's timetable.

Hon. Mr. Robarts: I do not think so; no.

Mr. Nixon: Mr. Speaker, I have a question for the Treasurer. Can the hon. Minister give the House an estimate as to the cost to the province of the revised education grants announced by the Minister of Education (Mr. Davis) last Thursday; and how does the Treasurer intend to provide the funds?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, the answer to part one is no, not with any degree of meaningful accuracy. Part two, if necessary, I would say by supplementary estimates, at which time the Legislature would be required to vote the funds.

Mr. Nixon: One estimate has been made of $50 million. The Treasurer is not prepared to say that is an estimate of any meaningful accuracy?

Hon. Mr. MacNaughton: No, the Treasurer is not.

Mr. E. W. Sopha (Sudbury): The editorial Royal "we", third person.

Hon. Mr. MacNaughton: I answered in exactly the same context as the question was asked.

Interjections by hon. members.

Mr. Nixon: I have a question of the hon. Minister of Energy and Resources Management, Mr. Speaker.

Have there been recent difficulties in the construction of the atomic energy station at Pickering which will result in further delays in its completion?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, not that I am aware of; but I have asked Hydro for a complete report on this. I will have to give it to the hon. leader later.

Mr. Nixon: A further question to the same Minister:

How many violations of section 27, paragraph 1—which I may say, Mr. Speaker, deals with water pollution by municipalities and individuals and commercial operations—of The Ontario Water Resources Commission Act have received legal action?

How many of those charged were convicted?

Will the Minister table the names of those convicted and the fine or sentence for each conviction?

Hon. Mr. Simonett: Mr. Speaker, I wonder if the hon. member means since the Act was brought into being or is he speaking of any particular year?

Mr. Nixon: Well I would like it for the last 12 months.

Hon. Mr. Simonett: Well I am sorry, we have misunderstood the question. I have asked OWRC to give me a report since the time the Act was brought into being, but I will change that now; 12 months is satisfactory?

Mr. Nixon: Could the Minister give me the information he has presently?

Hon. Mr. Simonett: I do not have it for the last 12 months.

Mr. Nixon: Could the Minister give me the figures he has now?

Hon. Mr. Simonett: I have not any figures, because I was asking for the information from the time the Act came into force.

Mr. Nixon: All right.

Mr. MacDonald: Mr. Speaker, I had a couple of questions of the Minister of Health from last week. I wonder if he is in a position to reply to them. They are numbers 1263 and 1284.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, on question 1263, "Does the OHSC set ceilings on hospital costs by categories, such as wages, food, etc?" The answer is: the OHSC has standards which are established for various hospital costs, based on a combination of factors—market conditions and operating levels—which hospitals with good management practices are able to meet.

Part two: "Is it accurate that a hospital must get permission from the OHSC to switch funds from one category to another?"

In 1968 and prior years the commission had an understanding with hospitals that they had to operate within the approved budget for each category of expense. However, if there was a change in volume or extent of patient care or a change in operating conditions beyond the control of the hospital, the hospital could submit to the commission an amendment to their budget. If circumstances warranted an increase, approval was given to the additional spending. Hospitals generally found this provided them with fair treatment and allowed them to work within the general framework of their budget.

Part three: "Was Toronto General Hospital recently exempted from these procedures, and given blanket authority to spend its budget as it sees fit?"

In 1969 there has been a progressive transition from the prior practices to a new approach. Within the basis on which the 1969 budget was approved the hospital may expend the funds that they deem necessary, and this permits the hospital to switch funds from one category of expense to another. We are trying in this way to introduce some sense of responsibility on the part of boards and administrations, and we hope that by providing them with something more or less in the form of a "global" budget, they will be persuaded or induced, or seduced, to adopting modern, good business practices. The Toronto General Hospital was given the very same approval for expenditure of its 1969 budget as all other hospitals, as outlined already.

Part four: "How many other hospitals have asked for such authority?"

The policy outlined with regard to 1969 applies to all hospitals.

Mr. MacDonald: I wonder if I might ask a supplementary question on this before we move on to the next one.

If the rule now applies—that the Minister has a global approach to the budget—does this not permit a flexibility for any hospital which gets into a bind in terms of negotiations with its workers, so that if they see fit, they can reapportion their budget to be able to meet the requirements of any negotiation without having to abide by the dictate of OHSC?

Hon. Mr. Dymond: Right. We are trying to get away from line approval of budgeting, we are trying to encourage the hospital boards and administrations to submit the budget which is necessary to run their entire operation. If they find it is costing them more in salary and less in something else, they are allowed to switch it around. We are trying to encourage this, hopefully to persuade, as I say, them to adopt the most modern business practice possible.

We have tried the other way and we found that it does not work in all cases. On the other hand, we do find that in certain areas, particularly in higher executive salary levels, there is a tendency to go a little bit overboard from time to time on the part of some hospitals. We try to keep a reasonably tight check on those in order that the rest of the hospital operation will not suffer.

Mr. MacDonald: Has there ever been a case where they went overboard in paying the workers in the hospital?

Hon. Mr. Dymond: No, I must admit I really cannot say that. We have found it has been quite impossible for the administration to stay within the budgetary framework in respect of negotiated contracts, and we have maintained that a contract negotiated in good faith must be honoured. If the board accepts it, then it must be honoured. We have tried to support them in this way, at the same time encouraging them to find the additional wherewithal from some other part of their budget if possible.

Mr. Speaker, on the other question which the hon. member asked, I thought I had already answered it as best I could at the time. Did the hon. member say No. 1246?

Mr. MacDonald: It is No. 1284.

Mr. Speaker: No. 1284, according to my records, has not yet been put.

Hon. Mr. Dymond: I wonder, Mr. Speaker, would you mind reading it in order that—

Mr. Speaker: He did not put it before so the hon. member will now put it.

Mr. MacDonald: I am sorry, that is right, the Minister was not in; it was the latter part of last week. It is a two-part question:

1. Since the contract offered by the government to PSI to become a carrier within Medicare has now become public, will the government table a comparable contract offered to the private insurance companies?

2. If not, will the government indicate whether the contract offered to the private insurance companies contains a clause, such as 1(f) offered to PSI, that the private carrier shall refer all persons requesting financial subsidization to the public authority?

Hon. Mr. Dymond: Mr. Speaker, I would point out that there is a little misunderstanding in respect of this. We did not offer a contract to PSI, we submitted a draft proposal on which we would base our discussions, and the same draft proposal was submitted to all of the carriers who in our belief were big enough to act as agents of the public authority. The answer to number 2 therefore, is "yes", but there is nothing really to table yet because it has been very largely a matter of discussion so far. I think in due course when it reaches a stage where there is something to table, someone representing the government will table it.

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: I have a question of the Prime Minister, Mr. Speaker. I apologize for the grammar and syntax, I will correct it as I go along.

1. Is it the intention of the government to create a continuing committee comprising private members of this Legislature to study the Constitution of Canada and its provinces in order that private members may participate in the development of the Constitution?

2. If it be the intention of the government would the committee have the advantage of hearing submissions from members of the advisory committee on the Constitution?

Hon. Mr. Robarts: Mr. Speaker, the government has no present intention of creating such a continuing committee and on the other hand I would point out that we have made available to all the members of this Legislature the submissions that have been made by the advisory committee to the Constitution. These have been reproduced, published and distributed to all members so that they may have the advantage of knowing what position the advisory committee has taken, and those matters, of course, have been the basis of debates in this House.

Mr. Sopha: May I ask the Prime Minister a supplementary question? I should like to ask whether the Prime Minister is content on behalf of the government that the development of Canada's Constitution be left in the hands of the bureaucrats and the technocrats, as it is now?

Hon. Mr. Robarts: Mr. Speaker, of course I would say at once that this government does not leave any of its decisions in the hands of the bureaucrats and the technocrats, though I do not know what is the matter with bureaucrats and technocrats. However, we have various means whereby the government is advised. The government accepts responsibility for the positions it puts forth. It does not leave it to bureaucrats and technocrats.

I would say to the hon. member that this whole business of constitutional revision is an on-going process. I tried to make this clear when we were discussing it the other day. I do not think we have any fixed, firm position as to how it is handled. I think at this stage of the game it would be impossible to have any such fixed positions because we are evolving this whole process as we go along just as we are debating the form which the next constitutional conference might take. I am not attempting to limit the participation of every member of this House but if

the member asks me a question in which he says it is the intention of the government, I must say at this stage of the game that the government has not this intention.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Prime Minister. Who, in the Prime Minister's opinion, is responsible for controlling the water level on Gillies Lake in Timmins? Will the Prime Minister take steps to ensure that pumping operations will be carried out to reduce the flooding of the property adjacent to the lake that presently exists?

Hon. Mr. Robarts: Mr. Speaker, I really do not have an opinion at the moment because I never heard of Gillies Lake until this question came in. I will, however, have an opinion probably by tomorrow, when I consult some of the bureaucrats and technocrats who are able to tell me just what the situation is in regard to this particular lake. There is an inference in the question that there is some difficulty there, having to do with pumping operations and flooding of the property adjacent to the lake. I will certainly make it my business to find out what is going on and who is responsible and see what we can do to protect any of our citizens who are being inconvenienced or damaged by what is going on.

Mr. Speaker: The hon. member has a supplementary question?

Interjections by hon. members.

Mr. Sopha: We can tell the Premier where the lake is.

Hon. Mr. Robarts: There are thousands of lakes in this province, I do not know where they all are. I would like to take every opportunity I could to fly in and out of every lake of the province, but roughly, 750,000 are quite a lot to cover.

Mr. Ferrier: Mr. Speaker, my next question is to the Minister of Mines. What were the particular concessions offered by the provincial government to Texas Gulf solely on the condition that they build their zinc smelter in the Timmins area? To the Minister's knowledge, was the $6.5 million grant to Texas Gulf by ADA given on the sole condition that the smelter be built in the Timmins area, or was it a grant available to them to build in any federally-designated area?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, if I could deal with the second question first. I have not had the opportunity of checking either with the Texas Gulf Company or with the federal government. It had been my own assumption that the $6.5 million grant by ADA was available to this company if they built in any federally-designated area.

In other words, my understanding—and I may be completely wrong about it—but my understanding all through our negotiations in respect to the Texas Gulf smelter, was that this would be available to them throughout the whole country, not just in Ontario, if the complex was built in any federally-designated area. I think in Ontario alone there are five or six designated areas. I think in the country as a whole there must be somewhere around 18 or 20, but I am not just too sure about that.

So, while this was a very great factor in the decision of the company to build a smelter in Canada, I am not so sure that it was, if I read the innuendo in the member's question, I am not so sure that it was such a strong factor as to whether they built in Timmins or not.

In respect of our concessions and our desire that the company build in Timmins, I think the best way I could answer that would be to read a letter directed by me to the Texas Gulf company, to the attention of Mr. Mollison, the vice-president of the metals division. It is the last piece of correspondence on the file and, therefore, it can best answer the question, I think:

> Dear Dick: Over the past year, the frank and co-operative attitude of you and your colleagues in our various meetings has been appreciated by me and by the government.
>
> As a result of our meetings and your studies, under date of April 7 last, you have written to me indicating certain plans and making enquiries of me relating in particular to certain matters respecting hydro rates and transportation costs.
>
> As well, our own progressive development of resources policy and the continued mounting of public pressure require us, in our view, to make public very shortly a more detailed and definitive statement of standards respecting mineral resources development, and the targets we expect those in the private sector to reach, so that we may realize our already-announced objectives.

Our purpose, as you know, has not been to embarrass your company by harsh statements indicating that government policy has been forcing the company into steps which it was reluctant to take, and partly because of this, details of our methods to encourage processing of our mineral resources in Canada have not even yet been publicly revealed. But we feel, in fairness to all concerned, and especially bearing in mind the position of potential developers and investors, that I should make a detailed statement in the Legislature before too long.

Naturally, if at the same time I could also announce the plans of Texas Gulf Sulphur in relation to at least its proposed zinc smelter, it might also remove any stigma that the company is and has been developing its plans solely at the urging of the government.

In more detailed reply to your letter of April 7, and on behalf of the government, the following points should now be made:

1. As is obvious from our recently-introduced statutory changes, we do insist as a matter of irrevocable government policy, that a smelter be built in Canada to process zinc concentrates from the Kidd Creek mine of your subsidiary, Ecstall Mining Ltd.

2. It is the strong desire, even though we feel that we cannot insist upon it, that the zinc smelter should be built in the Timmins area. To encourage this, and as evidence of our desire, and of course, on the condition that the company will locate its zinc smelter as soon as possible in the Timmins area, the government will:

(a) Enact into law the provisions already introduced into the Legislature but not yet passed, (The Mining Tax Amendment Act), which relate the allowance for pre-production expenses to the date of January 1, 1965, as a special concession to the Kidd Creek mine operation.

(b) Recommend to Ontario Hydro that a cheaper power rate than the flat six mills you are expecting will be your power cost, be made available to the company for its power needs. On your behalf, a presentation has already been made to Hydro by me, and indications are that for 1969, a rate for firm uninterruptible supply at 115 kv having a load factor of 90 per cent could be provided to you for 5.69 mills per kwh, or if the load factor increases to 100 per cent, this would reduce the rate to 5.42 mills per kwh. For an interruptible supply, or a combination of firm and interruptible, the cost would be even cheaper: I have been quoted, for you, if needed this year, rates which would reach a low of 4.33 mills per kwh for interruptible power having a load factor of 100 per cent. Unfortunately, Hydro estimates that there could be a 15 per cent increase in power rates between now and 1973, but I am assured, on the basis of quotations I have received from them, that they should be able to come up with a more satisfactory proposition for you than your letter would indicate.

(c) Obtain a quotation for you from the Ontario Northland Railway of a freight rate for sulphuric acid, using a special unit train with equipment supplied by you, Timmins to Hamilton, which would be competitive with the rate supplied by other railways for a similar operation for acid transported from Copper Cliff to Hamilton. It is the intention of the government under the herein-referred-to circumstances that your company would not be at a competitive disadvantage respecting the transportation costs for your sulphuric acid by-product, although I should also state to you that economic studies which we have completed would lead us to believe that an increase in development and production in other mining operations, especially uranium, would lead to an increasing demand for Ontario acid at the same time that your production might start. We hope that your fears of the over-production of metallurgical by-product sulphuric acid are exaggerated.

3. The government also believes that your initial plans to utilize on an annual basis, only 200,000 tons of the average 500,000 tons of zinc concentrate from the Kidd Creek Mine are not good enough. We have not yet announced publicly, but will have to do so shortly, our objective that initially, unless special circumstances warrant an exception, at least 51 per cent of base metal concentrate from any Ontario mining operation should be processed as soon as feasible to the metal stage in Canada, and as time goes on, this percentage will be expected to increase. Therefore, in applying this policy to your subsidiary Ecstall Mining Ltd., we must state either that the high level of ore extraction from the site should decrease, or that your plans for the capacity and production of the smelter be immediately increased, so that in any year of operation, including the first

one, at least 250,000 tons of zinc concentrate be smelted if your average zinc concentrate production is to be 500,000 tons. We would also expect to have an undertaking by the company that the smelter production would be increased so that after five years of smelter operation and time has given you experience and the opportunity to cultivate markets, that at least 75 per cent of the zinc concentrate would be processed in the Timmins smelter.

4. Finally, we feel that the time is overdue for definite action. Assuming that construction could start this calendar year, we would like to hear from you why actual production from the smelter could not be expected by the end of 1971 or at the latest by the middle of 1972.

May I have your observations?

With the warmest personal regards, Yours truly,

And I signed that.

As well, Mr. Speaker, one item that was not detailed in the letter, because it is a matter of procedure that is tied to the amendments that are now before the House and which will be applicable to all such processing in Canada, relates to a special method which the mines assessor of The Department of Mines has devised, once the amendments before the House go through, for assessing the value of the ore at the pit's mouth.

This new procedure, Mr. Speaker, does recognize the value added to the ore which is treated in company-owned plants in Canada. I hope when the opportunity comes on the passage of that particular bill to the committee state in this House that I will have an opportunity of detailing this procedure much more fully to the House.

Mr. Ferrier: Would the Minister accept a supplementary question?

Hon. A. F. Lawrence: Yes.

Mr. Ferrier: In thanking the Minister for that very detailed answer, could he inform the House to his knowledge if there has been any real pressure brought to bear on this company by the federal government?

Hon. A. F. Lawrence: No, I have no knowledge of that.

Mr. Speaker: The hon. member for Kitchener.

Mr. Ferrier: What was the date of that letter?

Hon. A. F. Lawrence: April 21.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Sir, a question of the hon. Provincial Treasurer:

What will be the total increased cost of the loan from European sources to Ontario, if the Deutschmark is revalued upward by (a) 10 per cent, or (b) 15 per cent, as variously predicted overnight?

Hon. Mr. MacNaughton: Well, Mr. Speaker, I think it will be apparent to the hon. member that the question is completely hypothetical, particularly in respect to the percentage increases referred to by the hon. member. To my knowledge, there is no immediate indication that a revaluation of the Deutschmark will take place. Recent events in Europe in fact suggest that there is less possibility of this development than previously, notwithstanding the developments of the last weekend. The effective cost to the province of any revaluation in future would depend entirely on the actual time of the revaluation, and therefore I suggest it would not be meaningful to me to provide any estimate at this time.

In the meantime, we are enjoying maximum use of the funds secured from the European market at the favourable rate negotiated. This rate, this benefit, of course, mitigates against any future increased costs in terms of repayment if revaluation should take place during the lifetime of the loan. In other words, the longer it takes before revaluation is implemented, then the less the impact of the revaluation.

However, to answer the somewhat hypothetical question of the hon. member, I sought certain information from the Comptroller of Finance which has just reached my desk, and he estimates that yield exposure from possible revaluation of the Deutschmark, with respect firstly to the six-year private placement loan—would be an increase in effective yield of two per cent and three per cent respectively in relation to 10 per cent and 15 per cent revaluation—providing that the loan was retired rather than refinanced.

I would say, of course, that refinancing is a possibility and the manner and the extent to which refinancing took place at, or before maturity would have a bearing on the impact of revaluation. And the latter possibility, of course, could reduce the costs very materially. Increase in effective yield on the 15-year

public issue would be one per cent and 1.5 per cent respectively, against the 10 and 15 per cent revaluation to which the hon. member made reference. The difference in effect between the six and 15-year loans relates directly, of course, to the longer use of the funds which has a direct bearing on the cost.

However, I would simply say and reassert to the House that we believe the probability of revaluation is not imminent at this particular point in time, until, of course, the matter of possible devaluation of the franc is determined, and the possible effect of such a move on other currencies—the relationship of other currencies to the Deutschmark, the United States dollar, the Canadian dollar. All of these things must be taken into consequence before a finite answer to the hon. member's question could be provided.

Mr. Speaker, I just want to conclude by saying these matters were all clearly foreseen, and the disadvantages of the probability to which references have been made can be very largely, in the period, mitigated against by the very favourable nature of the loans that were made.

Mr. M. Shulman (High Park): Foreseen, but not understood.

Mr. S. Lewis (Scarborough West): It is a pity they did not consult the Minister on the French referendum.

Mr. F. A. Burr (Sandwich-Riverside): A question, Mr. Speaker, for the hon. Minister of Municipal Affairs:

Is the Minister giving consideration to the request of the county of Essex that the government take over full cost of the assessment departments as of March 4, 1969, and that the sharing of money already spent on the re-assessment programme throughout the province be negotiable?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the answer is no.

Mr. Burr: As a supplementary question, Mr. Speaker, will the Minister not agree that those counties which have been prompt in implementing this plan are now going to be penalized for their promptness?

Hon. Mr. McKeough: Mr. Speaker, if certain counties have progressed along the route to re-assessment, to better assessment practices, then undoubtedly the citizens of that county in particular are receiving certain benefits because that money has been spent.

Mr. J. Renwick (Riverdale): Mr. Speaker, I have a question of the Minister of Highways:

Has Canadian Research Services Limited ever been retained by The Department of Highways? If so, what studies were conducted by that company and what fees were paid for their services?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, we have examined our records and cannot find any indication that this company's services have been retained by the department.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of Agriculture and Food: Would the Minister indicate when he intends to have the agricultural committee pursue the charges of the chairman of the Ontario Milk Marketing Board in relation to the so-called illegal procedures of some dairies regarding Channel Island milk?

Hon. Mr. Stewart: Mr. Speaker, the question that was given to me, and we called back to the office to have the question checked, does not read as the hon. member has read it now. I am wondering which question he really means to ask.

Mr. Gaunt: Mr. Speaker, if I may clarify that point, it is a typographical error, it says "some boards" and it should be "some dairies".

Hon. Mr. Stewart: It is not what the question said when it was asked me.

Mr. Lewis: Well, the Minister knows now.

Hon. Mr. Stewart: I did not know what the question was at all.

Mr. Gaunt: I presume the Minister knows what meaning I was referring to?

Hon. Mr. Stewart: The way the question was worded, it was completely irrelevant, and I would ask the hon. member for clarification. Now he has given it, all I have to say is that it is in the hands of the agriculture committee. We do not direct the agriculture committee.

Mr. Nixon: Why did the Minister make such a fuss about it?

Mr. Speaker: The hon. member for Oxford.

Mr. G. W. Innes (Oxford): Mr. Speaker, I have a question of the Minister of Highways, of April 23.

Why was the contract for $103,515.00 chain link security fence from the Golf Links Road, westerly to Shavers Road in the Hamilton district, not awarded to Frost Steel and Wire Company Ltd.? Have new tenders been called for this work?

Hon. Mr. Gomme: Mr. Speaker, the single bid for this work was considerably over the estimates of the department's engineers, and therefore an award was not made and new tenders are currently being prepared for the work.

Mr. Innes: Thank you. I have two more questions for the Minister.

1. How many projects are now under way throughout the province of Ontario to repaint faded highway markers and signs?

2. When will white or yellow lane lines and temporary pavement around construction sites along the Queen Elizabeth Way and on Highway 27 be repainted?

Hon. Mr. Gomme: Mr. Speaker, all zone painting is carried out by the department's own maintenance forces, and repainting of the lines commences as early in the spring as weather permits. All of our southern districts are already painting, and the northern districts will start as soon as weather conditions permit.

The temporary pavement around the construction site along the Queen Elizabeth Way has been repainted within the last two weeks and is in good condition. The Highway 27 area has top priority and will be repainted as soon as weather permits.

Mr. Innes: Another question of the Minister.

1. What are the circumstances surrounding the cancellation of contract number 69571 in connection with mowing on King's Highway and freeways 9, 27, 50 and 400?

2. When will the mowing begin on these locations?

3. Have mowing contracts been awarded for all other provincial highways and freeways?

Hon. Mr. Gomme: In answer to No. 1: a single bid was considered too high.

No. 2: Mowing will begin when considered necessary by the department and will be governed by growth.

No. 3: All other contracts whose tenders have closed to date have been awarded. Tenders on three other contracts will close in the near future.

Mr. Speaker: The member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Does the government have a policy which now makes it possible for individuals to obtain mobile homes due to the modest down payment required and the low overall price?

Hon. S. J. Randall (Minister of Trade and Development): I am not quite sure what policy the hon. member is referring to. If he is inquiring whether there is a policy of providing loans to individuals wishing to purchase mobile homes, the answer is no. If, however, he is inquiring whether there is a policy which discourages individuals from purchasing and living in mobile homes, then I am pleased to reply that we certainly do not discourage this form of accommodation, and for that matter we have had meetings with the Mobile Homes Manufacturers Association with a view to determining how we might be of assistance to them.

However, as the hon. member will appreciate, the approval of trailer parks is a matter which must be dealt with by individual municipalities. Therefore my colleague, the hon. Minister of Municipal Affairs, is in a better position to provide an appropriate answer.

I might say we met with these people a year or so ago and suggested if there was any impediment in our legislation we would be glad to correct it. They have not been back to us since that time.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, I have a question of the hon. Minister of Health.

1. Has Vick's Medimist been analyzed by the department because of the solvent therein called trichloroethane?

2. Will recommendations on the products label be changed in view of the fact that a 17-year-old boy in St. Catharines died on February 1 after inhaling this decongestant spray through facial tissues as directed by the label?

Hon. Mr. Dymond: Mr. Speaker, the answer to the first part of the hon. member's question is yes, it was analyzed by both the centre of forensic sciences of the Minister of Justice's department and the occupational health laboratory of my department. Both confirmed a presence of the solvent trichloroethane. We believe the report regarding the above was made available at the inquest held recently.

Unfortunately this product is a proprietary preparation and as such is not required to list the ingredients on the label. Any changes in this requirement or other alteration in labelling normally are the concern of the food and drug directorate of the federal government, and they are being made aware of this matter.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question for the Minister of Health.

Has The Department of Health placed restrictions on the use and purchase and supply of atrazene for farm use for control of weeds and cash crops? If so, what are the restrictions and why?

Hon. Mr. Dymond: Mr. Speaker, no, we have not placed restrictions on the use, purchase and supply of atrazene. The purchase and supply of any pesticide is not within the jurisdiction of The Department of Health, we only control the use of the pesticide.

In order to better safeguard the health of our people our regulations under The Pesticides Act prohibit the use of any pesticide in plant or animal production that is not registered under The Pest Control Product Act of Canada and does not have a registration number assigned to that product under this Act.

Mr. Spence: Mr. Speaker, may I ask the Minister a supplementary question?

Is no consideration given to controlling prices, since only one or two companies have registered atrazene that can be used here in the province?

Hon. Mr. Dymond: No, Mr. Speaker, we have no authority to control prices at all. This comes within the federal legislation.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question for the Minister of Lands and Forests.

1. What taxes are included in the $5.7 million of tax relief which Algoma Central Railway is expected to obtain under the negotiations with the Ontario government for handing back certain of its timber land holdings, as reported in the *Globe and Mail* of April 12, 1969, based on comments made by the Minister of Lands and Forests?

2. What is the nature of the tax relief expected and under what legislation is it authorized?

3. In the negotiations, is the government asking for compensation for the people of Ontario for more than $3 million of mineral taxes which the people of Algoma Central Railway Company have failed to pay over the past 45 years?

4. Will the mineral rights be ceded to the government along with the land which the company is proposing to turn back to the province?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for Thunder Bay:

1. In the negotiations with the company, The Department of Lands and Forests made no commitment to Algoma Central Railway regarding any tax relief. Such matters will be dealt with by the company and the respective taxing authorities when the claims are made.

2. This taxation matter comes under the purview of The Department of Treasury and Economics.

3. This subject was not part of our negotiations with the railway.

4. No, we already own the mineral rights.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question of the Minister of Highways.

1. Did the Minister, his deputy, or engineers from the district office in Chatham have discussions with officials from the counties of Essex and Kent in the past three months about turning back to counties of Highway 98(2) and 18(a)? If not, why not?

2. Is the Minister aware that Highway 98 in the county of Essex does not have what is classed as adequate shoulders or even reasonable road surface that would in fact meet standards of a county road?

3. Is the Minister aware that Highway 18(a) in some locaions of Essex County has a total width of only 30 feet?

4. Does the Minister feel he is being absolutely unpolitical in giving back to the counties of Essex and Kent the total of all roads for the province that has been designated to be turned back to the county jurisdiction?

Hon. Mr. Gomme: Mr. Speaker, in reply:

1. In the past three months, no discussions have taken place with the counties. However, the counties have been aware since the presentation of our southwestern Ontario area study that certain roads would be transferred out of the highway system. In the past two or three years, discussions have been held with county officials concerning the department's

takeover of Communication road and Bloomfield road and the transfer of Highway 98.

2. We consider the existing condition of Highway 98 adequate for the volume and type of traffic presently using its facilities.

3. Yes.

4. Yes.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): I have a question for the Minister responsible for the Ontario Housing Corporation.

When will Mrs. Pamela Jane Newman of 344 Morningside Avenue, West Hill, be able to expect a place to live in view of the fact that Mrs. Newman and her two children will not have a roof over their heads after Wednesday, April 30?

Hon. Mr. Randall: The application for housing from Mrs. Newman was only received by Ontario Housing Corporation on March 12 of this year, at which time she was not under notice to vacate. It was not until April 10 that the corporation received a letter from Mrs. Newman enclosing a notice from her landlady that vacant possession was required on April 30.

Mrs. Newman is one of a number of applicants in similar circumstances and, although her application is well placed on the waiting list, the corporation does not have accommodation immediately available.

Based on the current waiting list and anticipated future completions, Ontario Housing Corporation should be in a position to offer Mrs. Newman accommodation within two months.

The corporation has been in touch with Mrs. Newman's landlady in an endeavour to arrange an extension, but without avail.

An hon. member: What happens to her?

Hon. Mr. Randall: What happens to other people on the waiting list?

Mr. J. B. Trotter (Parkdale): That is no answer.

Hon. Mr. Randall: Sure it is.

Mr. Speaker: The hon. member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): A question for the Minister of Labour: What action will the labour relations board take on the request of local 1170 of the Canadian Union of Public Employees, the non-teaching employees of each Middlesex district high school board respecting contract negotiations?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question, the union has applied to the board for determination under the successor clause of The Labour Relations Act. The matter is before the board and when the hearings are completed the board will make a decision.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport.

1. What steps are being taken by the Minister's department to ensure that the Volkswagen is a safe vehicle for passenger use in the province of Ontario?

2. Has the department requested a copy of the data which was collected by the Digitek company of California for the United States highway safety office?

Hon. Mr. Haskett: Mr. Speaker, my department has knowledge of the tests being done by the Digitek company under contract to the National Highway Safety Bureau in Washington and involving vehicles of American, European and Asiatic manufacture.

The tests on the make of vehicles mentioned by the hon. member were done last month and the complete report is not yet available. As soon as the report is released to us I can assure him we will give it very careful study.

Hon. Mr. Dymond: Mr. Speaker, before the orders of the day I have two questions of which I took notice. One is from the hon. member for Sudbury. I see he is not in his seat, perhaps the hon. leader may not want it answered.

It was the question directed to the Minister of Energy and Resources Management re the stack at Copper Cliff.

> Because the construction of a new stack by INCO will not reduce the amount of emissions of sulphur dioxide in the air, and because INCO announced its intention recently to increase the production by 30 per cent, will this not increase the amount of SO_2 being discharged into the atmosphere?
>
> The Minister of Health issued a certificate of approval to INCO as referred to in Section 7 of The Air Pollution Control Act of 1967. Is this not a licence granted to INCO to continue its policy of pollution?

Mr. Speaker, I think I can best answer the question by directing attention to the statement I made in respect of this matter when approval was signed to allow INCO to build a 1,250 foot stack. Included in the stack were other facilities, other equipment, which would withdraw a good deal of the particulate matter before it got to the outside of the stack. Then there was the construction of the stack and the various features built into it to increase not only the height, but the temperature and the velocity of the expulsion of the smoke.

This is getting highly technical, as you will understand. It goes out faster, it goes up higher, it is widely dispersed and we have every reason to believe from the scientists that there will not be ground contamination, enough to damage vegetation as—

Mr. Sopha: It will now kill all the vegetation for 200 miles!

Hon. Mr. Dymond: No, no; I think my hon. friend knows a little better than that. He has been in on these deals too and he knows pretty well that this has been a well thought out scheme, on a scientific and engineering basis.

Mr. V. M. Singer (Downsview): He will not admit it though.

Hon. Mr. Dymond: Well, he does in his more calm and mellow moments. He knows, really, that they have done a good job. But the important thing, Mr. Speaker, is to emphasize that this was an interim measure only, and both the company and ourselves made that eminently clear to each other. Indeed, I wrote it over my signature that no doubt this is considered an extreme measure, and continuing steps to improve the control of this pollution must be taken.

The hon. member for Humber, on April 18, asked me question 1217 with respect to the emission of X-rays, or the purported emission of X-rays from colour TV. Since June, 1968, the Canadian Standards Association Laboratories have been measuring X-ray emissions from all television sets which passed through their hands for examination of electrical faults. This examination is the one which is necessary in order for the CSA approval sign to be put on the set, and no television set can be sold in Canada without the CSA stamp of approval.

Since these tests were begun last June, no set has been found to exceed an acceptable and the original American level of X-ray output, and, therefore, we can presume from this that they are safe. I have been assured by the CSA standards group that this is an ongoing study and being watched very carefully in view of the findings in the United States.

Mr. Ben: Mr. Speaker, I am sure that the hon. Minister will accept a supplementary question. Mr. Speaker, the Minister has read the articles that were published with reference to the experiments carried on in the United States and all who have been reading the papers last week—

Mr. Speaker: Perhaps the hon. member would direct a supplementary question to the Minister as he stated he would do.

Mr. Ben: Yes, I will. Having read the Toronto papers, will the Minister please try to get some information for this House why diametrically opposite reports that have been issued from the two jurisdictions. I think the hon. members of this House—

Mr. Speaker: Order! The hon. member has asked his question. He will now see if the hon. Minister will answer.

Hon. Mr. Dymond: Mr. Speaker, I really answered this question some days ago.

There is much controversy about this whole matter. On the very same evening, I watched one side present their argument where they were saying there were dangerous levels of X-ray emissions from the set. The very next programme, on the same channel, from the same station in the United States, absolutely denied this contention. Therefore, it is very difficult to get information that one can say is totally objective.

We believe that we must depend on the reports coming from the CSA people. They are responsible and they give their seal of approval. I am quite sure the hon. member knows that this is a rather valuable thing and a standard upon which tremendously great emphasis is put.

Mr. Ben: A supplementary question. Why should we have to depend so completely upon CSA? Surely, with two contradictory reports, we are entitled to a better verdict.

Hon. Mr. Dymond: Well, Mr. Speaker, I can think of no better than CSA. This is a Canadian group. I am not interested in what the Americans say. They may think they know everything. As far as I am concerned, Canadians know far more, and I am quite satisfied with Canadian standards. The United States does not mean a thing to me.

Mr. Speaker: Orders of the day.

THE ONTARIO PRODUCERS, PROCESSORS, DISTRIBUTORS AND CONSUMERS FOOD COUNCIL ACT, 1962-1963

Hon. W. A. Stewart (Minister of Agriculture and Food) moves second reading of Bill 87, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963.

Motion agreed to; second reading of the bill.

THE HOSPITAL LABOUR DISPUTES ARBITRATION ACT, 1965

Hon. D. A. Bales (Minister of Labour) moves second reading of Bill 90, An Act to amend The Hospital Labour Disputes Arbitration Act, 1965.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, this might be an opportunity to raise one or two points having to do with the amendments on The Hospital Labour Disputes Arbitration Act. It appears that the Minister is going to have more and more of a problem in extending the jurisdiction of this bill if he is going to use it exclusively for keeping labour difficulties out of hospitals and ancilliary responsibilities.

I am sure the hon. Minister is as aware as I am that among those people employed in hospital responsibilities, there is an ever-increasing pressure for a better salary, a better share of the economy of the community, a better standard of living, and a feeling that perhaps they are being called upon to a point more than other groups in the community, because of this statute, to help hold the line in rapidly increasing hospital costs.

I think there have been several examples where arbitration hearings have shown that this bill, and the amendments to this bill, come in conflict more and more with the requirements of the Ontario Hospital Services Commission, and the policy of the government as a whole.

I know the Minister's brow is furrowing a bit because he realizes that there may be some conversations going on about it. But these particular amendments, while they deal specifically with some areas of concern, my feeling is that there are going to be problems, troubles and difficulties that will be faced by the Minister of Labour, his colleague the Minister of Health (Mr. Dymond), the Ontario Hospital Services Commission and the whole system of arbitration in this connection, unless a much more generous—and I would say modern—approach to fiscal requirements is taken.

Certainly everybody here is concerned with holding the line in costs as well as other areas, but just because we have some legislation which requires arbitration in this particular field of endeavour, surely does not mean that those people concerned have to continue to carry an unnecessarily heavy part of the load for the policy of so-called holding the line in hospital costs.

I agree with the principle as stated in the original bill, that we cannot permit our hospitals to close down because of labour disputes. But if we are going to take that position, then it must be balanced by an attitude perhaps, I think it was described as bending over backwards, to see that those who come under the arbitrary aspects of the legislation are not doing so if they have a feeling that they are unfairly treated.

There are altogether too many, let us say, policy-forming bodies associated with the responsibility that the Minister of Labour must bear. His colleague who sits directly in front of him is as responsible for this as anyone. He is much too quick to say that the Ontario Hospital Services Commission must make independent judgments on these matters when surely the final responsibility is his.

This is the difficulty I see in principle, in extending the original Act, entitled The Hospital Labour Disputes Arbitration Act, with these amendments.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, the whole question of expanding The Hospital Labour Disputes Arbitration Act is one that I do not think we can support. I make that observation because in this bill, this Act will cover nursing homes and homes for the aged. I am not sure that compulsory arbitration ought to be applied to these institutions, as well as the subsection 2 that provides for laundry and power plants.

I might also say, at the outset, that I do agree, and commend the Minister, for changing the time limit in the Act.

This is updating the procedures that will give the employees a greater measure of equity in terms of providing that the dispute go through the procedure that much faster.

Getting back to sections 1 and 2 however, it seems to me that when we start to expand in this area of compulsory arbitration, then we are providing an instrument or a vehicle that will put the workers in these homes at a disadvantage. I am of the opinion that the

hospital workers were placed at a disadvantage because of the compulsory arbitration that was perpetrated on them some time ago.

It seems to me, Mr. Speaker, that this government ought to provide a formula that will give hospital workers and workers, who they feel are in the area of essential services, a measure of equity in terms of what the industrial workers receive. I was very happy to see that Professor Weiller did upset, in effect, the guidelines that were laid down by this government's agent, the Ontario Hospital Services Commission, and rightly so. This government has set down guidelines that were obviously inadequate; they were unfair to the people who are working in that kind of a service industry. Professor Weiller upset it.

It appears to me, as it appears in this editorial, that if there is going to be honest collective bargaining for the hospital workers in this province, then the people who are dictating the terms ought to come to the bargaining table. There is no use bargaining with somebody who is making unilateral decisions but does not have to come to the table and justify them. This is exactly what is going on in the hospitals today under compulsory arbitration.

I suspect very strongly that Mr. Weiller's decision, I think it was in Brampton, is not going to be the rule; it is not going to be the rules that are really set for hospital workers. It just happened to be an unusual case where hospital workers were the lowest paid, as I understand it, in the province of Ontario, and even Professor Weiller could not stomach that, and brought them up comparable to other workers.

I also want to say this, that we have to distinguish between the question of inconvenience and public safety and health. As far as workers going on strike, it would be an inconvenience to that institution. I want the Minister to tell me if a home for the aged could operate even though there was a strike on in that situation, as they very well did in the Hydro situation. There was a strike on there and that facility still operated.

I want to commend the Minister of Labour for that, he did not bring in a bill that resulted in compulsory arbitration as far as the Hydro workers were concerned, and a very essential service in our province. Yet we now find the Minister of Labour expanding this whole question of compulsory arbitration, and I think it flies in the face of the democratic process that we live under and it destroys the question of free collective bargaining as we understand it.

One of the very essential instruments that has made real progress in this province, has been the question of free collective bargaining and the democratic right of individuals to bargain. This type of legislation circumvents that whole procedure with no real alternative for those people to get their measure of economic and social justice in this province—no way! We are hoisting compulsory arbitration on those workers, but the Minister does not say he will give them any method of getting their measure of economic and social justice. I think it is just ludicrous that we adopt this kind of a policy.

Let me also say this; it appears to me that this is just a question of opening the door. I would be very much afraid that this government is going to attempt the policies of compulsory arbitration in other areas as well. I think there is some argument for the question of public safety and health, but in my opinion this does not really come in that area, and I think that the Minister could very well have given these people the right to free collective bargaining so that they could make some gain in terms of increasing their standard of living.

The results of compulsory arbitration whenever it has been implemented in this nation and in some other jurisdictions, have really shown that those workers continue to fall further, and further behind. Most of them find themselves on the bottom rung of the economic ladder. Therefore, I caution the government of extending this question of compulsory arbitration, and I would suggest that we, maybe I could use the term, "hold the line," in terms of expanding it, so that these workers will get an opportunity to bargain freely and to perpetuate the democratic process as we understand it.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I would just like to say a few words on this bill. I support this bill, along with other members of my party. I am one of those who, in most cases, does not approve of compulsory arbitration. There is no question, however, in my mind from what I have seen of nursing homes, and homes for the aged, that if there was a strike in one of these homes it would cause a tremendous amount of inconvenience, to the point of endangering many of the patients that are in the institutions.

There are innumerable patients in every home for the aged, or nursing home, that are completely and entirely dependent on the help of the staff that are employed there. If there was a strike or even the threat of a strike, there could easily be chaos in the

administration of these homes. I have only one reservation about supporting this bill, and that is the fact that I think that the government, when they are settling wage disputes with these people, should err on the side of liberality, simply because they do not have the right to strike. They should not be in the position where they are, in effect, subsidizing the operation of a nursing home or a home for the aged.

We have often used as an example, Mr. Speaker, the railroad brotherhood. At one time they were considered the aristocrats of labour. The right to strike has never been taken away from them, but at the same time, whenever there is a strike, on almost every occasion when there has been a strike, Parliament has been called. I think that we would be in an untenable situation if we had to call the Legislature every time there was a strike in a nursing home, or in a home for the aged. It may be a matter of degree. Where do you draw the line? What is the most important? But certainly, with a railway strike, or a hydro strike, you are really dealing with one particular group that can be handled very quickly, and again, with transportation. Today, there are alternatives.

But, when you are a patient in a home for the aged, or in a nursing home, there are no alternatives. Literally the patient is not in a position to bargain, and those of us who are in government, Mr. Speaker, have to keep this major principle in mind.

We have to respect the rights of business. We have to respect the rights of labour. But both business and labour today are well organized, and the people that suffer and the average people in the middle, and again, I look at these patients—in the homes for the aged, and in nursing homes—as the helpless people that are in the middle of any dispute between management and labour.

So, by this legislation, I feel that we are in some considerable measure trying to help them. But again, and I emphasize this with strong reservation, the employees in the homes for the aged and in the nursing homes, are at the bottom of the economic ladder, and not enough is being done by this administration in helping them. I would, in this plea, emphasize that, when settlements are being made, the government should be far more generous than it has in the past.

Mr. J. Renwick (Riverdale): Mr. Speaker, I want to comment just briefly on the bill. There are obviously two principles involved.

The latter part of the bill deals with expediting the arbitration procedures, and we are in favour of that. The first principle embodied in the bill, of course, is to extend the compulsory arbitrations bill to nursing homes, as well as to the homes for the aged.

Now, and let us be perfectly clear about it, by and large, in the province of Ontario, the employees of nursing homes—and I cannot speak from any specific knowledge of the homes for the aged—may, or may not fall within this category. But employees in nursing homes are not organized at the present time.

They are a group of people who, by and large, are engaged in an industry which is expanding and is essential; but in which the wages paid are very low. Now, by extending a compulsory arbitration provision to the employees of nursing homes, we are simply saying to them: not only are you not organized, and therefore not in a position to strike in any event; but even if you were organized, and were in a position to strike, we are going to let you know that you are not going to be able to exercise that right.

There may be some logic, but only some logic, in the Minister of Health suggesting that the compulsory arbitration provision should be extended to employees in nursing homes, because they are health institutions which have some of the attributes which are comparable to the attributes generally attributed to hospitals.

Let us be perfectly clear, though. We are again segregating a group of people who are very lowly paid in the province. They are not organized; and therefore there is no threat of any kind that they would withdraw their services.

Now, if we go back to the original introduction of The Hospital Labour Disputes Arbitration Act, even in that situation, there was no specific circumstance the government could point to where any union in this province had threatened the health or welfare of patients within the hospitals. Now, here we have the government extending this compulsory arbitration provision to a group of unorganized people. We have again the additional factor that the government, by and large—while it is not necessarily the Ontario Hospital Services Commission—has in fact laid down guidelines which are going to make it again the third party at any discussions or negotiations which do take place within the nursing homes; I refer to the amount of $9.50 per day, which this government is prepared to pay to the operators of nursing homes for patients for which this government is assuming financial responsibility.

It seems to me that we are divorcing ourselves from reality if we start to extend the principle of compulsory arbitration to a large number of people in the province receiving very low wages, and do not have the benefit of being organized and being able collectively to bargain for their rights.

I would think that the government's first obligation would be to provide some kind of incentives by which people, who are in nursing homes, would become organized, so that they could begin to collectively bargain for their rights. This, rather than starting at the far end of the scale and immediately, before they are in a position to strike in any sense of the collective withdrawal of their labour, before they are even in that position, to say to them: well, even if you do organize, we in this government are going to make certain that you are forced within the restricting provisions of compulsory arbitration.

Therefore, on that principle of the bill, and not on the second principle of the bill, we in this party will oppose the second reading of the bill.

Mr. Speaker: Is there any other member wishing to speak ot this bill? The hon. member for Sarnia.

Mr. J. E. Bullbrook (Sarnia): Just a few words, Mr. Speaker. I want to associate myself entirely with what was said by the hon. member for Parkdale.

In connection with the comments of the hon. member for Riverdale, I could not exactly understand his concern for the fact that these people are not organized at the present time. I do not see anything in the statute that disentitles them to self-organization if they wish to do so.

The one thing that I wanted to record as one member of this House is a question of attitude and posture, if you like, in connection with the depriving of groups of people of their fundamental right to strike. I have had some direct association in acting for the police in my own area and in other areas and sitting on boards of arbitration. I do not know how one can do this, but I think one must record in *Hansard* at least a general attitude regarding groups deprived of this right.

There is some justification. I see a justification as far as the police force is concerned. I go further; I see a justification in connection with fire departments. There is an economic and, more important, a social justification for this type of legislation.

But what I want to convey to boards of arbitration is that when you deprive and take away from these groups what is essentially their right—rights that we have, collectively, to act—then these groups must be concurrently compensated for such deprivation.

What we have attempted to do in the field of labour relations involving police associations, is to establish some type of criteria that does take into consideration the fact that these rights are being taken away.

I now direct my remarks, through you Mr. Speaker, more to the Minister of Labour than to the Minister of Health in connection with this legislation.

When we are looking at the entire field of labour, when we are looking more importantly at the Rand report and some of the concepts put forth there, we should keep in mind that this is an inherent right that is being taken away and concurrently there must be some benefit accruing to the people. But I do agree with the member for Riverdale and the member for Oshawa when they talk about the economic strata of these people. I say they have every right to bargain collectively. There is nothing in this legislation which takes away such a right.

When the hon. member for Riverdale talks about some enticements that the government should initiate, some enticements to invite these people towards collective bargaining, I do not understand what those enticements are. I do not in any way take issue with his comments, but I just do not know how a government can entice people in this particular position to bargain collectively.

Certainly one has to take into consideration the economic strata of these people, and one has really to bleed for them in a way, and so let us have some forward thinking from The Department of Labour. When they do have bilateral discussions with respect to questions of principle as far as arbitrations are concerned, let us keep in mind that these inherent rights are being taken away by us in this Legislature for good and sufficient cause. That is what we say in this party.

Mr. S. Lewis (Scarborough West): Mr. Speaker, it would seem to me, addressing myself to the principle of the bill, that the point that is being made—I do not think with appropriate logical consistency about the conclusion by the member for Sarnia—is that the deprivation of rights exists and is being extended in a very real way in this bill, with no concomitant indication on the part of the Minister that the people who will suffer

thereby, or might conceivably suffer thereby, will receive any appropriate guarantee or any just recompense, or any sufficient warning.

The fact of the matter is, Mr. Speaker, that it is a rather dangerous precedent, generally, in a democratic society to extend compulsory arbitration and deprive people of the right to strike when there is no legitimate basis on which to found the extension.

Which home for the aged might the Minister indicate to the House has recently had its employees strike? What are we discussing? Which nursing home has recently had its employees strike? Where is the list of incidents that he has on file where the suggestion of an imminent strike is available?

The fact of the matter is that there is no basis in the world to suggest that the employees in these various areas have acted in other than a responsible fashion. There is no basis in the world on which to suggest that they would leave the patients defenceless, or that they would visit upon their cares, their wards, all the distress that would come by virtue of a strike.

It seems to me that there is no particular logic in extending a bill by way of supposed clarification into yet another social service area from which we have had no evidence whatsoever of irresponsibility on the part of the employees, or an intention to behave irresponsibly on the part of the employees.

So, Mr. Speaker, when we are dealing with a right as significant as this one, one does not deprive workers of it so cavalierly, whether they are organized, as in the case of homes for the aged, or whether they are unorganized, as in the case of nursing homes.

I want to suggest to you, Mr. Speaker, that it is rather more important than that because, as the Minister will know, as the Minister of Health has indicated to him as a colleague I am sure, the area of nursing homes, for instance, has been invaded by some pretty substantial corporate concerns, not all of them from this province; not all of them from this country.

I do not know all the details, the Minister might be able to enlighten me, but the 200-bed unit that has been built in Kitchener as a nursing home, is a pretty tough minded corporate concern. The willingness of the Minister of Health, Mr. Speaker, to insist on a *per diem* of $9.50 a day, rather than granting nursing home operators what they say they need which is $12.00 a day, is precisely because a large conglomerate institution like the 200-bed nursing home in Kitchener can provide the required custodial care at a $9.50 *per diem* with very low wages indeed.

But the level of wages by virtue of the government *per diem* is arbitrarily set by this Minister. The workers are now deprived of an additional fundamental right although they show no irresponsible behaviour at all. We play right into the hands of what is not particularly an attractive development in this province, a corporate structure for nursing homes of a very large and conglomerate nature which is the antithesis to what some of the smaller and private operators are attempting to provide.

It seems to me that we put very severe limitations on the possibilities for the employees, at least by way of wage level. Their wage levels are constrained within the *per diem* rate which the Minister is prepared to pay the corporation which now controls their working conditions. It is no longer a small operator, but it is a fairly substantial corporation.

The money coming from abroad is obviously going to attempt to keep wage levels at a pretty minimum rate. Then on top of that, this Legislature, with no basis or precedent whatsoever, says to them: "We are going to extend this bill on compulsory arbitration to you as well, lest you think that one jot or tittle of right will be left to you by virtue of the developments in this field."

It seems to me, Mr. Speaker, that what you are doing is locking the employees in nursing homes into a strait-jacket, a critical strait-jacket, because the trend in the province is away from the appropriate and meaningful care of the aged and those in nursing homes, to the rather larger more sterile, more dehumanizing institutional framework on which the Minister's *per diem* is now based.

And that is going to be a battle royal as the Minister of Labour and the Minister of Health know, when the independent nursing home operators meet head on these rather large conglomerates financed from abroad.

Mr. Speaker, albeit collective bargaining procedures may be available to some who organize, the limits are very firmly set by the government. To remove from them their ultimate threat or weapon, is an exceedingly premature and ill-advised move, and is a serious deprivation of liberty with no authority whatsoever.

But, Mr. Speaker, let me take it one step further. The same argument that was made by the member for Parkdale, and with respect, by the member for Sarnia, can be made in related fields.

There is no reason in the world why one should not apply, by the same logic, compulsory arbitration to all the child care and social service and social welfare and social work people in agencies looking after children or the physically disabled. There is a similar threat of danger, where they could be abandoned as charges, a danger of serious self-destructiveness and self-inflicted punishment, if not the danger in the case of the physically disabled of being permitted to—I do not know what one would say—to lapse into neglect, in an institution for the aged if the workers were not there.

One is merely setting the ground here for an invidious extension of this particular principle into all kinds of services to people.

What you are saying essentially is that employees engaged in services to people cannot be trusted to behave appropriately in negotiations, because once you have isolated one service next year you will come back with another service. And the year after that you will clarify the legislation and move to yet another service, because there are no qualitative distinctions here.

The same danger of abandonment is implicit in all.

I think that what we on this side are saying today is that there is no basis, no precedent, on which to presume to make this extension. There are such limits and constraints already put on the people by virtue of government *per diems* imposed by The Department of Health, that to remove this particular aspect of rights is to seriously jeopardize the future of these employees.

Third, Mr. Speaker, you do not extend anything as perilous and iniquitous as compulsory arbitration quite so lightly into the social service fields, because it casts aspersions on all services to people. And I daresay it will cause grave concern to tens of thousands of employees from whose mind it would be totally remote ever to endanger their charges, but who wish the collective rights of all other organized or unorganized employees in this society when they choose to exercise those rights.

And that is why we oppose the first section and the principle of the bill.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I think with respect to the eloquent way that the previous speaker has mentioned some of the difficulties, there is one thing with which I would take a certain amount of difference. That is, of course, with respect to the approach that this party has made, that we do see qualitative differences in the approaches with which we have to deal as it comes to supporting the kinds of principles with which this bill deals.

In this party, Mr. Speaker, we have been prepared to discuss each situation and to look at the merits of the various situations as they are brought before us. I think we would do ourselves an injustice if we were prepared to say that, because we make a decision in a certain area, we may therefore be forced to set a pattern of that same kind of decision-making in every other area that may be brought before us.

It may well be that we may decide this same way in certain other legislation as the government may bring it forward. But I do not think that we must, of necessity, commit ourselves to that agreement by the approval in principle of this singular situation.

With those comments, Mr. Speaker, I think it is fair to say that we will support this bill in principle and we will deal with other situations as they are brought before us.

Mr. Speaker: Does any other member wish to speak to this bill? If not, the hon. Minister of Labour.

Hon. Mr. Bales: Mr. Speaker, I think it is quite clear that the principle of free collective bargaining is a very important one for us, as it is for others in this House, and certainly it has been evident that we do not depart from it except in very special circumstances.

But in the year 1965 the original Act was brought into force. It applied then to hospitals, and with the change encountered in hospitals and nursing homes, homes for the aged, since then, we cannot see a disruption of essential services for those people.

Dealing for a moment with the matter of central laundries or central power plants: this is a natural extension. When you establish a central laundry or a central power plant, servicing a number of hospitals, surely you must follow the same principle of protecting the inmates or those who are resident in these institutions from disruption of those essential services that they require for their protection and the maintenance of their health and well-being.

In reference to the nursing homes and homes for the aged, I think there has been a great change in pattern in these type of institutions in the last few years and again the same principle is applied—we want to see those people who may be resident there pro-

tected in cases where they could not adequately protect themselves.

We hope that the employees and the management in these institutions will reach agreements and it is only after that breakdown has taken place—if there is a breakdown—that we step in with the other measures.

But you will also note in this matter that we have tried to reduce the period of time from the 35-day period down to seven days, because we realize it was a period of time which only caused greater distress and disagreement. By doing this, we think we can improve the situation and decrease the bitterness and the conflict that might otherwise develop.

So, Mr. Speaker, in conclusion, we recognize the principle of protecting those people who are residents of the institutions and it is for that reason and that reason only that we would depart from our normal practice of not imposing compulsory arbitration.

Mr. Bullbrook: Mr. Speaker, might I direct a short question to the Minister of Labour? I made some remarks about the deprivation of rights. I am wondering if he would—

Mr. Speaker: I must point out to the hon. member that no member is permitted to speak twice on—

Mr. Bullbrook: I appreciate that ruling.

Mr. Speaker: But the hon. Minister wishes to reply in this particular case.

Hon. Mr. Bales: I do not want to go into it in long detail, but the point raised there is very valid and it is a matter to which I, and the government, have been giving careful consideration. I recognize the problem. It is one of those things that is being very carefully considered in the light of the Rand report and the federal task forces report.

Mr. Lewis: What does that mean? That is not an answer.

Mr. Speaker: The motion is for second reading of Bill 90.

The House divided on the motion, which was agreed to on the following vote.

Ayes	Nays
Allan	Brown
Auld	Burr
Bales	Davison
Ben	Deans
Boyer	Ferrier
Braithwaite	Gisborn
Breithaupt	Lawlor
Brunelle	Lewis
Bukator	Makarchuk
Bullbrook	Pilkey
Carruthers	Renwick (Riverdale)
Connell	Renwick (Mrs.) (Scarborough Centre)
De Monte	Stokes
Downer	Young—14.
Dunlop	
Dymond	
Edighoffer	
Evans	
Farquhar	
Gaunt	
Gomme	
Good	
Grossman	
Haggerty	
Haskett	
Henderson	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Innes	
Jessiman	
Johnston (St. Catharines)	
Johnston (Carleton)	
Kennedy	
Kerr	
Knight	
Lawrence (St. George)	
MacKenzie	
MacNaughton	
Meen	
Morningstar	
Morrow	
McKeough	
McNeil	
Newman (Windsor-Walkerville)	
Newman (Ontario South)	
Nixon	
Paterson	
Price	
Pritchard (Mrs.)	
Randall	
Reid (Rainy River)	
Reid (Scarborough East)	
Reilly	
Reuter	
Robarts	
Rollins	

Ayes	Nays
Rowe	
Rowntree	
Ruston	
Singer	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Sopha	
Spence	
Stewart	
Trotter	
Villeneuve	
Welch	
Wells	
White	
Winkler	
Worton	
Yaremko—74.	

Clerk of the House: Mr. Speaker, the ayes are 74, the nays are 14.

Motion agreed to, second reading of the bill.

Clerk of the House: The 12th order; resuming the adjourned debate on the motion for second reading of Bill 97, An Act respecting The Department of Health.

DEPARTMENT OF HEALTH

Mr. Speaker: Is there any member who wishes to speak to this before the Minister? The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, just a word or two on this bill, with particular reference to the constitution of the Ontario Council of Health as set up in the bill. This bill of course, has wide-ranging ramifications, but its general terms are so vague and innocuous that I do not think anyone could possibly take exception to them.

It seems to me, as in most departments of human life, it is not The Department of Health and the guidelines laid down here that will give any great guidance to future Ministers of Health. It will be the question of the personality and the degree of incisiveness of that very Minister in his capacity. Some Ministers, as they grow older, grow mellow, and however restrictive and narrow an Act may be, may give it a sense of tone and benignity.

Certain other Ministers—I have certain ones in mind, Mr. Speaker—as they grow older, grow slowly more sour, and no matter how benevolent and how fine the Act may be in its terms, and however high-sounding the phraseology and purpose set forth in the Act, it will be administered in a narrow, partisan and invidious way, undermining its own pretentions.

It is therefore, up to the individual involved, in this particular kind of legislation. Indeed, Mr. Speaker, I can see no purpose for an Act of this kind, so vacuous and vague is its terminology.

Turning to the council that is set out here, the deputy Minister will be the chairman of this council and there will be 16 appointed people. Some day we must tot up for the benefit of the members the number of various forms of councils, clubs, private and otherwise, boards and what-not, being founded by the present government. But in any event, here is another one.

If it is being set up in the terms as set forth here, then I suggest that these bills and various departments define what they consider the range and responsibility to be. I suggest that when they set up councils within their departments to give guidance to that department, that they set out in some definition, who these people are likely to be. The tendency—due to the impetus of McRuer—has been to various kinds of quasi-judicial agencies, and professional associations requiring members of the public and the legal profession to be present.

In this particular area it would seem to me that a man, in the legal profession, with well-known civil libertarian tendencies, might very well sit on this board, because we know of many instances of arbitrary measures being taken through this department affecting the lives of the citizens.

I would recommend to the Minister that his bill be amended in that direction. If he does not accede to that, as no doubt he will not, then I suggest that when the appointments come through, he at least be aware of the remarks and seek to select out of the 16 people to be appointed, at least one member of the legal profession.

I would also think that somebody in a chronic care hospital, some patient or patients in a wide range of the services he deals with, with nursing homes, etc., people in the field and directly affected, those who are immediately allied to the needs and cares could be given a high status in selectivity. It should not be people who are perhaps a little socially minded, but whose chief qualification is that they are Tory hacks, who should be appointed to these boards, because they will really assist the Minister in a minimal way.

Let us bring an end to the particular dispensation which afflicts all jurisdictions, not just this one. But at the same time I would like to see this province move ahead at least in this regard. Perhaps the Minister may give some thought to my remarks and be able to indicate just what qualifications and what kind of individuals he would have in mind to assist him in the conduct of his duties within the term of this new statute.

Mr. Speaker: Is there any other member who wishes to speak to this? The hon. member for Beaches-Woodbine.

Mr. J. L. Brown (Beaches-Woodbine): Mr. Speaker, I would like to raise some question about the wording of sub-section (b) under section 41, "the Minister shall oversee and promote the health and the physical and mental well-being of the people of Ontario." I take exception to the word "mental". I think the time has come when we need to take a look at whether or not health is the proper area for services that have to do with the adjustment of people. If, by this word, the Minister intends those persons who are organically impaired in their functioning, if he means to restrict it to only those people in whom organic problems are a central factor, then I think there is no question about the words "mental well-being" being included in there.

If this phrase extends to persons who are maladjusted or incapable of fulfilling their capacities in work or in living as a result of life experiences as a result of negative learning, then I think this is a function that should not appropriately be in The Department of Health or under the Minister's jurisdiction.

I wonder if the Minister could define exactly what he means by the word "mental"? It does not seem to be used in other parts of the Act, only in this one particular section. I wonder if the Minister could comment on his intentions there.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I would just like to speak briefly to the principle of this bill. I am wondering, if the duties of the Minister are to advise the government in respect of the Health of the people of this province, whether in fact this means that the Minister and his department will become more concerned about the lack of medical practitioners, particularly in the north; and whether this means that the duties and the purview of the Minister and his department will be much wider in range and scope to provide for more medical practitioners in those areas of the province which are in dire need of them at the present time.

Mr. Speaker: And other member? If not, the Minister has the floor.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the hon. member for Grey-Bruce (Mr. Sargent) began this debate, sir, and he did begin discussing a point that is of very keen personal interest to me, but unfortunately did not have a part in this Act. I think it would be unfair to him in his absence to appear as though it had gone unnoticed.

He was speaking about the broad physical fitness programme on which, in my view, the whole of the health of our nation rests. I have felt very keenly about this for a long time; as you and certain other hon. members in the House will recall some years ago this became a matter of real concern. But this is in the hands of another department. We are engaging very closely with that department in these matters, and the hon. member, I think, has a right to know that his remarks did not go unnoticed.

In respect to the remarks made by the hon. member for Lakeshore, the council of health is not something new, it is of rather recent origin. I believe it is about three years now, two-and-a-half-years now since it was established. And it was established because we have felt keenly the need for an advisory body to the government and to the Minister of Health on all health matters. This is in miniature, but a counterpart of the Dominion Council of Health. It was one of the important recommendations of the Hall commission as hon. members will recall.

Our province, I am rather proud to say, was the first in the country to adopt the principle, although I do not think Hall referred to it under this name. But the Ontario Council of Health is carrying out the duties and responsibilities and functions as proposed by the Hall commission in their report of 1964.

The body was primarily set up by Order-in-Council and has been carried on in that way because of the fact that we never did have, until the present time, a Department of Health Act. I think we are now the last department of government to bring in an Act codifying all our functions and responsibilities. We are really asking for little in this Act that does not now fall to our lot through a variety of Acts which come under our departmental purview and responsibility, but we felt

it was long overdue to bring these together under a Department of Health Act in order that we would all know what it was about.

I am a little disappointed that my hon. friend, the member for Lakeshore, believes that it is fatuous and innocuous, I believe were his words. But then, of course, he is such a highly skilled scholar and so well versed in the use of language. As I sit listening to him I am sometimes tempted to think of the late Sir Winston Churchill because his flow of language is not totally unrelated to the flow that used to come from the lips of that great man.

Indeed, in the last two or three years, I note that his friend just in front of him and a little bit to his right, has found in the member for Lakeshore a real competitor. One has great difficulty sometimes, although not so much of late, determining the pros and cons between the two. I say not much difficulty of late because the hon. member in the second row is not in his seat quite as often as he used to be.

Nonetheless, it will be a great pity if that party were bereft completely of this mellifluous verbiage, sir, which ofttimes makes one think—

Mr. Speaker: I might enquire of the Minister if he intends to come back to the principle of the bill?

Hon. Mr. Dymond: Yes, I do, Mr. Speaker, but I thought I might be granted just a little of the licence that you are so prone to grant to those on the other side.

I would emphasize, returning to the principles of the bill in deference to you, sir, that this is not another council. Its duties are quite reasonably spelled out, its duties are broad, its duties are important. It is to advise the government and the department on all matters pertaining to the health and well-being of the public. Its constitution is such that it is representative of the full broad spectrum of our society.

The chairman is the Deputy Minister of Health, the deputy chairman is the chairman of the Hospital Services Commission. This is laid down in our regulations. The five basic health professions are represented, the voluntary organizations are represented, the hospital association, the bodies which are involved in educating and training health manpower and the citizenry at large, including labour, business, industry and the ordinary run-of-the-mill citizens. This has been a council which has afforded us a great deal of support in the last two years since it came into being, since it became active, and its reports have been very useful to us.

The hon. member for Beaches-Woodbine raised the question as to whether or not the responsibility for supervision of the mental health of the public should be in The Department of Health. I would have to say to him, as I am quite sure he would expect me to say, yes, most assuredly it should be. A sound mind is just as essential in my view as a sound body, and I recognize quite readily, sir, that all mental ill health cannot be, at least we do not believe can be, attributed to a strictly organic basis as yet. But there is increasing evidence that much mental disease which we thought of in the past as having no relationship to an organic basis, has a closer relationship to the body processes, be they organic or chemical, than we previously thought.

Therefore, apart from the fact that traditionally nearly all jurisdictions in the civilized world have consistently looked to their governments to provide supervision over, and treatment for, the diseases of the mind, I believe that from the standpoint of health this does lie directly within the purview of The Department of Health, recognizing at the same time, sir, that The Department of Health in its strict and limited connotation of other days, cannot take total responsibility.

But The Department of Health now is so concerned and so involved in a broad spectrum of discipline and technologies that it no longer holds the narrow, stultifying, sometimes, very limited connotation of other days.

We involve great numbers of other skills and disciplines in our activities and I think that The Department of Health acts more or less as a co-ordinating body, sometimes a catalyst, to get the job on the way.

The hon. member for Thunder Bay brought out a point that is of great concern to him and great concern to those who represent the northern parts of our province—the scarcity of health manpower. It is equally of great concern to many of us who live down in the so-called densely-populated part of our province.

For the first time in the history of our province we have written into the statute a body that has responsibility for seeing to it that there is concern exercised and responsibility taken for the provision of an adequate flow of health manpower—the preparation and education of an adequate flow of health manpower. This can be found in the bill in section 4, subsection 2 (a) and (b).

This is the first time this has been written into the law. It was one of the amazing things to me when I became Minister of Health that nobody, no organization, had responsibility to see to it that there was preparation made for an adequate flow of health manpower.

The bill only really brings together duties and responsibilities and functions which we now exercise under the aegis of many Acts and regulations and puts them all within this one departmental Act.

Mr. Speaker: The motion is for second reading of Bill 97. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

THE DOG TAX AND LIVESTOCK AND POULTRY PROTECTION ACT

Hon. Mr. Stewart moves second reading of Bill 98, An Act to amend The Dog Tax and Livestock and Poultry Protection Act.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, this bill is one of the most unprincipled pieces of legislation ever to appear before this House. I say that with malice aforethought.

If Mr. Speaker were made fully acquainted with the hidden purposes, with the scheming intent, and with the subversion of rights contemplated under the terms of this bill; if he were well aware of the rank discrimination countenanced, preserved, and forwarded in the purposes of this bill, I am sure he, along with myself, would instantly resign. We would no longer wish to remain members of this House.

You know, Mr. Speaker, that under section 2, which is being amended under the Act, a male dog is taxed at $2 whereas a female dog is taxed at $4. Every subsequent additional male dog is taxed at $4, whereas the females are taxed at $6. To add insult to injury, Mr. Speaker, this is so unless the female dog is spayed. Spayed of all things!

Is there no provision made in this Legislature within the terms of our intent, or by this Minister in his callousness, to protect the rights of female dogs? There is a gross discrimination in your legislation in this particular area and I would ask the Minister to take a bill of rights for female dogs under immediate consideration.

Mr. Speaker: Any other member?

Does the Minister wish to say anything to the bill?

Motion agreed to; second reading of the bill.

TORONTO STOCK EXCHANGE

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs) moves second reading of Bill 110, An Act respecting the Toronto Stock Exchange.

Mr. Nixon: Mr. Speaker, I am very sorry that the member for Downsview (Mr. Singer) is not in his place because I know he is very much concerned about the provisions of this particular bill.

There has been considerable discussion about the principle that the Minister would bring public representation onto the board of the stock exchange. I think it is accepted that this is something that would be in the public interest, to say the least.

The old feeling—perhaps not founded on fact, but certainly prevalent among those like myself who are not expert in matters of this type—is that the Toronto Stock Exchange has been for years very much a closed corporation, run for almost the total benefit of those who have been able to purchase seats at high cost and take part in the deliberations which have been to their benefit over many years.

Now I would be the first to say that since we have the department headed by the hon. Minister and for a few months just before, there has been a much more extensive awareness of public responsibility associated with the Toronto Stock Exchange, and the public sale of securities of this type in general. There has been a great reform indeed and the reform coming much too late to save those among the citizens of this province who have lost a good deal of money—in many cases their savings—before the protection that should have been minimum and essential was brought into being.

Now there are some criticisms as far as the amendments are concerned, amounting to a difficulty in seeing how public interest is met by the appointment to the board of the stock exchange of those individuals recommended directly by the Minister, or the Lieutenant-Governor-in-Council. There is a suspicion that the old attitude will be perpetuated in this way, since there is no adequate provision for the involvement of the community at large.

Now I must admit I am not in a position to offer an alternative. I do not suppose these seats should come up for general election and yet surely there is some way whereby the Minister in giving his recommendations should be required in the provisions of this statute to seek out recommendations from those more immediately involved—and I do not mean the present members of the stock exchange—but from the community at large.

There is also the feeling that I have heard expressed that the stock exchange itself could be made much more of a public enterprise if seats on the stock exchange were not to continue to be so valuable because their numbers were so limited.

This government should act through amendments and the amendments before us do this in some measure. But they could do it much more effectively to make this a more public responsibility—a board that is more responsive to the requirements of the little man in the community, the man who, as he finds his situation improving, is interested in investing and in the development of our nation and our own natural resources, or even in trying to make a profit through the facilities offered by the Toronto Stock Exchange.

I just wanted to bring these matters to your attention, Mr. Speaker, and it may very well be that they can be dealt with more fully in this debate than I have attempted to do.

Mr. Speaker: Does any other member wish to speak to the bill? The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, I have a number of brief comments about the bill so that we will understand its scope. The bill perpetuates the monopoly of the Toronto Stock Exchange as the only body in the province of Ontario which conducts a public market place for the trading in securities.

It is true that under The Securities Act it is possible that another stock exchange could at some point in time be incorporated, say, for the mining business or to conduct some portion of the securities business. But we should be perfectly clear that the bill itself as it now stands, provides a monopoly to the Toronto Stock Exchange for the public marketing of securities in the province.

I am delighted to see that the Minister brought the bill in as a public bill, the original bill was a private bill. I trust in due course that his colleagues, particularly the Minister of Education (Mr. Davis), will see fit to adopt the same practice in dealing with the universities in the province. I think it is a very useful precedent that the Minister should see fit to bring this bill in as a public bill, and not leave it to be introduced by way of a private bill sponsored by one of the members of the Legislature.

At the time when we debated at some length the revision of The Securities Act, I had at that time, and in some detail, laid down the provisions which we thought were required in order to clearly outline the power of the Ontario Securities Commission to oversee the affairs of the Toronto Stock Exchange.

I am somewhat disappointed to find that there is no specific reference in this Act to the Ontario Securities Commission. It is, of course, true that the stock exchange, the public market place, can only be exercised within the framework of whatever the authority of the Ontario Securities Commission is, but there is again the perpetuation in this bill of the Toronto Stock Exchange as being a corporation which is a law unto itself. I simply reiterate, that I think the government is going to find that in due course it will have to provide specifically, either in this Act, or in The Securities Act for the overall supervision of the affairs of the Toronto Stock Exchange by the Ontario Securities Commission.

The bill provides, as the leader of the Opposition has pointed out, for two members of the public to be elected to represent the public interest. I do not know whether that is adequate, but my own view is that it is not likely to be adequate. The reason being that the directors appointed are, in all likelihood, going to be persons who, by and large, are within the same club, or have the same outlook about the Toronto Stock Exchange as those persons who themselves are members of the Toronto Stock Exchange.

It has a certain appeal, for public relations purposes, for the Toronto Stock Exchange to be able to say, "yes we do have two persons on our board representative of the public interest." However, I do not think that that is a sufficient assertion of the public interest, which in the long run can only really be protected by the operations and the conduct of the Ontario Securities Commission, and its relationship with the Toronto Stock Exchange. That is the fundamental point which has always been of concern to me, that regardless of the reports which have been made by commissions appointed by this government, the Minister is still content to allow the Toronto Stock Exchange to operate as a corporation, separate and distinct from any control or supervision or the minimum con-

trol or supervision by the securities commission.

I notice that this bill is distinct from bills relating to the professions or other bodies which are granted a monopoly, in the sense of a particular area of activity in the province, such as the legal profession, or the medical profession. There are no provisions relating to the whole question of the way in which the exchange conducts its affairs in the public interest in the event that any member of the exchange as such, or any person who is not a member of the exchange, but has been granted trading authority on the floor of the exchange would have recourse by some method of appeal, or otherwise, against a decision made by the board of directors and their very extensive powers granted to this board of directors in this non-profit corporation for the purpose of carrying out its objective, which is to operate the exchange.

In relation to the operation of the exchange, they are going to have to impose certain standards of conduct; they are going to have wide areas of authorizing persons to use the facilities of the exchange. There are going to be wide areas where, in due course, the exchange may well be extended to other areas of the province. There are persons who are going to have dealings with the exchange, either as members with rights, or as non-members with rights, or as members of the public, who should have some method by which they can appeal, should they have any sensation that their rights have been affected, or their privileges have been denied to them. I notice that as distinct from the other bodies which are granted monopolies in the province, there is no adequate provision for the exercise of disciplinary authority to protect the rights of citizens of the province incorporated in the bill.

There are other matters which we will deal with when the bill comes through committee of the whole House on the clause by clause discussion. Those, however, are the essential ingredients of the bill and, so far as I concerned, we will not oppose the bill. We do not think that by opposing the bill we are going to persuade the government to introduce the kind of amendments to The Securities Act which would give us a sense of the presence of public interest through the Ontario Securities Commission in the operation of the exchange. We do not think that the government would, by our opposing the bill, endeavour to make it a more public institution or to recognize it as a public institution, away from the sensation that many of us still have, that in a very real sense it is a private clause. We will, therefore, not oppose the bill in principle, but will restrict our comments to the clause by clause discussion of the bill.

Mr. V. M. Singer (Downsview): Mr. Speaker, I was very interested to hear the hon. member for Riverdale throw his lot in with the government on supporting this private club.

Over the years that I have been here, one of the strongest voices of criticism, about the stock exchange has usually come from the socialist party, and as all things change, so has the socialist party. I suppose the fact that their membership represents several people who have an interest in the continuation of the stock exchange, perhaps their views change in that regard.

Mr. E. W. Sopha (Sudbury): Two millionaires!

Mr. Singer: Now, for ourselves, sir, I think that this is an objectionable bill, and my colleagues and I are going to oppose it. We are going to oppose it for two very substantial reasons.

The first one is that, search as I may, within the four walls of this statute, I cannot find out how you become a member of the stock exchange. It is a rather interesting question that we have posed for a long period of time. This statute throws no light on it at all. The exchange here in Toronto, which does the largest business of any exchange in the whole of Canada has approximately 100 members.

Seats sell for substantial sums of money, $50,000, $60,000. But that is not the test. Apparently there is no test unless you can be accepted in this exclusive club. The test is not that you have enough money to buy a seat. The test is not that you comply with rules and regulations laid down by this Legislature. The test is not that you have carried on business in an honourable way. The test is not that you are able to post bonds, or get a bond for good performance. The test is whether or not the people who control this exchange decide that they are going to vote you in.

We have set out on many occasions the contrast between the rules that govern this exchange and the rules that govern say the exchange in London, England. In London, England they have a membership of over 1,000, and here we have a membership of 100, you cannot get any more in. When

I pose this question to some of my friends who know something about the exchange they say, "Oh the physical facilities will not allow any greater membership." If there ever was an answer that begged the question, Mr. Speaker, that is it.

If there was a real desire to allow persons other than the select few to participate in the affairs of the exchange, the facilities could readily be made available. It would seem to me that before the Minister brings a bill like this before us, in light of the discussions that we have had about the function of the exchange, its exclusiveness, the right to cut off people merely because, insofar as the public can tell, they do not like the way they comb their hair, that the Minister would have had a careful look about what McRuer says about civil rights. Also he should take a look at what has been said in these debates, what has been said on this side of the House, in this party, what has been said in other years by the socialist party, but not being said today. The Minister would not have brought in a bill like this unless there was a clear laying down of principles as to how you become a member of the stock exchange. Because it is obvious, Mr. Speaker, that a privilege is being granted by this Legislature, to a very select group of our community. And the privilege is set out in section 5 of the Act.

The Act says:

> The Corporation shall be carried on without the purpose of gain for its members and any profits or other accretions to the corporation shall be used in promoting its object.

That is an indirect way of saying that once you get in, you do not carry on the operations of direct gain, but if you are there, then the firm is there, and carries on for gain. Now, there is no gainsaying the fact, Mr. Speaker, that once stocks are listed, the public has a greater faith in dealing in those listed stocks than it has dealing in unlisted stocks. And the people who can buy and sell them, and the method by which they are dealt with, is a very important thing in carrying on the commercial market in this country, in this province, and in this city.

If this kind of activity is limited to the hands of a very few people, as this statute perpetuates, then, sir, I think it is wrong.

Now, we begin to pay lip service to a couple of the principles McRuer makes and we are talking about two public directors. And how do we get to a point of two public directors? Well, the present directors shall elect them from a list approved by the Lieutenant-Governor-in-Council, on the recommendation of the president. In other words, sir, we are again paying lip service, apparently, to a democratic principle.

There is no way in which you or I can be responsible for advising the Lieutenant-Governor-in-Council or having any word to say about it. Nor can we have anything to say or do about the appointment or the nomination of the two public directors. The cosy little group has been extended just a bit further. It is extended to the approval of the present directors, together with some sort of a say that the Lieutenant-Governor-in-Council might choose to exercise. Whether he does or not will be completely unknown to the members of this Legislature.

It will also be completely unknown to the members of the public, because there is no requirement at all that the representative of the Lieutenant-Governor-in-Council, who is going to make this recommendation, or give this approval, has to come before this House and say: I would like to approve of A and B; what does the House think?

One would think, sir, that as we begin to move slowly and painfully, kicking, yelling, and screaming into an era where our statutes are supposed to disclose some idea of civil rights, and the protection of civil rights—some idea of the protection of the mass of the public, as against the select few—that rather than picking out a sentence or a phrase out of McRuer's recommendations, we would really enact them in the spirit in which those recommendations were made.

We put in a Section 7, here—7(2)—which apparently is a very liberal section until you read it, and then you find it means little more than the statute that exists today.

Now, sir, I say, that before there should come before this House, the statute entituled, An Act respecting the Toronto Stock Exchange, that the people of Ontario are entitled to know how you can become a member of that exchange. They are entitled to know whether you, sir, or myself, or anyone, provided they can qualify—the qualifications may be very strict, and they may have substantial financial or other qualifications—that we are entitled to be able to pick a piece of paper and say: these are the rules as to how you can get to be a member of the Toronto Stock Exchange.

If I want to do that, and I can fit within those qualifications, then I can go up there, file my application, provide the necessary proof and become a member.

The second point, sir, and I think this is most important. If we are going to do something about putting representatives of the public on these special interest boards, then let them truly be representatives of the public. Not representatives chosen by the select group with the approval of the Lieutenant-Governor-in-Council. If they are going to be representatives of the public, then, before they are appointed to these select bodies, let them have the approval of this Legislature. For these reasons, sir, we are going to oppose this bill.

Mr. Sopha: Mr. Speaker, the points made by the hon. member for Downsview are very salient, and very well spoken. I greet them with a great deal of enthusiasm. They are in marked contrast to the wishy-washy attitude of the member for Riverdale, on this occasion, which is quite inimical to his usual posture. This makes it difficult to understand, really, his reasoning that we would not pose the bill because we could not persuade the Minister of Financial and Commercial Affairs to make the stock exchange more representative of the public interest.

Well, that reasoning could apply to that majority, or that 67-seat occupancy, in respect of almost any measure before the House, and would inhibit one from making a protest.

I greet with enthusiasm the remarks of my colleague from Downsview because my points of contact with the question of the place of the Toronto Stock Exchange in the economic life of this country, cover the whole span of the nigh on ten years that I have been in this House.

As I recall it must mark the ninth anniversary when, from my seat in the back row where my friend from Dovercourt now sits, I advocated that the exchange be divided into two branches. One to deal in blue chips—those solid securities, in which the public could repose a good deal of confidence—and another to deal in the speculative issues, which would clearly delineate their nature for the member for Parry Sound (Mr. A. Johnston), and those other dilettantes of the game who need, sometimes, more protection than their own rational faculties afford them. He will know what I mean.

That has not taken place yet, but something has taken place that I have referred to before, and I may be permitted to relate once again.

I recall very well going down before that Kimber committee, the Attorney General's (Mr. Wishart) committee, on which sat a number of estimable people. Indeed, one of the persons who now sits at the clerk's table was on that committee.

I make no apologies. The Minister of Mines (Mr. A. F. Lawrence) has chastised me for appearing before committees and Royal commissions. But I am one of those who has always felt, with a proper amount of humility, that if I had some opinions, and there was a Royal commission carrying out an investigation somewhere, that I owed it to my constituents to make my representations to that committee or Royal commission.

So I appeared before the Kimber committee, and I recall making the point about this bastion of—that word was bastion, Mr. Speaker—of privilege, the very homeland of it, the Toronto Stock Exchange. And I said to the committee: "Look here, I have no time to waste in considering any other consideration concerning the Toronto Stock Exchange, except the efficacy of the part it plays in developing the natural resources of this country."

"That is its only *raison d'être*—the only justification for its existence. To raise capital to develop the resources of this country and its people. It has no reason to exist to accumulate undeserved profits for the membership of the exchange.

Now that statement of principle, of course, goes unchallenged. But, historically since its inception, the Toronto Stock Exchange and those privileged members of it, to all intents and purposes, have acted as if they were given Royal letters of Marque.

In the days of Elizabeth, she gave them to Raleigh, and later Charles II on his restoration to the Royal throne.

From the turn of the century these people carried out their depredations as if they had Royal letters of Marque, and it became an idiom of usage in Ontario—in the language—that the Stock Exchange was not mining the ground, rich as it is in minerals, but was "mining the public."

"Mining the public" denoted the activity of these people, and that phrase has continued to very recent times. I must say, by way of interpolation, that the activities of the Attorney General have not been very effective in inhibiting people who would make such use of the exchange.

I pass that over, but really, it can be stated succinctly, that the only justification for the operation of that cathedral-like structure on lower Bay street, is the assessment of its part

in the development of the economy of Ontario and Canada beyond that. And one notes, of course, in that regard, that during recent years, the amount of fresh capital raised by the Toronto Stock Exchange has been steadily on the decline. The curve is a de-escalating one. They have raised less and less new capital.

One notes that, on the other hand, the fees, the brokerage fees, have consistently increased. And it can be stated that they have reached the point of being an unreasonable burden on the investor—which I am not—on those who do invest in the issues traded on the floor of that exchange.

Before, I leave it, the other thing about that Kimber committee, it gives me a good deal of pleasure to remember this, not in exaltation, but I spoke in great length to that committee about the operation of mutual funds.

I was one of the people in the country that was aware of the study made at the University of Pennsylvania about the operations of mutual funds commissioned by the securities and exchange commission. I felt a teeny weeny bit of chagrin that that committee—and my enthusiasm for its membership was under good restraint, let me tell you—but I had a bit of chagrin that they did not advert to the fact that I had made some observations about the operations of mutual funds.

Well, it was not too long—though it did not make any impression on that committee at all—it was not too long before the Minister of Financial and Commercial Affairs bounced in here one day and said he was setting up a committee himself to look into the operation of mutual funds.

Well, that reference, the original, the etiology as doctors say, of that initiative on his part, from American experience, gives one leave to remind the House that a reforming Franklin Roosevelt in the very earliest days of his first term took very forthright steps to reform the operations of the securities market in the United States. He enlisted the expertise of one of the leading traders, the most successful of financiers, the man most knowledgeable about the sinister practices that might be carried on to milk an unsuspecting public, no less a person than Joseph Kennedy. And Mr. Kennedy was the author of legislation which I think passed in the United States no later than 1934. That is, 35 years ago they established inhibitions in their statutes against depredation of the public.

Mr. Speaker: May I point out to the hon. member that the time has arrived for the private members' hour. If he can complete his remarks, perhaps he would do so, or if he wishes to move the adjournment of the debate—

Mr. Sopha: I will move the adjournment of the debate.

Motion agreed to.

THE EMPLOYMENT STANDARDS ACT, 1968

Mr. N. Davison (Hamilton Centre) moves second reading of Bill 32, An Act to amend The Employment Standards Act, 1968.

Mr. Davison: Mr. Speaker, in introducing Bill 32, An Act to amend The Employment Standards Act by providing a minimum wage rate of $2.25 an hour, I would like to bring to the attention of the hon. members how inadequate our present rate is.

Last October red headlines blazed across the Toronto *Star*, announcing that a minimum wage raise of 30 cents would benefit 190,000 Ontario workers.

Had I been a member of the government, I would have prayed that this announcement would be hidden in the smallest of letters, in the most obscure corner of the Ontario papers. Concealment would have been desirable because it revealed the shameful treatment accorded to a section of Ontario workers.

These 190,000 workers will receive wage increases of up to 30 cents an hour due to the establishment of higher minimum wage standards. This sounds fine until you realize that $1.30 an hour means only $52 a week. This is for a 40-hour week and I do not want to have it pointed out to me that this government considers a 48-hour week to be standard. I have news for this government—the 40-hour week has been standard for 15 years—the 48-hour week is the exception. In the case of the construction worker, who would appear to earn another 25 cents an hour for $1.55 an hour, this means only $51.65 a week, based on working for the usual 10-month construction period in each year. Their yearly income would be $2,704 and $2,686 respectively.

Only a few days ago, on April 22, The Economic Council of Canada called on the federal government to ease the lot of the "working poor". They call these people the "forgotten group". Believe me, it is quite a "group" because they number some four million across Canada. In fact, the council claims that one

in every five Canadians lives in poverty which they define as:

> An insufficient access to certain goods, services and conditions of life which are available to everyone else and have come to be accepted as the basis to a decent minimum standard of living.

The council has translated the poverty line into dollar values; for a single person $1,600 a year; $3,000 for a family of two; $3,600 for a family of three; $4,200 for a family of four; $4,880 for a family of five.

The council was quick to point out that their figures did not lean to the side of generosity. It becomes perfectly obvious that Ontario's minimum wage standard places everyone except a single person well below the poverty line defined by the council. The figures given by the council are averaged across Canada and though they are lower than the income required in Ontario, where The Social Planning Council of Metro Toronto declared last year a family of four needs in excess of twice the annual income of $2,704 resulting from Ontario's new minimum wage of $1.30 per hour.

The Economic Council of Canada states that any family or individual spending more than 70 per cent of total income on food, clothing and shelter is in a low-income situation and likely to be suffering from poverty.

Let us examine what we would be able to buy in this way. Seventy per cent of $2,704 is $1,892.80. If a family of four were allowed $1 per day, per person for food, and of course this is an impossible figure at today's prices but even so, this would require $28 per week or $1,456 for the year, leaving a balance of $435.80 per year or $36.40 per month for shelter and nothing for anything else. I know of no shelter available at $36 a month for a family of four.

Thus we find that even on a starvation diet we cannot supply shelter nor yet pay for utilities or clothing out of the 70 per cent of income recommended for these expenditures.

Let us forget the 70 per cent allocation for these expenses and blow the whole bit and see where we get. Say by some miracle we find shelter for four at $100 per month, including heat, hydro and/or gas. We would then have spent $1,456 for food plus $1,200 for shelter and utilities or a total of $2,656, leaving a balance of $48 for the year to buy clothing for four, drugs and medication, unemployment insurance, hospitalization insurance, medical insurance, Canada Pension Plan, bus or carfare and so on. Of course it goes without saying that this worker, unable to put proper food on the table, is the one most likely to suffer illness and yet he dare not be ill for even one day.

It is not difficult to realize that this government has condemned large numbers of Ontario citizens to live a hand-to-mouth existence.

The unbelievably shocking fact is that this government is aware of the total inadequacy of this minimum wage because it has set higher standards for a family of four on welfare and heaven knows that is too little.

The old phrase "sweat shops" is used no longer, although the same low wage places still exist. Social workers now dub them "industrial ghettos". Here the unscrupulous employer takes advantage of the newcomer to our land, as well as the native unskilled worker.

It is this kind of place which the Minister of Labour fears may be put out of business if they are required to pay decent wages, or they might move to another province, or such industries might not be attracted to Ontario. When he said the government had to give priority to low unemployment rates over higher wages, he was really saying that it is better to have low unemployment even at starvation wages than to force employers to pay decent rates.

New York state surveyed the effect of higher minimum wage rates on low-wage industries and discovered there was little net effect on employment. Only the most marginal firms are forced out of business and more efficient firms make up much of the employment loss. Sooner or later the marginal firms will go out of business, even though they have government blessing to maintain low wages. It is only a matter of time.

The question we should ask is, do we want to attract and keep an industry that can only survive by paying its employees wages so low that they cannot enjoy even the basic necessities of life? Are we in such bad shape that we must accept industry on any terms?

It is not enough that these victims of low wages must suffer but we are paying the cost of keeping them locked into poverty. If this employee is one of the few fortunate enough to obtain subsidized public housing we pay for it in our taxes. We pay for his medical insurance and so on down the line. We all feel it is just and right that our taxes provide relief for our fellow men but I do not think any of us would care to subsidize a company which this government encourages to operate by providing for them a pool of low-paid

employees—and that is exactly what we are doing.

The time has come to make it possible for all to buy the necessities of life. In fact, the time has come to place some of the luxuries that make life worth living within the reach of everyone.

It is time we ceased cheating poor people by allowing employers to pay wages lower than welfare and very closely related to unemployment insurance benefits.

We must make an effort to restore the self-respect which grinding poverty reduces day by day. We must insist on a minimum standard of wages that will at least provide the basic necessities of food, clothing, shelter and health.

For this reason I urge the hon. members to support Bill 32 to establish minimum wage standards of $2.25 per hour for all Ontario workers without exception.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, perhaps I should first of all mention the fact that this member's bill is very much like the presentation by the Ontario Federation of Labour, and covers quite a bit about the matters that were in that brief presented to the Premier (Mr. Robarts) of this province about March 19 of this year. That brief asked for a minimum wage of $2.25 per hour, among a great many other things.

Now, Mr. Speaker, let us take a look for one moment just at what is being done by our Department of Labour about minimum wages.

Effective January 1, of this year, the minimum wage set out for Ontario is $1.30 per hour—or a 30 per cent hike in minimum wages in Ontario, covering all industry with the exception of construction which falls into the seasonal category.

I would like to point out, Mr. Speaker, that this minimum in Ontario wages is exactly that —a minimum that any employer can pay his employees—a level below which wage rates cannot go. It is not meant to be the basis for a fair living wage. It is, however, intended to be an influence on income levels, but not necessarily a direct determinant of those levels.

By definition, a minimum wage tends to be a lowest common denominator. Estimates indicate that some 150,000 members of the work force at January 1 were below $1.30 an hour. This is a significant impact. One must not forget, however, the "wave effect" of a rise in minimum wage. For example, in most establishments only those at the bottom of the skill and productivity ladder would be paid the minimum. There would be others farther up the ladder who would be paid higher rates. When the minimum goes up, it is inevitable that these higher-paid people would also go up as differentials are maintained. Thus, the income-raising effect of the minimum wage is much greater than the bare figures would suggest.

On a broad basis, the impact is substantial, but when viewed in relation to particular industries, it is high indeed. Take hotels, restaurants and taverns as an example: Here surveys show that some 51.4 per cent of employees are below the $1.30 level, while some 74.5 per cent are below the $1.50 level.

In other industries, there are lengthy histories of collective bargaining. Yet many union rates are below $1.30. This is a reflection of economic realities, not the result of exploitation. Indeed, one thing our critics fail to recognize is that wage rates in Ontario are really based far more on economic reality than on old-fashioned exploitive tendencies. It is noteworthy that surveys found a far greater proportion of females than males below $1.30 or $1.50. The equal pay for equal work provisions of the new Act had an additional influence as far as raising female rates is concerned.

One always runs up against the question of how much impact is too much impact. Referring again to some unionized industries where wage rates are below $1.30, and where these bargained rates reflect economic realities, we could legislate prosperity for their employees, but how long would it last? If we were to establish a $2.25 minimum for the knit-goods branch of the clothing industry, that industry might be forced to pack up and leave Ontario. It could not survive the competition of other provinces and of other countries. It happens that many of the respected and unionized firms in this industry are located in small centres. What alternative employment would be available for the employees?

The minimum wage is just one element in a larger cost—or benefit—package established under The Employment Standards Act. We raised minimum wages by 30 per cent, and we also introduced premium pay for work beyond 48 hours, and for certain "statutory holidays". As suggested earlier, the new, more effective equal pay for equal work provisions has raised female rates. Moreover, the minimum wages is only one of a number of income-raising devices with which the government is concerned. Others are the collective

bargaining system itself, The Industrial Standards Act and fair wage schedules on government contracts.

Our province of Ontario cannot be too far out of line with other provinces. Our minimum wage level was higher than any other province except B.C.—and there the levels are by industry—as of January 1. We always face the possibility that marginal, mobile and volatile industries can pack up easily and move to another province. Unfortunately, these industries tend to be located in smaller centres where lower wages are the pattern, and where alternative employment is not always readily available.

Our minimum wage level and our other employment standards are simply steps along the way. They have not been static in the past, and will continue to move ahead.

Those who support the gradual approach of increasing levels of minimum wages, feel that strong measures as proposed in this bill, create very grave risks of increased unemployment, with all the hardships and social disturbances that I am sure the sponsor had as his objective to improve. The problem really is to keep business activity flourishing so that no loss of contracts and markets cause unemployment by extraordinary increases that create pricing the costs of production beyond competition levels with others in the world.

In nine months of 1968, we had nearly 10 billion dollars of exports by Canadians. One-third was in the finished factory goods category. Two-thirds then were in other products. Official DBS figures show that as at September last, average hourly earnings in manufacturing for Ontario were at $2.73 per hour, a full 11 cents above the Canadian average—more than twice the new provincial minimum wage. The same DBS figures also show a definite increase in the labour income percentage of the gross national product.

They also show a decrease in corporation profits percentage. The DBS figures, as Bill 32, does not mention a very significant employee benefits amount—equivalent in much of our industry to 25 per cent. This amount must be considered by employers in all calculations of labour costs percentage of product price.

Capital has a habit of finding the most rewarding source to grant its benefits upon. Any danger of outflow from our province—as our country—has grave consequences to our workers and to the value of our dollar in this really small world. The increasing similarity of production patterns among countries are well known today.

The hon. member for Hamilton Centre goes one further step in creating the suggestion—by not mentioning it—that employers who provide employees with accommodation and meals should subsidize such benefits by not charging the full cost to, or deducting actual cost, from wages.

The criticism levelled at the government re five per cent tax on manufacturing machinery is negated by this bill being presented here in Legislature at this time. The inference of the critics is that the tax bill be passed on to the consumer, increasing the inflationary spiral, and, therefore, crippling the economy.

By the same token, when the actual cost of the hon. member's resolution is examined in the cold light of day, the cost in one year that will have to be absorbed by the consumer makes the five per cent tax hike look like small potatoes. These are hard, cold facts that tend to reflect on the resolution of this bill speaking with a forked tongue.

He apparently has also failed to realize there is a different minimum charge allowance for these provisions, established by the income tax deductions branches of The Department of National Revenue and the Workmen's Compensation Board, Ontario.

I suggest to the hon. member that he now move to withdraw this bill and support the government's attack on several fronts, to correct the same purpose and objective of this proposal. The government's measures of its minimum wage and the new Employment Standards Act, the encouragement programmes lifting the economic levels of regions with disparity problems and its public services improvement to our people. A sensible graduated programme of advancement in environment and standard of living that is proven and able to demonstrate its equivalent to any other comprehensive programme.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, in rising to support this bill, I think we should set out the ground rules at the outset. The Minimum Standards Act is designed to protect those workers who are not protected by collective bargaining. This is the crux of the minimum wage and The Employment Standards Act.

I would like also to point out, Mr. Speaker, that when you raise a wage 30 per cent of one dollar in today's living conditions, you are not raising the wages to an appreciable extent.

Now, the government seems to think that if we raise the minimum wage to a living wage, to a wage where a man and his family

can live in decency, that we will lose industries to other provinces and other countries.

There is one important factor that perhaps the government forgets. That is that we in Ontario have the largest market in Canada and industry will think twice before leaving this province, because it is close to the purchasers' market. It is close to the source of many raw materials and many other things that make industry settle in Ontario.

So I do not think this is a valid argument against raising the minimum wage in Ontario. If some industries are not willing to pay at least a living wage, Mr. Speaker, perhaps they should leave Ontario.

Another factor that the government does not realize, Mr. Speaker, is that if this province had a decent minimum wage, the welfare costs of the province would be cut accordingly and they would not have to raise as many taxes as they are now required.

That is the factor, Mr. Speaker, and I think the hon. member who just spoke has placed an economic condition on the human betterment of the people of Ontario. The government opposite never thinks in human values, Mr. Speaker. It thinks in dollars and cents values, and sometimes we have to forget dollars and cents values and give the people what they really deserve, a decent minimum wage.

Let us just examine the living wage that has been established by The Employment Standards Act which was passed last year. If an employer pays the minimum wage, he pays $53.80. This is the average wage that was paid in Canada in 1951. 1951! That is what they consider a decent living wage. What a pity, Mr. Speaker!

The Canadian average of last year was $108.40 a month. The minimum wage as established by the Act, the general minimum wage, was $52. In construction, it is $62 if a man worked a 40-hour week.

What the government says is that if you want to earn more money, work at least 60 to 70 to 80 hours a week. We are not going to give you a decent wage.

My friend mentioned that they are paying the minimum wage to people on the lower rung of the labour force. Well, the people on the lower rung of the labour force deserve a decent living wage, and the minimum wage established by this province is a fallacious standard on which, as my friend says, to set the basic standards for the wages in the province.

The whole point is that the government, by it's "living wage" is fostering poverty. Have you ever tried to consider what a man and his wife and one child can do on $52 a week, when to rent a bachelor apartment costs at least, in the city of Toronto, $125 a month. That means, Mr. Speaker, that if a man is earning the minimum wage, it costs him two weeks' salary to rent an apartment for one month. The hon. Minister of Labour, said in October when he passed that legislation raising the minimum wage to $1.30, and $1.55 respectively, said:

> I am convinced that minimum wage legislation, important as it is at this stage of development, will be, in the long run, a comparatively minor factor in the elimination of poverty.

That is a tremendous statement to come from the Minister of Labour (Mr. Bales), to say that the government does not take any position in the prevention of poverty in Ontario, and there is no doubt, Mr. Speaker, that a person earning $52 a week in Ontario today, is living in poverty. There is no doubt that he is living in poverty.

Let us examine the fact that the minimum wage as established last year, was the average weekly wage in 1951. Since 1951 to February 1969, the consumers price index went up 43.7 points to 158.4. Do you know what the government opposite has raised the minimum wage from? From $1 to $1.30 within four years—before that, there was really no minimum wage. Since 1964, Mr. Speaker, when the government decided to establish a minimum wage, the consumer price index went up 23 points, almost half the amount since 1961, and they raised the minimum wage by 30 cents.

You would think, Mr. Speaker, that the government would at least tie the minimum wage to the cost of living. That as the cost of living goes up, they would insist that minimum goes up with it.

What we are really doing, Mr. Speaker, is subsidizing certain marginal plant operations to carry on business. I do not think that the government should be subsidizing any two-bit outfit that is not willing to pay a living wage. What happens, Mr. Speaker, when they do not pay a living wage? They throw these poverty stricken people on public welfare. They throw them into public housing. They throw them into all these services designed by the government opposite to help people that cannot, and are not, earning a decent wage, and thereby, Mr. Speaker, raising our taxes to a place where they should not be,

simply because, by not paying a living wage, people of Ontario have to subsidize that wage, That is the point, I want to leave with this House, Mr. Speaker, in supporting this bill, that if the government insisted on a living wage, the welfare costs of this government would go down.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, I hope that the Minister of Labour's absence is not indicative of the government's position on the minimum wage. It appears to me that when we are debating legislation that is relevant to a Minister's portfolio he should have the courtesy to be in this House.

Hon. A. Grossman (Minister of Correctional Services): Is the hon. member sure the Minister knew that this was going to be called?

Mr. Pilkey: I have known for over a week.

Mr. Speaker: May I point out, for the information of the hon. member, that the presence of Ministers in the House has been discussed by the party leaders and there is no unanimous opinion among them that a private members' hour is a proper place for a Minister to be present. These are the views and I think it only right that I should convey them to the hon. member.

Mr. Pilkey: Thank you Mr. Speaker. It appears to me, Mr. Speaker, that if the member for Victoria-Haliburton (Mr. R. G. Hodgson) is enunciating the position of the government, then—

Some hon. members: He is not.

Mr. E. W. Sopha (Sudbury): He is almost always stating it.

Mr. Pilkey: Oh, I see. Then I want to say or echo the sentiments of the member for Dovercourt in saying that it appears to me that his proposition is that the employees subsidize those industries that cannot pay a higher wage. Obviously this bill does not call for that, and this party does not support that proposition. I want to say that the statistics that were released by this government in June of last year, indicate that there are approximately 500,000 workers in this province earning less than $2 an hour. We know that the 30-cent increase reflected in a wage increase for 190,000 workers in this province, and $1.30 an hour related to 40 hours per week, puts those employees in the category of being below the poverty line. As a matter of fact, it puts them in that area of bitter poverty, as enunciated by the Economic Council of Canada. I think they used a figure of something like a little over $3,000 per year. These people will earn less than $3,000 per year.

We all know that The Labour Relations Act which should be a vehicle to encourage collective bargaining so that employees may gain a measure of economic and social justice, is, in effect, denied the individual. Therefore, the government through the legislative process, becomes the agent which the unorganized worker must look to if he or she is to gain their fair share of the economic pie. I want to say, when The Employment Standards Act was introduced, that the Minister of Labour, said that this was "a charter for the unorganized", "a charter", this is what he said. We are going to talk about that a little later on.

The government must provide a shield for these employees against the powers of management. The Minister of Labour, through his government, in effect, becomes a bargaining agent for the unorganized, with a jurisdiction covering employees in a variety of industries and service trades. I want to say now, that in all good conscience, what we must do is review the agent's activities over the past years to see if the bargaining agent, in this case the government, has given the employees adequate and proper representation.

In my opinion, Mr. Speaker, there should be an annual wage increase, and in this case, this was the first wage increase that employees who were receiving the minimum wage, have received since 1963. By the way, it did not cover the increase in the cost of living that took place during those intervening years—make no mistake about that. The government has provided nothing in the area of protection against the increase in the cost of living: On the guaranteed annual income, which would provide most workers with a continuity of income for the full year: The government has done nothing in that area. The question of providing comprehensive hospital and surgical medical benefits: The government has done nothing in that area. Sickness and accident benefits: They have done nothing for the unorganized in that area either. Life and accidental death and dismemberment insurance: They have done nothing in that area. I could go on. On the question of paid holidays, what did this government do? They introduced seven paid holidays and they said that if the worker worked he got time and a half but if he did not work that day he did not get paid.

I want to submit, Mr. Speaker, that if the government was the representative in a legally constituted trade union that they would soon find themselves voted out of office, make no mistake about that. There would not be a trade union group in this country that would tolerate that kind of representation, and yet the people of this province are tolerating it to this point. I want to suggest that if they do not mend their ways in terms of providing some of the amenities of life that the unorganized deserve in this province, I want to suggest that they will be voted out of office as well.

I recall in the *Hansard* of Monday, March 18, 1968, when we were talking about the branch plant economy, during that debate the Minister of Trade and Development (Mr. Randall) said that there were 13,000 manufacturers listed in this province and 8,000 of them employed 14 people or less.

I pointed out to him at that time that the Minister of Labour had made a statement and he said that the inefficiency of many small employers explained why 23 per cent of Ontario's work force made no more than $3,000 in 1965, and I do not think that that situation has improved. In other words, the Minister of Labour at that time was saying that it was the inefficient small companies which were being imported into Ontario and were the cause of people earning less than $3,000 a year. But as is the case, many times these Ministers seem to be able to fall on both sides of the issue. On October 24, 1968, the Minister of Labour said this:

> A drastic increase in the minimum wage could force small industries into bankruptcy and result in huge increases in unemployment, Ontario Labour Minister, Dalton Bales told a group of manufacturers yesterday—

I want to tell you who he was speaking to when he made the statements prior to that, it was to the Ontario Federation of Labour. Well, he could get away with that statement there, but when he was speaking to the manufacturers he came down on the other side and that is understandable. He said,

> The government, faced with intense competition for new industry, has had to give priorities to low unemployment rates over high wages. There is strong public sentiment which appears to have priority and which government of today must constantly bear in mind: The need to manage the economy as close to full employment as possible.

And that, Mr. Speaker, is the case.

If this economy of ours was operating on the basis of full employment then we would not have to worry about this question that the member for Victoria-Haliburton raised about where do these employees go if we raise the minimum wage. What we need to do is to devise the means to provide a full employment economy and his problems will be resolved.

I also want to make an observation, Mr. Speaker, if I have time—have I got time?

Mr. Speaker: The hon. member is at the end of his time, but I am sure that the House will allow him an extra minute or two.

Mr. Pilkey: Well, I just wanted to make one observation I think is relevant to this debate. It was not so long ago that the member for Eglinton (Mr. Reilly) made a two-hour speech in this House and he talked about the freedom of the individual and the freedom of choice of joining the union, of paying the dues. I could not understand it because I did not really think he was sincere in his presentation. I do not really think that he believed that sincerely, and I was contemplating to myself why he should make that kind of a speech in his House. After considerable contemplation I think that he made that kind of speech to cover up the government's omissions in this area.

If the member felt that these people should have all of those freedoms, why is he not talking about them having the freedom from economic want, which is equally as important? But nothing was said in that regard. He does not fall on the side of providing a decent standard of living for the people which the trade union movement has consistently fought for.

He talks about all these freedoms, but he does not come down on that side. It seems to me that he is covering up a very serious omission on behalf of this government in those kind of speeches. It appears to me that he ought to come down on the side of eliminating the economic disparities that exist in this province as far as workers are concerned, whether they are organized or unorganized. If he travelled in that direction he would be providing a greater representation to the people of this province than he is with the other kind of speeches he has been making in the past.

I want to conclude, Mr. Speaker, by saying that I think that we can provide a measure of economic and social justice for the great numbers of people in this province.

All we need is the will and the desire, and if we have that we can do the job.

Mr. G. Ben (Humber): Mr. Speaker, in rising to support the principles of this bill I want to digress a little. I do not believe it is digression. I want to warn your Honour that it may be taken as digression, but it is to make a point.

What I want to say is that the Liberal Party in its philosophy does not support the principle of welfare, because in its democratic society, in a liberal society, the kind of society we strive for, welfare would not be necessary, because everyone would receive a fair living wage.

Now my colleague, the hon. member for Dovercourt, used the phrase "decent living wage". I use the phrase "a fair living wage", because the government speaker, the hon. member for Victoria-Haliburton, said, in referring to the minimum wage in the province of Ontario, "It is not supposed to be a fair living wage". Those are the truest words ever spoken.

I think one time the *Star* referred to the minimum wage here in Ontario as being "a minimum wage indeed". At that time last year, before the increase came through, they pointed out that minimum wages in Manitoba, Alberta and British Columbia, were raised to at least $1.25 an hour. But rich Ontario had remained at $1 an hour. In other words, these provinces had set the pace.

Now in speaking about welfare again, this party has been in favour of a guaranteed annual income. This party believes that everyone in this province, in this country, and in fact in the world, has a useful purpose to play in society, and that he should be given a fair living wage.

We recognize that there are many people who may not come up to the standards that the Tories would require of a person in performing a certain function, but the good Lord made them that way. We in this party are prepared to take them to our bosom as being God's children, and simply because some person is incapable because of a lack of mental ability to absorb a grade 13 education, or university education, and become a mechanic, or technician, or an engineer, does not mean that he should be condemned by this government to living at a sub-subsistence level.

Many people, some handicapped, and who cannot go to work, still perform a useful purpose in society in that they teach us humility and understanding and tolerance. Those people who look after them should perhaps be paid an additional wage so that they are looked after properly. If the people themselves cannot do anything, then those that look after them should, but they certainly cannot do it with this so-called minimum wage.

My colleague from Dovercourt pointed out that if you did pay everyone a decent, or fair living wage you would not have to have general welfare assistance. For that matter, you would not have to subsidize people who subscribe to OMSIP or you would not have to subsidize people who subscribe to Ontario Hospital Services Commission. They would be able to pay their own premiums and you would not have to levy those additional taxes.

I mentioned this because the competitive factor comes into it. If you do not have to raise these funds, you do not have to tax to that degree, and industry in this province could then be given a tax advantage that is not present in other provinces, thereby meeting a competitive level.

But let us, for the sake of this argument or the sake of this discussion, accept the Tory philosophy. We do not accept it, but let us for the purpose of this debate give consideration to the Tory philosophy that those who work should get paid for it and those who do not work should not. I know it breaks their hearts to give welfare, but if you accept that philosophy, then those who work should be getting more than those who do not work.

But it is not quite so with this minimum wage. For example, the minimum wage of $1.30 in a 40-hour week will give you $52 per week. Now jobless benefits were increased last year so that, depending on the contribution, an unemployed married man would receive $53 a week—one dollar more than the minimum that a man in Ontario would be receiving if he was employed.

Now, surely that must go against the grain of the Tory philosophy. Here is a man who is getting one dollar more for not working than a man who is working. So that in order to correct that injustice to the Tory philosophy we should increase the minimum wage. Then again look at your tables for assistance under The Social and Family Services Act. An adult person and spouse, if they are boarding, would receive $130 a month. Then say they have four children, two of nine and under, and two 10 to 15, they would then be receiving a total of $274 under welfare assistance.

Under the minimum wage that you pay here, a man with four children who was working, receiving the minimum wage will be receiving $249.60 to $250—or $74 less than a person with the same number of children who was not working. Now surely that must hurt you. So we say if you cannot increase the minimum wage out of consideration for the people who are earning it, at least increase it to give credence to your philosophy that those who work should get more than those who do not.

We cannot appeal to you on humanitarian grounds, so we may have to appeal to you on monetary grounds. Although I doubt very much that that will get anywhere either.

Last year, the papers reported that the average wage in Canada for industrial workers rose to $104 a week. I do not think anybody has ever argued that, by receiving $104 a week you become the Aga Khan. As a matter of fact, sociologists point out that after everybody takes their bite there is very little left.

My colleague from Dovercourt pointed out what it cost to rent an apartment and I remember the hon. Minister of Correctional Services and the Provincial Treasurer just sort of shaking their heads either in bewilderment or amazement. I do not know whether they were shocked by it or could not understand the calculations. I guess I think sometimes even the Provincial Treasurer gets baffled by figures when they go over ten—

Mr. R. F. Nixon (Leader of the Opposition): He is baffled most of the time.

Mr. Ben: But at any rate that was the average wage. In Sarnia, which has the highest wages, it was $133 a week.

Mr. Nixon: Write me a blank cheque like that.

Mr. Ben: That was up from $131.58. Moncton was $81.16. It had gone up from $75.94. Oshawa $128.69. It was up by $9.37 from the previous year. Sudbury $110. Now these are just average wages, and as I say no one has tried to imply that you can live like an Aga Khan or a Rockefeller on those wages. One surprising thing was the statement of the hon. member for Victoria-Haliburton talking about a 30 per cent increase. As the hon. member for Dovercourt said—30 per cent of nothing.

I am reminded of when I went to high school. I went to Central Technical School here in Toronto and we had a machine shop instructor whose name was O'Connor. He was quite a fellow. I have reason to recall him. I remember one time the class had not performed as well as it should, so he imposed a penalty on the class and he gave them a choice: take a hacksaw and cut through either three one-inch diameter bars, or one three-inch bar.

The majority took the three-inch bar. They figured it was easier to go through. If they had known their mathematics they would have chosen differently. When you double the diameter you square the volume, so they were sawing considerably more going through the three-inch bar than they were through three one-inch bars.

I mention this example because the hon. member for Victoria-Haliburton tries to find a comparison between the 26 per cent increases that are now common to industry and a 30 per cent alleged increase in the minimum wage. Well, as the hon. member for Dovercourt said, 30 per cent of nothing is still nothing.

Mr. Speaker: I would point out to the hon. member that his time is up. If any other member wishes to speak on this, I think he should have that opportunity. Otherwise I am sure that the hon. member can continue. But perhaps we might ascertain if someone else wishes to speak. Yes, well then, the hon. member will please draw his remarks to a conclusion.

Mr. Ben: All right.

Well I think I have made the point. We think everybody in this province, regardless of mental ability or physical capacity, is entitled to a decent living wage. Minimums of $1.30, $1.50, $1.55 or $1.15, depending on the industry, are neither decent nor fair living wages. We will support this bill.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, I support Bill 32 introduced by my colleague from Hamilton Centre and I would have thought the hon. member for Eglinton would have stayed and taken part in this debate. He has shown a deep interest in the problems of the people in the working field, particularly in the trade union movements, and I thought he would have been interested in this particular subject.

The member for Victoria-Haliburton who spoke on behalf of the government referred to the speech made by the member for Hamilton Centre in introducing his bill, as being one taken from a brief presented to the government by the Ontario Federation of Labour.

I do not know whether that is correct or not, but I cannot figure out just what difference that makes. If the brief presented by the Ontario Federation of Labour was a worthy brief, and was factual, and was done with a sincere intent to bring to the attention of the public the need for a higher minimum wage, then it is well worth repeating.

I would say he might have added and given some credit to the Ontario Federation of Labour because, if you remember five years ago, they conducted—at their own expense and with their own personnel—a lengthy survey across the rural parts of Ontario to determine what poverty existed.

I would recommend to the hon. member for Victoria-Haliburton that he get the booklet they put out—"Poverty in Ontario". I think he would be willing to rise in this House to support an increase in the minimum wage when he got the facts of what is going on.

Mr. R. G. Hodgson: Does the hon. member think I was criticizing that brief?

Mr. Gisborn: Now the government can give all the statistics they want as to what an increase in the minimum wage might mean to the economy of our province, about driving industry away, and reducing employment. It just does not fit into the picture, because everybody who is interested in the economics of the province, including those people who are paid high wages to make the study, have said that we have to provide a higher income for the lower groups in our economy.

Mr. Sopha: The right to live in dignity!

Mr. Gisborn: The other groups cannot carry the economy continually when we have such a large number—the number mentioned was 750,000 in Ontario—who cannot participate in the economy of this province. They cannot buy the things that we produce in the way they should be able to. They take everything they earn to go to the food store and that is it. Even their shelter is not adequate.

Now, when we relate a minimum wage in the province to that wage earned by some in organized plants—I would like to just give a comparison. In the Steel Company of Canada, they have a good strong, collective, bargaining position. Their minimum rate is $2.59 an hour at the present time, but that only includes what we call the base rate. That is class 1, that is the chap who has fulfilled almost all of his contribution to that industry, other than to look after, as a caretaker, the change houses and the mailing job and menial jobs of that nature.

The first-class in the labour rate then goes up by an increment of seven and a half cents, and there are five classes in what we call the labour rate in that industry. And this holds in most of the industrialized trade union movements.

But when we talk about an income, even at the rate of $2.25 an hour—for, if we say 40 hours, $90 a week—we forget that out of that those people have to pay the fringes that other workers in the organized groups receive on top of their base rate. That includes increases for shift premiums, their Medicare, and their hospitalization which is subsidized through collective bargaining; vacations with pay, and that is those that are in addition holidays demanded by government legislation; pensions, and a lot of the industries have non-contributory pensions. And even if there is a contributory feature, they are subsidized; and and statutory holidays are to a greater extent more than provided by the legislation of this province. So I think we have to take a reasonable look at what people have to put up with.

I do not agree with my friend, the hon. member for Dovercourt, that the minimum wage was brought in to protect those who are not organized. I think the government brought that minimum wage in because they were becoming a little ashamed of the exploitation by those groups who took advantage of the fact that they could pay as little as they could get away with in the province. The government has never given encouragement to those groups to get into unions of their choice in a manner that will help them to increase their pay.

But it is enlightening, Mr. Speaker, when one considers this: I have been here since 1955, and I think there have been five increases in members' indemnity since 1950, and I have never heard one squawk from the other side when that time came when we had to stand up and be counted in favour of an increase. And I have not heard a squawk in the last few weeks about a rumoured increase for the members. There has been no squawk from the members on that side of the House—and I would have thought they would have been supporting this bill at this particular time.

Interjections by hon. members.

Hon. Mr. Grossman: I have not heard the hon. member objecting either.

Interjections by hon. members.

Mr. Gisborn: But at least we are pointing, as well as you are, to the others across the floor.

Mr. Sopha: The member never squawked about it.

Mr. Gisborn: That is right, the member is getting the point, they are the people we are taking the issue on, not the member.

Mr. Sopha: The member recalls the day I pointed out to him when he was complaining about the increase to judges? Does he remember that?

Mr. Pilkey: The member has missed the point.

Mr. Gisborn: Mr. Speaker, just to close, I would like to relate what is happening in this province and why we should be trying to raise the income of the group we are talking about at this particular time.

I want to quote from the Fort William *Journal* of April of this year:

> The latest annual survey of the senior management salaries by the H. P. Chapman Associations Limited, a nation-wide executive placement firm, shows the executive salaries have gone up by an average of 60 per cent since 1961; in the same period average wages of hourly-rated employees rose by only 40 per cent. Now, based on 3,000 job samples across Canada, the Chapman report of the average salary of a general manager last year was $34,100. Bonuses raised the average to $40,750.

We know how the bonuses come in. That is a very enlightened way of beating tax payments.

The report states that executive salaries rose by about eight per cent last year, compared with 7.3 per cent for hourly-rated workers in manufacturing, and should climb by another 8.7 per cent this year. Executives on the west coast received the highest average, $52,350 a year.

Mr. Speaker: I am sure the hon. member has seen the hour and I would ask him to conclude his remarks.

Mr. Gisborn: I will, Mr. Speaker.

I was trying to illustrate that there can be ways to increase the minimum wage, regardless of what the government's fears are, without driving industries away from the province, if that is a real fear. If that should happen, then maybe some of the "have" industries can help to subsidize those "have not" industries to make sure that they can pay a decent wage and not have the worker subsidizing industry so they can keep going.

Mr. Speaker: That completes the private members' hour.

It being 6 of the clock, p.m., the House took recess.

No. 98

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, April 28, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, April 28, 1969

Toronto Stock Exchange, bill respecting, Mr. Rowntree, second reading 3653

Marketing of fresh water fish, bill to regulate, Mr. Brunelle, second reading 3667

Fish Inspection Act, bill to amend, Mr. Brunelle, second reading 3675

Medical Services Insurance Act, 1965, bill to amend, Mr. Dymond, on second reading, Mr. J. Renwick 3676

Motion to adjourn debate, Mr. J. Renwick, agreed to 3678

Motion to adjourn, Mr. Welch, agreed to 3678

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8. o'clock, p.m.

AN ACT RESPECTING THE TORONTO STOCK EXCHANGE

The Clerk of the House: The 19th order, resuming the adjourned debate on the motion for second reading of Bill 110, An Act respecting the Toronto Stock Exchange.

Mr. E. W. Sopha (Sudbury): The principle of this bill as enunciated by the hon. Minister (Mr. Rowntree) in its introduction in the House, purports to be the participation of nominees of the public in governance of the Toronto Stock Exchange.

We oppose the bill because we say that the phraseology adopted in section 7, Mr. Speaker, amounts to merely a sham and artifice and does not effectively achieve the announced purpose. Read the provisions of that too lengthy section, a section that the draftsman might well have divided into two or three sections so that it would be comprehensible to the reader, in the light of what the noted Professor Harry Arthurs of Osgoode Hall had to say the other day. He repeated what I have been saying for years, that public statutes of this province should be written in such form that they are readily comprehensible to any member of the public who may choose to read them, and especially those who are affected by them. We cannot hope that a level will obtain in respect of insurance policies and other works of art like that, but surely in respect of the public statutes we can demand that they be comprehensible.

Toward the end of that lengthy subsection —and it is amazing how a draftsman can gather together so many words without a punctuation mark; it seems that they never run out of breath to the extent that they need a period to enable them to get another lung-full of oxygen—you will see in that section he just goes on and on for two, four, six, eight, ten, twelve lines until he finds the need of a period, but in the last three or four lines you see the burthen of these subsections, and that is that no person is eligible to be elected as a public director if he is a member of the corporation, and unless his nomination for such election has been approved by the Lieutenant-Governor-in-Council.

We say that is ineffective to achieve the ultimate purpose that is sought—that is effective public participation in the governance of the exchange. It denotes on the other hand the lack of seriousness of the Minister and the government. Presumably any member of the corporation of the Toronto Stock Exchange who had a brother-in-law, and I am not trying to be facetious, who is living like a remittance man and had nothing else to do with his time, could see this brother-in-law nominated to fill the position. The unsuspecting Lieutenant-Governor-in-Council, on some sleepy Thursday morning when this came before Cabinet among the pressure of other business, could let this nomination go through, and you have added two people—perhaps a brother-in-law and an uncle are present members—who have neither the desire nor the motivation and much less the knowledge required to effectively enhance the public interest.

Draw the contrast, by the way of analogy if you will, with the method adopted by Franklin Roosevelt dealing with the same area of public concern. When Franklin Roosevelt wanted to correct the abuses in the trading of securities he looked abroad in the land and he got the man who knew more than any other person among the 150 million Americans then alive about the artifices, the devices, the tricks of the trade because he had practised them himself. I do not think I demean the name of Joseph Kennedy in saying that; it has been published many times. No one knew better than Joe Kennedy how to trade in securities to maximize personal profit. Roosevelt employed him and said to his great friend Kennedy, to whom he had already given the franchise for the importation of Scotch whisky into the United States: "Go at them and draw up a statute that will effectively eliminate the abuses in the trading of securities." And that is what Joseph Kennedy does.

Mr. T. P. Reid (Rainy River): Get the hon. member for High Park (Mr. Shulman) to do it.

Mr. Sopha: I will get around to that in a moment. My esteemed colleague from Rainy River says that we could get the hon. member for High Park to do it for Ontario, because he proclaims himself to be more knowledgeable than anyone else alive presently about the methods of gathering easy money through the trading in securities.

I say that the Minister, in employing the words that he uses in the statute, indicates his lack of seriousness. Were he serious about it, he would not hesitate to say to the Toronto Stock Exchange, "Listen, brethren, we made some reforms a year or so ago," and I give every credit to his courage in taking the steps he made the year before last and tightened up last year, when we spent so many hours in the committee on legal bills dealing with the statute. He should say: "We took some steps to effectively control the operation of this mechanism, and now we mean to take another one. We, the government, the Cabinet will appoint two people to your board who will be the overseers of the public interest—people whom we deem to be objective, impartial, uninterested and completely neutral in their assessment of the value of your operation."

That is the way we do with horseracing, that is the way the Ontario Racing Commission operates, in putting impartial judges in the stand. It is the operation of a very valid principle, Mr. Speaker, one that ought to be carried into effect in this bill. I do not think it needs a great deal of argument to support it because I really do not see how anyone could quarrel with it when it is enunciated in that way, but no doubt I am being too sanguine and the Minister will get up and quarrel with that statement of the principle.

Now, I want to address myself for a moment to the ways in which these people work on the exchange. I made some reference to the Kimber committee, and I do not really recall whether in that time it was in operation, that Mr. Jack Kimber was the chairman of the Ontario Securities Commission. I do not think he was; I think it was subsequent to the work of that committee that he became chairman. But you will note that the Toronto Stock Exchange, in a very shrewd act, went into the camp of the enemy—and I use that term by way of hyperbole—that is to say that they took Mr. Kimber from the chairmanship of the exchange and enlisted him in their own payroll. So you would have to say, to use the Imlachian phrase, you would have to say that they are not so dumb. There is nothing like hiring somebody from the enemy camp, who knows a good deal about the operations of the commission and discharged them as a matter of public responsibility.

In line with what my colleague, the member for Downsview (Mr. Singer) was saying, we have to bear in mind, I made the one point, that it is my belief that the exchange has never been a very effective mechanism, and I am open to be challenged on that score, in the development of capital resources for the enhancement of the economic life of this country. I do not think the exchange was ever serious along those lines, and I am a person who grew up in Cobalt where their operations found a locus for a good many years. While I was in mining camps in the northern part of the province—Porcupine and Kirkland Lake—I do not think they ever seriously attempted to accumulate large resources of capital for the development of mining ventures. They were concerned with their private profit, and for a long time there was persistent complaint in this country that of the resources—be it X dollars—that was collected in relation to a specific mining venture, only a very small proportion of that would actually find its way into the ground.

I believe in the recent and enlightened years of the nuclear age, the securities commission keeps a very watchful eye on that aspect of the operation. The sum total of the operations has been that a seat on the Toronto Stock Exchange is a very valuable and profitable commodity. My friend from Downsview said today that it fetches in the neighbourhood of $70,000; he would not mind being corrected when I state that that is close to 50 per cent of the actual price, and they trade for somewhere around $125,000 each.

If anyone wants to see an illustration in a public document of the profitability of that exclusive right of trading on the exchange, the case of Sedgwick against the Minister of National Revenue, first reported in the Exchequer Court of Canada, subsequently in the Supreme Court of Canada, shows just how profitable an operation this is. The holders of the specific seat that forms the subject matter of that case, held it for only a relatively short period—a couple of years—and then traded it, and the question came before the courts as to whether the increased value of that seat formed part of income or was it to be credited to capital gain. I do not recall the figures, but a study of that case will reveal that it was a very respectable

amount of money which represented the incremental value of a seat on the Toronto Stock Exchange in a relatively short period of time.

Finally, Mr. Speaker, the operation of the Toronto Stock Exchange must always be carried on subject to the public interest. In this age of the just society we no longer hold it to be in the divine order of things that people be given the privilege to operate a franchise, an exclusive right, whereby the maximization of their profit is the pre-eminent consideration. All rights that the public acting collectively now gives to any group must be exercised consonant with the public interest and the advancement of the public good. So it is with the Toronto Stock Exchange.

Mr. V. M. Singer (Downsview): Hear, hear.

Mr. Sopha: The government have got to be serious about this if they want the support of this group. They have to indicate to us in language that is free of ambiguity and clearly expresses their sincerity of purpose that the government mean, in this instance, that they shall nominate two people exclusively who will in no way have about them any aura or suggestion that they are partial or related to the operations of the exchange, and will carry out—

Mr. Singer: Not the board of the stock exchange or the government.

Mr. Sopha: That is right—will carry out their stewardship as members of the sovereign body of the exchange in a manner that is often attributed to the characteristics of Caesar's wife, and that is not asking too much.

Mr. D. C. MacDonald (York South): What do you know about Caesar's wife?

Mr. Sopha: I knew Calpurnia fairly well.

The intervention by my friend from York South allows me to tell him that we who were participating in the debate were somewhat amazed by the attitude of that group in saying that they are going to support this bill, but—

An hon. member: He has changed; the member has reversed his position again.

Interjections by hon. members.

Mr. Sopha: They are going to support the bill, that is what they said, but how could they do otherwise, having as they do in their midst three millionaires, one of whom has gleaned his fortune from the operations of the Toronto Stock Exchange? I do not know that he should participate in the discussion of the bill—

An hon. member: He might have a conflict of interest—

Mr. Sopha: He has a conflict of interest—

Mr. Singer: He might well have, yes.

Mr. Sopha: —in it, because all they have to know, he taught them. But I am not going to tarry. They have become a bourgeois party; they are a bourgeois party; they fat cats now, and we may expect that they will continue to support the bastions of privilege in this country. But the government is not going to carry this group along. They are not going to carry us along, if you have convinced our friends to the left—and let me tell the Minister through you that my friend from Downsview and I have talked for many years in this House about the operations of the Toronto Stock Exchange.

We have drawn attention for a decade to some of the things, and I admire the restraint today of my friend from Downsview, that he did not advert to one aspect of the operation of that private club that must bother him no end. The Minister will know that to which I refer.

I hope that is part of an age that is passed also, but as one looks over the roster of the governors, one sees those whom fortune has favoured in this community, and these people, by the exercise of a licence, have been able to amass a good deal of wealth. We are saying here that it is time that the public poked its nose in the door, nothing short of that, sit at the table and say, "We are here in an objective role to scrutinize your operations from the point of view of the public interest," and that is consistent with what Mr. McRuer has said in the report.

We can read what Mr. McRuer has said; it makes good sense; it has been lauded from one end of this country to the other. All we need to do is read what he says in the report and translate it into action.

The Prime Minister of Ontario, he feels this way about Mr. McRuer, so that when he goes to join his ten fellow counterparts in Ottawa, he and his Attorney General (Mr. Wishart), say to them that on an important aspect of the development of the Constitution, they cannot give Ontario's position until they hear from Mr. McRuer. That is what the Prime Minister says in Ottawa, and that is how our

fastidious Mr. McRuer is. So we say to the Minister of Financial and Commercial Affairs, if he is serious, he does not need to employ words that are meant to mislead the sincerity of the intrusion into the affairs of the exchange. We say to him, take them out, let them say two people are to be appointed by the Legislature and we will support that part of the principle of the bill.

My friend from Downsview adverted to another very important aspect of it that is quoted there, and the Minister heard what my friend had to say and they will have to change that portion of the bill before we can invest our total support.

Mr. Singer: Hear, hear.

Mr. MacDonald: Mr. Speaker, this bill is a step in the right direction but it is not a big enough step—

Mr. Singer: Here comes the retreat from Moscow.

Mr. MacDonald: It is a step in the right direction because finally—

Mr. Singer: Who do you believe?

Mr. MacDonald: Mr. Speaker, if you could persuade the hon. member from Downsview to quit talking and listen for a moment he will find out. But there is one thing he cannot do, that is listen and talk at the same time, though he tries to practise it all the while.

Mr. Singer: Well now, let us get down—

Mr. MacDonald: Or if he does not want to listen, let him continue to talk. It is as simple as that. I said this bill is a step in the right direction because finally this government has rescued us from a situation in which the private club operated under a bill of 1878. To establish the operation of the Toronto Securities Commission under a public bill is good. However, Mr. Speaker—

Mr. Singer: You have not got that right.

Mr. MacDonald: Mr. Speaker, if one goes back ten years ago—

Mr. J. E. Stokes (Thunder Bay): Would someone give that calf more rope.

Mr. Singer: Oh no, you are hanging yourself and you are enjoying it.

Mr. MacDonald: If one goes back ten years ago, I can recall when something of the public furore, which has gone on without interruption in the past decade, first broke out. I think voice was given to it by a whole issue of *Saturday Night* magazine which published in a detailed analysis the operation of the Toronto Stock Exchange. I will never forget, a year or so after that, when the then chairman of the Ontario Securities Commission was brought before the standing committee on legal bills, and a lot of questioning was done with regard to the operation of the Toronto Stock Exchange.

I quoted the chairman from one of the articles in that issue of *Saturday Night*, to the effect that there was a lot of illegality in the operation of the Toronto Stock Exchange and asked whether he would agree that this was the case. He conceded that was the case to a considerable degree. Then the question was put to him, "Why not clean it up?" and he gave a very frank and a very interesting reply. He said, "If you cleaned it all up at once you would bring the stock exchange to a halt."

Mr. Singer: That is why the NDP are supporting this bill.

Mr. MacDonald: He was conceding that the corners that were being cut in the Toronto Stock Exchange were so many in number that to clean them all up at once—even though a desirable objective—would in effect bring the whole operation, with disastrous impact on the economy, to a halt. This, of course, would not be desirable.

This government is slowly moving towards this; but in my view, too slowly. Indeed, our position in this party, for those who wish to listen, has been consistently, for a ten-year period, that the Toronto Stock Exchange should be under the constant supervision of the Ontario Securities Commission.

Mr. J. Renwick (Riverdale): Hear, hear.

Mr. MacDonald: In effect, the powers the Toronto Stock Exchange exercises—and this is even more clearly admitted now that there is a public bill—are really delegated by the Ontario Securities Commission. When we used to query OSC chairman, O. E. Lennox many years ago on this particular point, he in effect said, "We did not have the staff to do the job, so we, in effect, let them look after their own affairs." He would not put it that way; but it was their own affair rather than a public affair.

Mr. Singer: Why do the NDP support the bill?

Mr. MacDonald: I think, Mr. Speaker, we have reached a point where the Toronto

Stock Exchange should be under the constant supervision of the Ontario Securities Commission; not merely a delegation of powers with periodic examination of its operation, but a much closer supervision. As a matter of fact, just to show you how consistent has been our basic approach, let me quote from an amendment that was made at the time The Securities Act was introduced in this House some three years ago, on July 4, 1964. The deputy leader of this party introduced an amendment which got the support, I believe, of the Liberal Party. The key to his amendment was this:

> There is no indication by the government that it wishes to fulfill its responsibilities to the economy of the province of Ontario—

Mr. Singer: The member for High Park has a great influence on the—

Mr. MacDonald: Obviously, Mr. Speaker, the hon. member is not listening again.

Mr. Singer: Oh, I am listening, I can hear what the member for Riverdale says—

Mr. MacDonald: He is drowning out his own capacity to listen by his own noise.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. MacDonald: If I may read it once again:

> There is no indication by the government that it wishes to fulfill its responsibilities to the economy of the province of Ontario, and indeed of Canada, by making certain that the Toronto Stock Exchange, which has operated for so long as a private organization with its own rules, and with at least a minimum of concern for the needs of investors in the public, should be subject to the supervision, specifically and without equivocation, of the Ontario Securities Commission.

This bill does not yet achieve that, Mr. Speaker. There are two ways of altering the bill or trying to persuade the government to change the bill—

Mr. Singer: One is to vote for it.

Mr. MacDonald: One is to oppose it in principle, the other one is to make amendments during the committee stage.

Mr. Singer: Oh, shame, shame!

Mr. MacDonald: Indeed, Mr. Speaker—

Mr. Singer: How low does the NDP get?

Mr. MacDonald: Indeed, Mr. Speaker, there is another way to do it, and that is to oppose it on principle and to move the amendments in the committee, and we might even do that.

You see, Mr. Speaker, at least as far as we are concerned, our basic approach is consistent. It was significant the other day when we got to the establishment of regional government at the Lakehead, the hon. member for Downsview was so inconsistent that he voted against a larger unit of administration at the Lakehead. He will change his basic position to suit the politics of the hour. Our basic position has always been the same; our tactics to achieve it are flexible.

Interjections by hon. members.

Mr. Speaker: Does any other member wish to participate in the debate? If not, the hon. Minister. The hon. member for Lakeshore has spoken before and we can permit only one—

Mr. P. D. Lawlor (Lakeshore): Not on this bill, no, no.

Mr. J. Renwick: He spoke about dogs before dinner.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, on a point of order, the hon. member for Lakeshore asked, what is his party's position on this bill, and I think we should have an answer. He is looking for direction from you, sir.

Mr. Speaker: Well, I believed the hon. member for Lakeshore had participated in this debate previously.

Mr. Lawlor: No, you are wrong, Mr. Speaker.

Mr. MacDonald: Mr. Speaker, it is the privilege of the hon. member to be wrong, but not you.

Mr. Singer: I do not know why I bother with you.

Mr. Speaker: Well, if the hon. member for Lakeshore has not participated in the debate on second reading, he may do so now.

Mr. T. Reid (Scarborough East): Seems as though he has.

Mr. Sopha: His speech could fit any bill.

Mr. Lawlor: Mr. Speaker, on this bill I would like to refer immediately to the remarks made by McRuer touching on self-governing bodies, professions and such, at page 1162. He said:

> The power of granting self-government is a delegation of legislation and judicial functions and could only be justified as a safeguard to the public interest. The power is not conferred to give or reinforce a professional or occupational status. The relevant question is not, "Do the practitioners of this occupation desire the power of self-government?" But, "Is self-government necessary for the protection of the public?" No right of self-government should be claimed merely because the term "profession" has been attached to the occupation. The power of self-government should not be extended beyond the present limitations, unless it is clearly established that the public interest demands it.

That is the basic proposition in McRuer with respect to this sort of organization, and while I am in complete agreement with what a number of people over here have said with respect to the proper place for governments being exercised under The Securities Act and with the security regulations, at the same time I personally have some misgivings in not opposing this bill. The bill itself runs counter to practically every nostrum in McRuer. As a matter of fact, it flagrantly—

Mr. Singer: Why support it then?

Mr. Lawlor: I am speaking for myself.

Mr. Singer: Oh! Now the front row and the back row—

Mr. Lawlor: It flagrantly opposes McRuer in instance after instance. The bill should be withdrawn by the Minister. The bill is, in the light of what has been said by McRuer, and all the money we have spent on that particular inquiry, a travesty. Curiously enough this is the first major bill touching professions to come for extended debate before this House. We have waited weeks for the professional engineers bill; the professional engineers bill does carry out a substantial part of the 31 major recommendations as to what these bodies ought to do, what their internal governments ought to be. These are disparaged and completely disregarded in the course of this legislation. We will have before us, perhaps before the evening is over, The Surveyors Act; it too takes cognizance of the full ramifications of McRuer. This, again, ignores and thumbs its nose so to speak at the possibilities of McRuer and in the light of the paragraph I just read, they do not run the show—

Mr. Singer: It will never do.

Mr. Lawlor: Better sit down if you want to talk. They do not run the show, according to McRuer, for their own internal benefit and for the niceties of the club atmosphere; they run it for the general good of the public. This Act, and it has always been the case with the Toronto Stock Exchange, has traduced that principle, in principle, and to come forward to this House at this late date with a measure of this kind is a kind of blatantcy. I admire the tactlessness and I admire the gall, but to present this as a legitimate piece of legislation at this time seems to me to run counter to the whole principle of what we are after in this Legislature and which the government members have so often affirmed in the House when it suits their purposes.

May I run through a few of the provisions that it does not contain? There is no appeal; they have given internal jurisdiction and disciplinary powers over their members in the shortest and most arbitrary way under section 10, but when a member is so disciplined by being, I suppose, thrown out of the club, there is no right of appeal provided at all, running directly counter to McRuer in section 10, if I may just read the clause in question:

> They may issue such orders and direction pertinent to such bylaws as is considered necessary for the purpose, including the imposition of penalties and forfeitures.

By the way, as I remember McRuer, the by-law situation had largely to do with certain forms of internal governments; but the regulations were the more proper method to impose penalties and directions. But he still uses the term bylaws in any event.

McRuer is quite conclusive on the point that these bodies must not fine their own members. The fines, if they are levied at all, are payable to the province of Ontario, not into the treasury of the associations themselves. Why do they continue in that vein? Why does the government permit them, in the light of what I am saying and what McRuer has said, to undertake within themselves the imposition of penalties and forfeitures? That is a retrograde step. I notice that the whole business of supplying proper hearings, notices, rights of cross-examination, rights of counsel, types of hearings—in-camera or otherwise—is omitted; nothing is said about them at all.

One of the fundamental purposes of McRuer is a code of ethics. I think it would be the finest thing in the world to see a code of ethics of the Toronto Stock Exchange, some kind of elaboration of the method given. They may say that the regulations apply, but everyone knows that they are enormously defective, and the problem is that what they do fundamentally lack is a code of ethics, or at least an operative code.

With respect to the terms and criteria of membership being spelled out and the non-exclusion of people who are qualified to be members, that too is completely absent from this proposed statute. Again McRuer says the purpose of the thing is not to be a self-enclosed, autonomous body, but on the contrary to be for those who have the necessary stipend to qualify, and the other qualifications, to be admitted since they are qualified. Otherwise it runs against the fundamental, democratic principle.

On the whole, therefore, Mr. Speaker, this bill is mightily defective. As a matter of fact it is a caricature of what a bill might be and the Toronto Stock Exchange is to be discommended with respect to bringing forward such a measure at this hour and before this body, and I for one personally intend to vote against it.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, as some of you may know, I had some close relationship with the stock exchange over my lifetime, having been the son of a man who 64 years ago bought a seat in this exclusive club, and for the past eight years having had a brother who was a member of the board of governors and in the last two or three years was chairman of the stock exchange. Therefore I have been very interested in the debate that has gone on so far with regard to this new Act that the Minister has brought in to change the rules of incorporation under which it operates.

One of the points that has been brought up is the matter of membership in the stock exchange and the value of a seat, which I have seen go up and down like an elevator over the years depending on the amount of volume that has been carried on on the exchange. The value of the franchise that one buys when one acquires a seat, of course, has varied with the amount of business being done there. The aspect of the stock exchange that I have been pleased to watch change over the years has been an increasing recognition by its members that unless it took much more of an interest in the safety and the diligence with which the investing public could feel it was being protected—that the surveillance of the operations of the stock exchange was good—then it would lose the confidence of the investing public and it would suffer. Particularly since the Windfall event of some years ago, the members have finally become aware that they do not have a licence to operate without regard to the welfare of the investing public at large, and some measures included in this bill show that there is a greater awareness on the part of the members, of the obligations of the Toronto Stock Exchange to the public at large.

An aspect of this bill that does concern me very much is that though it refers time and time again to members, nowhere in the bill does it state how a person becomes a member. I recognize that there are peculiar situations arising between members of the stock exchange that do not arise if you are a lawyer—you do not have to deal with another lawyer if you do not trust him. In other types of organizations of this sort there is not the same compulsion to deal with another member of the group, regardless of what you feel toward him as far as confidence in his ability to deal with you and to meet his obligations to you is concerned.

If you are a member of the Toronto Stock Exchange you must buy or sell with the person having the market on a stock, regardless of how much confidence you do have or do not have in that person's ability to meet his obligations. You have no choice in the matter. Therefore the stock exchange has been very particular with regard to the financial strength of its members, so that members dealing with other members could feel assured that when they did trade and there was a wash—what they call a cancelling out of trade at the end of a day—they knew that they would be dealing with somebody who could deliver as promised on the contract. This has been one of the great problems the stock exchange has faced with regard to opening up membership.

But they have opened up membership recently. They recognized in recent months that there was an unusually heavy demand for seats because of the high volume of trading on the exchange. They ascertained after careful surveillance that there would be a demand for perhaps 20 seats more than were available for sale on the market. No one wanted to sell his seat because he needed his seat to look after the business now going through the exchange.

The exchange governors, members of the board, decided that if they offered 20 seats at a price close to the last sale—which at that time had risen from a low of $65,000 or so two years ago, to the present price of around $125,000—if they offered the seats at this new price for a period of time they would then be able to satisfy the current demand for seats on the stock exchange. Actually, after a period of offering, some 13 seats were bought at this tender price. After the tenders were closed the exchange decided to sell only those 13 seats and leave it at that number. But they did meet the unusual demand that was existing by that course of action.

It seems to me that we should have set out in the rules in this Act some means of determining how membership is available, how one can acquire it, and how it is going to be controlled, so that when there are situations of unusual demand, then there is opportunity for people to buy seats.

In the same way it may be that the exchange should have the right to buy seats itself and hold them in time for members, so that there is a floating supply available in times when there is not such great demand and which will be available for a change in conditions. I cannot understand why an Act which sets out how a board of governors should be elected by members does not say how people become members.

The second point that concerns me is this matter of appointing governors and I cannot understand why we do not state here that the Lieutenant-Governor-in-Council shall appoint governors. We saw two years ago in the reorganization of the Ontario Securities Commission some excellent business people appointed to fill outside vacancies on the securities commission, men who were knowledgeable in business in various aspects, and they have made a tremendous contribution since that time to the operations of the securities market in this province.

There could be a great problem in getting people to act as directors of the stock exchange from outside because they do have 50 or more meetings a year. These meetings are held once a week and probably take up three hours or more. The customary stipend in the past has been $1,200 a year, and not too many who are qualified to make a significant contribution can afford to spend time in this way. This is a problem that should be met by the government by having it appoint those who are to be the public directors. It has put the onus here on the stock exchange, which I think is most unfair. Therefore on those two points I am concerned about the bill in its present form. I hope that the Minister will give consideration to covering both these points before he asks us to give approval to this bill.

Mr. Speaker: Does any other member wish to participate in the debate? The hon. member for High Park.

Mr. M. Shulman (High Park) Mr. Speaker, I am a little confused by the previous member; I am not sure whether he was supporting or opposing the bill—

Mr. Singer: Well, you will see.

Mr. Shulman: However, we will find out in due course.

I will be very pleased to support this bill if the Minister will just make one slight change in the title of the bill; if he would add two words there would be no problem. If he would call it, An Act of Whitewash Respecting the Toronto Stock Exchange. I would be only too pleased to support it under those circumstances because that—

Mr. Singer: That is not what the member for Riverdale said.

Mr. Shulman: I must explain to you, Mr. Speaker, that in our party we are allowed to think for ourselves. I know it is different in certain other parties. I know that in certain other parties this is looked down upon and frowned upon, but we are allowed to think for ourselves and we all have minds of our own and we do not agree on everything, but we do agree on basic principles.

Interjection by an hon. member.

Mr. MacDonald: Mr. Speaker, will you tell the hon. member for Downsview he is repudiating every statement that he made on amalgamation and—

Mr. Singer: We know which way we are going.

Mr. Speaker: Order, order.

Mr. F. Young (Yorkview): Where was the hon. member for Downsview during the supper hour?

Mr. Shulman: Mr. Speaker, I find it very interesting to listen to the members of the third party to my right describing the reasons they oppose the bill, and the reasons, of course, are, as usual completely irrelevant to the subject under discussion. They are opposing the bill for things that are not in it. They

are opposing it because of the reasons why the members are, or are not, elected to the exchange. Of course, everyone in this Chamber is aware of the closed club of the exchange and of the method by which people become members of the exchange. Of course we all oppose it, and of course we are preparing a bill which we hope to present in this Legislature which will get rid of this particular matter. But to have people in this House who should have more intelligence, get up and oppose something which is not present is just sheer nonsense, a waste of time. We are opposing the bill, I am opposing the bill as the member for High Park, because of what is in this bill.

Mr. Young: The member for Downsview said you were in favour of it.

Mr. Shulman: The member for Downsview is always wrong. The purpose of this bill, as stated in the bill, is to bring in public directors to be a voice of the public on the board of the exchange. Well, it is just nonsense, Mr. Speaker, and everyone including the Minister, knows it is nonsense.

Mr. Singer: You said that, too. The member for Riverdale is supporting the principle.

Mr. Shulman: The principle is a good principle; there should be public directors. But the bill has been drawn up so ineptly. I hope it was drawn up ineptly, and I will give the Minister the benefit of the doubt in this case. If it was drawn up ineptly I can excuse him, but if, on the other hand, it was drawn up with thought aforehand, then he is really a very poor Minister, much poorer than I had thought, because then he is acting at the behest of the exchange and not of that of the public.

This bill does not appoint public directors. What are the words of the bill? "To be appointed on the recommendation of the president." What kind of public directors are those? What kind of silly whitewash is this? It is not even a good whitewash. It is a silly whitewash that the Minister is throwing at us. He is not going to fool anybody with this.

Mr. Singer: The member for Riverdale said he was supporting it.

Mr. Shulman: Perhaps there is still time. Mr. Speaker, the membership in the exchange is purely a licence to print money. There are other ways to print money, but this way of printing money is at the expense of the general public. There should be control by the securities commission and by this Legislature over the exchange, and there is not at this time. This bill brings not one improvement to it, none whatsoever.

Mr. Singer: The hon. member for Riverdale said he was supporting it.

Mr. Shulman: That is the principle. Mr. Speaker, may I say again, the principle of the bill, if the bill had been properly drawn up, was a good one. But, somewhere between the original idea which was propounded by this party for so many years, and the drawing up of the bill which was done—obviously very hastily—something has gone very awry, and the bill must be opposed.

Mr. Singer: What about the member for Riverdale?

Mr. Shulman: He is allowed to vote as his conscience chooses, the same as every other member of this party.

Mr. Speaker: Order!

Mr. C. G. Pilkey (Oshawa): It is a democratic party.

Mr. Singer: He supported the principle.

Mr. Pilkey: It is a democratic party.

Mr. Shulman: Mr. Speaker, if the member for Downsview wishes the floor I would be glad to yield to him.

Mr. Speaker: The hon. member for Downsview is not entitled to the floor; he has already had the floor on one occasion.

Mr. Shulman: Do you think you could manage to muzzle him for about five minutes so some of the other members of the House could get a few interjections into my speech?

Mr. Singer: We are muzzling "Morty" tonight.

Mr. Young: He needs delubricating.

Mr. Shulman: My colleague has suggested he be delubricated. I hope this will not produce another headline but it seems like a good suggestion.

Mr. Speaker: Order!

Mr. Lawlor: If he gets too close to the airplanes maybe he will take off.

Mr. Shulman: There are two major problems in connection with the running of the

exchange at the present time, which hit the public, in the form of individuals, in the pocketbook, and which hit companies which have to raise money, in the pocketbook. First of all, underwritings are basically made at too low a price. The reason this is done is to allow the members of the exchange to make more money. You will find this happens time and time again, particularly when the rosy times are with us and when money is easy—it is not quite as easy today. I am sure the hon. member for York Centre could have spoken about this aspect of it if he had wished, but he saw fit to pass over that matter.

Underwritings are brought out, particularly by the leading brokers in the exchange, the ones we have so much respect for, the Wood Gundys, and the Dominion Securities, and the McLeod, Young, Weirs, and well, perhaps I should not mention that other firm. They bring out issues, convertible issues, issues priced too low, which immediately sell at a premium, which means that they are running no risk. Their clients immediately make a quick scoop, a quick profit. The only people who suffer are the shareholders and the companies that are forced to do the underwriting through them, because there is no true competition for these underwritings in Canada.

There is not a true competition at the Toronto Stock Exchange, so the companies get robbed time and time again. They do not put the money into the treasury they should get, and then what happens on the other side —the public gets robbed. How many times have we seen in the last six months, issues come out at $5, or $10, and they immediately start trading at $10 or $20, stocks which are not worth anywhere near that, because the exchange members are producing an artificial holdback. Every member of the exchange knows this. They announce they are bringing out 100,000 shares of the new issue. In actual fact the issue is 20,000 shares to the public, and they hold the rest back to get an artificial price rise.

We get these artificial over-the-counter rises which are seen day after day, and when the balloon collapses, and it is going to collapse, we will have so many stocks trading at the time, at completely unrealistic prices, that it is the public that will be hurt. These brokers are not behaving in the public interest, but are acting time and time again to pad their own pockets. They do not care about the companies they are underwriting, they do not care about the public they are serving. They need to be regulated, and this government has not done a thing, not a move in the right direction, and he tries to fool us with a stupid bill like this. We intend, I intend to oppose it—and I was talking to my colleague from Lakeshore who also intends to oppose it, and I presume the majority of this party will oppose it as well.

Mr. J. Renwick: I think we all will.

Mr. Shulman: I am happy to hear from the front bench that everyone is going to oppose the bill, because it is a bad bill and the Minister should save himself countless embarrassments and withdraw it, because that is the only thing that should be done with this bill.

Mr. R. Gisborn (Hamilton East): The Minister of Correctional Services (Mr. Grossman) is shaking his head; he is going to oppose it too.

Mr. Speaker: Does any other member wish to participate. The hon. member for Sarnia.

Mr. Bullbrook: Mr. Speaker, if I might take a few moments of your time to discuss this bill further. I would like to refer to some of the remarks made by the hon. member for Lakeshore in connection with this statute—if I might be permitted to say in beginning—because I was only too pleased to hear him make those remarks. I thought he would be unduly stifled by some of the remarks that were made this afternoon by one of his colleagues—

Mr. Lawlor: Never stifled.

Mr. Bullbrook: —in connection with the statute. Basically, what has concerned me, sir, in connection with this bill, is a question of principle, in connection with the exclusion of the members. Much has been said, and very well, by the member from Downsview and my colleague from Sudbury and also my colleague from York Centre in connection with inclusion within this exclusive club.

I am not too knowledgeable in that connection but I am very much concerned with section 10 of the bill, and if you would permit me, sir, I want to discuss the question of principles of exclusion. To do that, I want to read some words from section 10, not to debate the section *per se*, but to debate the impact of these words, which say:

> For the purposes of the object of the corporation the board of directors has the power to govern and regulate.

I suggest to the hon. Minister through you, Mr. Speaker, that, "the power to govern and

regulate," are very significant words, very direct words, without real restriction, without any fetter, and they say:

> —to govern and regulate the partnership and corporate arrangements of members and other persons authorized to trade on the exchange.

We can think of the members, as being other people authorized to trade on the exchange, but you have in effect, then, the concept of people who are not members of the association themselves. They are delineated, as I understand it, without any specific words under subsection 2 of section 4:

> The board of directors may authorize persons other than members to trade on the exchange, subject to conditions as are imposed by the board of directors.

I hear in this House, many times, words used without the proper regard to their ultimate significance sir. In effect what we are saying is that a corporation established by us in this Chamber to whom we delegate authority; we delegate to them the authority to govern and regulate the corporate arrangements of its members. On the face of it, I am sure if I had a personal discussion and a frank discussion with my colleague from York Centre he would say to me—perhaps he can nod positively or otherwise in connection with this—there is a purpose here.

The purpose is, as he mentioned in his speech, that there must be a reciprocal attitude between the members of this club that they appreciate and approve of the financial standing, and the corporate background, and fiscal foundation of each other, so that we can properly serve the public. I do, Your Honour, respect them. Am I correct in assuming that this is the reason that these words are put in, but again, it is unfortunate that the words themselves inherently lead to other things? If we are going to say that one corporation can regulate and govern the corporate arrangement of another corporation, in effect really we are inviting disaster.

The hon. member for Lakeshore spoke about appeal. I will not dwell on that unduly, but there is nothing in this statute, not one thing in this statute, to afford the members any right of recourse. If I can tear away the Attorney General for a moment from what must be a most interesting discussion, are we assured that The Statutory Powers Procedures Act will insure to the benefit of these members? I am really not certain that it will, as I look at it.

We are going to have, perhaps even tonight, the opportunity of digesting in principle that bill which is printed in Bill 129 in our bill book. It does give some attempt, it does put forward some attempt to codify the attitude of Mr. McRuer under pages 1202 and 1203 in connection with the application of statutory powers. But I am really not sure—and perhaps the Attorney General afterwards will help me—whether recourse to the court in this connection demands *per se* some breach of natural justice before we get there.

The Minister is giving them some powers in effect—I put this to you, sir, by way of exaggeration—does it mean in effect if I have a client, by way of example, who wishes to issue supplementary letters patent to freeze the equity position of one of its directors, must I go to the Toronto Stock Exchange to secure their approval for what are in effect indoor management procedures? I would hope not. I would really hope not.

But when you use these words such as "to govern and regulate the corporate arrangements of its members", in my respectful opinion, they are much too wide; this really is not the intention of the legislation, and I use this again as a vehicle for the fact that time and time again, we have some senior administrative officer—and I do not mean the Minister—bringing before us words that convey much more power than was ever intended by the government. And so I accept the position of my colleagues as to the inclusion of members, but I say this to the Minister, there are civil rights that inure not only to the benefit of the poor but to the rich. And that is our obligation here: to make sure that civil rights inure to everyone's benefit. I am not at all happy that they do in these circumstances.

The member for Lakeshore has said, "no appeal". That speaks for itself. There is certainly a question whether The Statutory Powers Procedures Act does apply in these circumstances. Perhaps it does, perhaps it does not. But to use words of this real ambivalence and breadth, to carry out the purpose that I believe is the intention of the Minister, really is not doing justice to his intention or carrying out his purpose. I will not get into any dialogue about who is for and who is against on the left, really. It is too late in the night and too late in the session to get into that, frankly.

The hon. member for High Park comes in tonight and says in effect that the main principle is the inclusion of two public directors —and he makes a point—but really there are principles that flow through this bill that burden all of us.

Mr. Speaker: Does any other hon. member wish to speak? If not, the hon. Minister may reply at this time.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, the debate on this bill has been of some great interest to me, and I do have some observations I would like to make.

We have covered a lot of ground in the debate, much of it probably on subjects that may be collateral to this bill, and I welcome the observations that have been made in such a wide-ranging discussion as we have had.

When I looked at the legislation some time ago with respect to the Toronto Stock Exchange, I was astounded, and if you look at page four of the draft bill before you, you will find that the three pieces of legislation were enacted in 1878. That was an Act to incorporate the Toronto Stock Exchange, and then there was an amendment to that Act in 1902, and a further amendment in 1912.

Without going into the actual contents of those three pieces of legislation, I think it will be obvious to all of the hon. members, as it was to me, that updating was necessary and required at the earliest time.

Accordingly, the first point that I felt should be accomplished was that the bill should be a public bill. No matter what the position was in 1878 or 1912, no matter what that position was, certainly in the economic climate and the social climate in which we live it should be a government bill. So that is the first point that I advance to the hon. members, that it is a government bill.

Secondly, there were two major points which I felt should be determined—and had not been determined—in a proper or adequate way, and one was the definition of the duties with respect to the office of the president.

When Mr. Kimber, who had been the chairman of the securities commission, was invited to become the president of the Toronto Stock Exchange, at first I felt that was a very sad thing for us in the government and in our new department. But, on thinking it over, it had its more positive aspects in the sense that it took a man who had a very broad knowledge of the legislation and of the new Securities Act, who had a large part to play in the research that went on over a very considerable period into what should be included in a modern securities bill. Mr. Kimber was familiar with the problems that government was considering with respect to the public interest, and that is something the government must always keep in mind. So he was taking to the stock exchange and its organization this background.

I have no knowledge of the details of his contract whatsoever, but I would expect that he has a high degree of security of tenure, which is something that is very important to that office. In an event, that is the situation as it developed in the spring of 1967 when Mr. Kimber left the securities commission to go and take up the position as president of the Toronto Stock Exchange.

The second point is that the bill does delineate—and it had not before that in the public eye—the duties of this office of the president, so some time is spent, and whether the hon. member like the draftsmanship, the fact is the material is there. There is a high degree of security of tenure provided, and he is defined as the chief executive officer, a phrase which I think is well understood in these days in the corporate or business sense. He is not an operating broker and does not come from that group of the members.

Mr. Singer: But he could.

Hon. Mr. Rowntree: But in the case at the moment he does not.

Mr. Singer: At the moment he does not, but there is nothing in the Act that says it.

Hon. Mr. Rowntree: That is right, but it does define it and we are just chatting about the thing as we go along.

Mr. Singer: Yes, well I just wanted to—

Hon. Mr. Rowntree: I listened to you for about three hours, please just listen to me for a while. I want you to exercise the same courtesy as some of us demonstrate to you.

Mr. MacDonald: He does not know the word.

Hon. Mr. Rowntree: Now let us go on about the question of the public directors, which becomes the next major point. While some of you may disagree, the fact is that there are two directors from the public. There are ten members, directors or governors from the membership of the exchange, who are brokers. So that of a total of 12, two are, as I see it, representing the public at large.

When the bill was introduced, there was some publicity about it. There were some questions asked outside the House and the press speculated on this point. But I think tonight I should express my views as to the kind of person that I would hope would occupy this position.

I would hope that those two men would each be men of experience and of mature judgment; whether they come from the business world, or from the academic field, or what background in life, could not matter. On the other hand, I do not think we are limited to any one professional group. But I think that the qualification must involve the characteristic of experience and good judgment, plus a dedication to one's fellow citizens.

Mr. Sopha: You do not need the assistance of the exchange to find—

Hon. Mr. Rowntree: No, this is right. Now there is a reason for the exchange nominating them. While we are providing by statute that there shall be these two directors, I think the nomination is quite proper to come from that source. We will have the chance to investigate and to veto—if you like that word —or to refuse to approve.

I have no doubt in my mind as to the calibre of man who will eventually be appointed to this kind of position—

Mr. Lawlor: Retired brokers.

Hon. Mr. Rowntree: —and he will be one that will be acceptable to the members of this House.

Mr. Singer: How do we know if we cannot have a say about it?

Hon. Mr. Rowntree: Everything is not going to be settled on the floor of this House, by a long shot, and—

Mr. Singer: Oh. If we have no way of knowing we have no right to say.

Hon. Mr. Rowntree: No, it is not a question of not having a right. It is just a question that all the business in the province is not going to be determined in detail here in this House.

Mr. Singer: You are saying in the statute we have no right.

Hon. Mr. Rowntree: No! I am saying the right will be exercised by the government which has been elected by the people of this province.

Mr. Shulman: It is not going to be exercised by the government. It will be exercised by the stock exchange.

Hon. Mr. Rowntree: I did not interrupt you when you were carrying on which your remarks.

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. Rowntree: Let us now have a look at the question of the matter of appeal. Let me make some observations about the operation of the exchange in the past two years.

Without going into a lot of detail, I would simply remind the members and those who are familiar with the current economic climate in the securities field, that there has been a good deal of activity and, I think, a lot of progress has been made by the Toronto Stock Exchange, as well as by the Ontario Securities Commission in trying to provide for better disclosure, in the public interest, in various aspects of security trading.

Let me refer you to The Securities Act of 1966, which is the revised Securities Act and which is really where the right to appeal —to which reference has been made—lies. It is in section 139, part 14, under general provisions—section 139 of The Securities Act of 1966—and it reads as follows.

> (1) No person or company shall carry on business as a stock exchange in Ontario unless such stock exchange is recognized in writing as such by the commission.
>
> (2) The commission may, where it appears to it to be in the public interest, make any direction, order, determination, or ruling
>
> (a) with respect to the manner any stock exchange in Ontario carries on business;
>
> (b) with respect to any bylaw, ruling, instruction, or regulation of any such stock exchange;
>
> (c) with respect to trading on, or through, the facilities of any such stock exchange; or with respect to any security listed and posted for trading on any such stock exchange; or
>
> (d) to ensure that companies whose securities are listed and posted for trading on any such stock exchange comply with this Act and the regulations.

Mr. Singer: Mr. Speaker, would the Minister permit a question at this point?

Under the powers of that section, Mr. Speaker, has the securities commission ever delineated rules of admission to the stock exchange?

Hon. Mr. Rowntree: I will come to that in a moment.

The relationship, under The Securities Act, of the securities commission to a stock exchange operating in this province is that the securities commission has a very powerful influence and control over it. First, it is the court of appeal for any member of the stock exchange—that is a broker member—against whom the executives, or the stock exchange itself, has made a ruling, or an Act, or a bylaw, or made any decision to which the member takes exception or objects. He then can appeal that ruling to the securities commission, and this is provided for in The Securities Act in section 139. There is the built-in right of appeal—

Mr. Bullbrook: If I might be permitted a question.

Hon. Mr. Rowntree: Yes.

Mr. Bullbrook: I am sorry. I now have a copy of the statute, but I am not following wherein that section this right of appeal lies. I am sorry.

Hon. Mr. Rowntree: I have read the section word for word. "The commission may, where it appears to it to be in the public interest, make any direction, order, determination, or ruling," and then it goes on (a), (b) "with respect to any bylaw, ruling, instruction, or regulation of any such stock exchange—"

Mr. Bullbrook: In a very broad sense.

Hon. Mr. Rowntree: —and so there we are, right in The Securities Act itself. Built-in in the masterpiece of legislation is the right of appeal to the commission.

The next point with respect to the relationship between the commission and the exchange is that the securities commission must approve all the bylaws of the stock exchange. This has been in operation and is currently the case. Since the introduction of this bill, and in order that the stock exchange may comply with the bill in the event that it becomes the law, certain draft bylaws have already been submitted to the department and sent on to the securities commission for its approval or otherwise. I understand from the stock exchange that the entire bylaws are being updated, and they are in the course of revision, so that all of their bylaws will be submitted and will then require the approval of the securities commission.

I will simply make this statement—I think it really is something that would come under the estimates of some other area or item, or some other order—but there is a very close relationship in the operation of the commission and its supervision and what the stock exchange does. I could well imagine that many things would exist where the stock exchange, the governors themselves, would try to regulate the situation through their own internal rules. On the other hand, I would think that if the commission felt, and I must stress that this is a hypothetical proposition I am trying to give you, that the exchange was not being effective in those efforts or that their efforts were not being successful, it would remain for the commission, within its authority, to go on with respect to that particular subject or item and pursue it further to achieve the best result in the public interest.

With respect to the question of a fine, I am not satisfied that we have the best answer. The Toronto Stock Exchange does have, and traditionally has had, the right to fine members for breaches of regulations or for certain kinds of conduct.

Traditionally, in stock exchanges, this has been the course of action, and those who are concerned with deterrents or penalties, know that in financial matters, a money penalty is probably one of the strongest deterrents that there is.

Now about the proceeds, and I want to distinguish this item very carefully. The fines imposed by the Toronto Stock Exchange do not go into its own treasury. They go into a trust fund which is the liability fund maintained to honour liability with respect to certain financial situations that might develop. But it does not go into the operating funds. There is no benefit to the rest of the members.

Mr. Shulman: It amounts to the same thing. It is used to pay the members' bad debts.

Hon. Mr. Rowntree: Not necessarily, that is not quite the same thing.

Mr. Shulman: That is what it is used for.

Hon. Mr. Rowntree: No. Not the same thing. There were some other points that were raised here. Some reference was made by the member for Lakeshore about control in The Engineers Act. I do not think that there is a parallel in the engineers' situation with what we are talking about here.

I would make reference to section 12 of the draft bill which is before you, and further to my comments about the relationship with the securities commission, that nothing in this Act shall be construed to derogate

from the powers of the Ontario Securities Commission under The Securities Act. The question was raised about the activity of the stock exchange with respect to the raising of capital which I took to be initial capital. I think that item would better come under some other order or debate and I would be interested in the meantime to get the figures as to what its raising of initial capital has amounted to over a period of time.

I think that this bill goes a long way to getting the operation of the exchange into the right perspective. I am confident that the public directors will work out and that the hon. members of this House will be pleased with that portion of the bill.

I think that portions of the bill dealing with the duties and position of the office of president are highly desirable and I urge the members to support this bill.

I think it should also be noted that I am somewhat amused that we hear a lot of phrases about a private club. I have had a good deal to do with the Toronto Stock Exchange and I have heard a lot of these rumours, but I have found that a good many of these men are pretty responsible citizens. I do not think that the remarks or phrases which have been bandied about should be left as though it was intended that they apply to everyone connected with any stock exchange.

Mr. Speaker: The motion is for second reading of Bill 110.

The House divided on the motion for second reading, which was agreed to on the following vote:

Ayes	Nays
Auld	Braithwaite
Boyer	Bukator
Brunelle	Bullbrook
Carruthers	Burr
Connell	Davison
Demers	Deacon
Downer	Edighoffer
Dunlop	Farquhar
Dymond	Ferrier
Evans	Gaunt
Gomme	Gisborn
Grossman	Good
Haskett	Haggerty
Henderson	Lawlor
Hodgson (Victoria-Haliburton)	MacDonald
	MacKenzie
	Makarchuk
Hodgson (York North)	Newman (Windsor-Walkerville)
Jessiman	Paterson
Johnston (St. Catharines)	Pilkey
Johnston (Carleton)	Pitman
Kennedy	Reid (Rainy River)
Kerr	Reid (Scarborough East)
Lawrence (St. George)	Renwick (Riverdale)
MacNaughton	Ruston
Meen	Shulman
Morningstar	Singer
Morrow	Smith (Nipissing)
McKeough	Sopha
McNeil	Stokes
Price	Worton
Pritchard (Mrs.)	Young—32.
Reilly	
Reuter	
Root	
Rowe	
Rowntree	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Villeneuve	
Welch	
White	
Winkler	
Wishart—44.	

Clerk of the House: Mr. Speaker, the "ayes" are 44; the "nays" 32.

Motion agreed to; second reading of the bill.

AN ACT TO REGULATE THE MARKETING OF FRESH WATER FISH

Hon. R. Brunelle (Minister of Lands and Forests) moves second reading of Bill 116, An Act to regulate The Marketing of Fresh Water Fish.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I would like to commend the hon. Minister for moving into this realm. It has been brought to my attention over the past year or so by the assistant to the federal Minister of Fisheries, who happens to be my federal member, that possibly Ontario had been lacking in its foresight in not moving into the umbrella of the federal Act, and I am pleased to see the Minister has taken the initiative in this regard.

In section 3 of the bill, the principle enunciated there concerns the fact of inter-provincial trade, and I would like, in the Minister's summation of this bill before it carries, if he would clarify this point for me. In my particular area on Lake Erie, most of the commercial fishermen's products are going out of our country, and it is really not interprovincial as such and should the commercial fishermen in my area see fit to apply to take advantage of this Act, I just wonder how this would apply on the principle of the export of this quantity of fish.

Further in the section dealing with inspectors, we note there are a number of different people qualified to act in this regard. We have the federal meat inspectors; I assume inspectors of The Department of Agriculture and Food of the province, inspectors, as well as the officials of the Minister's own department who would be able to act in this regard. To me, it seems to be a duplication of effort to a certain extent, and possibly this could be clarified. Perhaps the Minister, through this particular section, might be implying that only one such agent might deal with a particular report.

Further on, the principle enunciated regarding convictions of contraventions of the Act, to me is something that also needs clarification. Among commercial fishermen on Lake Erie, the members of the crew are in fact part owners of the catch, and I would assume that contravention of the Act by any one of them would make the total crew liable to be penalized, not just the owner of the particular ship in question.

I would appreciate some clarification on this, but again I would compliment this bill as a forward step.

Mr. Stokes: Mr. Speaker, I find it very difficult to be either for or against this particular statute, when in fact it was instigated by a federal statute that we are not aware of, and when we do not know its content. I believe it was Bill 4 or something in Ottawa. For those very reasons, it is difficult to see the reasons for the introduction of this bill when it is in fact the vehicle for the policing of a fish marketing board that was instigated at the federal level. While I think a good majority of the commercial fishermen, particularly the inland commercial fishermen, have voted in favour of a fish marketing board, I do know several of the larger commercial fishermen on Lake Superior who voted against the concept of this bill and would like to market their fish as they are at present. They are quite satisfied with the price levels they are receiving. Now, I understand this is not so with the smaller commercial fishermen who do not enjoy that advantage.

But among the shortcomings in this bill I see no provision whatsoever for coarse fish. It restricts itself basically to the premium grade fish, the filleted fish such as trout and pickerel, and there is no mention made of the coarse fish. As members are well aware, in the northern part of the province, we are interested in getting coarse fish processing plants started to ultimately clean up the lake and make it possible for a greater yield of the high-quality fish, so I think there is a shortcoming in this bill.

It does make mention of designated areas in Ontario, but other than that it does not state where the designated areas are, and I suspect that this will be done by regulation. I think that it might have been much better had they been incorporated in the Act so that we would know just what sections and what areas of the province we are dealing with.

It is not clear to me whether all commercial fishermen will be covered by the Act, regardless of whether they are dealing primarily with coarse fish or with the premium grade of fish or the edible fish. I suspect that the corporation that it speaks of in the Act would be under federal charter even though this bill deals with the regulation of the fish marketing board. It does not make any specific mention of what the duties will be of these inspectors who are going to be hired.

As far as the Act is concerned, about the only thing that is mandatory upon the commercial fishermen is that they make their premises available for inspection, and it does not say what the reason is for this. It just says they must make them available for inspection, and as the hon. member who has just spoken has said, the summary conviction for violation of this Act is a maximum of $5,000 which seems extremely high for an offence of this nature. I can think of a lot more serious things that a person could be doing in contravention of a provincial statute, or indeed The Criminal Code, where the penalty would be considerably less than this.

It really does not mention in detail in section 9 what arrangements are to be made for payment to the owner of any plant or equipment used in storing, processing or otherwise preparing fish for market.

So it is pretty difficult, as I said in my opening remarks, to be for or against a bill when really it is not spelled out in sufficient detail for you to make up your mind whether or not you are for or against it. I realize the

basic concept behind the bill would benefit, to a much larger extent, the smaller operators where they do have the advantage of marketing their fish collectively and, therefore, presumably would get a higher price for the quality fish.

But I do not think that the bill was drafted in sufficient detail to give some assurance to us, as legislators and to the commercial fishermen, that their rights are being adequately protected under this statute.

Mr. Speaker: The hon. member for Brantford was on his feet first.

Mr. M. Makarchuk (Brantford): Just a few points on this particular bill. It seems to me that, as my predecessor said, there are not too many details in this bill and one wonders just exactly what effect it would have on the fishing industry.

In the first place, Mr. Speaker, I was wondering if this bill may not be more at home with The Department of Agriculture and Food than with the Minister of Forestry. It would seem to me that you are dealing here with a commodity, with a food, and that you are going to go into the marketing of the product and so on. You are going to make regulations controlling the marketing. This is more a jurisdiction or a field in which The Department of Agriculture has had some experience and also has the people who are dealing with other boards or other marketing commodities and other marketing groups.

There is some doubt in my mind as to just exactly what the powers of the corporation are going to be, or what you intend to do. You state in section 2 that you may make regulations designating the corporation as a body to control the selling and buying of fish in such parts of Ontario as may be designated in the regulations. Do you intend to establish marketing boards? Are you going to establish quotas? What restrictions do you intend to place on the fishermen? I think these are some of the matters that should be clarified.

Also, there is a certain amount of concern as to what say the fishermen themselves will have in this corporation. Are they going to be appointed members of the corporation, become members of the board or whatever it is you are going to call them? These are some of the things that need some clarification.

Of course, there is also the matter of what bargaining rights the fishermen are going to get under the corporation itself; whether they would be in a position to be able to bargain with the processors as to the price they get for the fish, taking into account the marketing; whether they are getting a fair deal; whether they will be in a position to establish their own processing plants or some co-operatives to handle their products?

I think these are some of the questions that should be answered in this particular bill as there is a great deal of concern and uncertainty in the fishing industry at the moment and I think some clarification is needed in this case.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid: Mr. Speaker, I would just like to add a series of questions to those that have already been put by the speakers who have spoken before me.

Just to reiterate. The first question—what is the purpose of this bill? I have had a look at the federal legislation and I do not see how this bill of the Minister's is going to add anything to that present legislation other than perhaps to give effect to the federal legislation at the provincial level.

If that is the case, I cannot see why we need a duplication of inspectors for this. I would like to ask the Minister if he intends to add more personnel to his department as inspectors to cover the legislation in this bill? I would also like to ask the Minister if cohoe salmon comes under the regulations and schedule of the federal Act, and if not, is the province of Ontario going to make any provision for this? I understand in the Great Lakes now the cohoe salmon planted by the state of Michigan especially have left Lake Michigan and have got into waters a little farther south and these are being caught by commercial fisherman and sold as commercial fish.

I would like a comment from the Minister on that.

I would also like to know, under the federal legislation, if commercial fishermen can vote to opt into this plan? I would like to know if these commercial fishermen who have not voted to join a fish marketing board can sell their fish directly to the middle man or to the market that they have already been serving, without going through the fish marketing board; or whether, in fact, they will have to sell their fish to the marketing board? I would like to know also, this may be getting away from this Act, but it is a little confusing, whether those commercial fishermen who voted to join the fish marketing board will be able to opt out of this board

if they do not like the procedures that the board has set up?

I would like to know one last thing, and that is if the Minister is prepared tonight to tell us what designated parts of Ontario will come under this fish marketing board?

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: There are a number of things about this statute that bother me. Firstly, I have always felt it to be a matter of great curiosity why Ontario continues to regulate its fresh water fishing under a federal statute, and especially is that feeling of curiosity underlined when I hear Ontario's Prime Minister (Mr. Robarts) and its Attorney General expressing such sensitivity about jurisdictional matters when they meet with their ten counterparts.

But Ontario, in the regulation of fishing, by its citizens, contents itself to rely upon the regulations made under The Canada Fisheries Act. Ontario regulates the taking of game and hunting under its Act and I really cannot understand why we perpetuate this archaic system. You know, Mr. Speaker, if you take a gill net and drop it into Lake Wanapitei, then you will be haled before the Queen's justices for that, and you will be charged under The Canada Fisheries Act for using the gill net, but it will be an Ontario regulation made under that Act.

Now, of course we have that constitutional transferrence of jurisdiction; we have the liberty to do it, but I ask aloud, why does Ontario not pass its own fisheries Act, setting out in statutory form, as it does with game, deer, birds, moose, bear and everything else, the regulations in respect of the taking of fish? But the Minister perhaps can tell us why they perpetuate that system.

Now, the second thing that bothers me about the statute is that my senses have told me not to care much for the methods of taking game fish for sale, for commercial purposes. I refer to pickerel, and my friend, the Deputy Minister of Agriculture, great outdoorsman as he is, will bear me out that last fall we were at the Bad River Camp, which is one of the eight or nine outlets of the mighty French River—route of the voyageurs, sometime called the Sorcerer's River, it was supposed to have magic qualities — and many Americans, of which this department is so intensely fond—this department has a greater fondness for Americans than any other department in government, it simply dotes on them—many Americans were there, not catching a fish.

Not a fish was to be found, which was rather an inconvenience to our American friends who spend so much in the province. But we were told that commercial fishermen off that outlet in the French, had, a few days before, lifted 3,000 pounds of pickerel, three of four miles off shore—3,000 pounds of pickerel, in one netting.

Mr. T. P. Reid: That is about 1,500 fish.

Mr. Sopha: In one netting, one lifting of the nets, and is it any wonder that our American visitors—whom the Minister is so anxious to attract here and to keep—were not catching any at that very fine resort?

There are very few lakes left in which freshwater fish can be caught commercially. There are not many other than the Great Lakes—and the lamprey will ruin most of the fishing in the deep water in the Great Lakes. The pickerel and pike are caught in the shallow waters where the lamprey are not to be found, of course, but we have so very few lakes left. There are not many fish left in Wanapitei. They fish in Nipigon, in the Great Lakes. They fish in Nipissing, though I am given to understand that the catch there is much less than it was in yesteryear.

And I wonder, in starting a fish marketing board, to what extent The Department of Lands and Forests is looking at the availability of these fish, and I am particularly thinking of the game fish, which fetch so prohibitive a price on the market. You have to pay almost the equal of a king's ransom to buy some pickerel at the fish market. One wonders, really, when the fellows are catching 3,000 pounds in one catch, why you should have to pay anything like $2.50 or $3 for a fish by the time a three- or four-pound one gets to the market. I do not know. It just seems the numbers of fish are decreasing.

I am absolutely convinced—my senses, my eyes and ears have told me—that the Minister and his officials, so sensitive are they to the feelings of our American brethren that I think there is almost no enforcement among American tourists of limits to catch. One hears them boasting about taking between two people 60 or 70 pike in a day.

Hon. A. Grossman (Minister of Correctional Services): It's impossible to catch so many.

Mr. Sopha: Oh, yes, 60 or 70 pike in a day. They will boast about it, without any fear that the Minister or his officials are going to come and hale them before the justices as they should. The Minister fears that they

will not come back if they are arrested. But I am convinced that many Americans just have no regard to our limits of catch whatsoever.

Mr. MacDonald: How does this relate to the bill?

Mr. Sopha: I do not know.

The third thing about this bill that bothers me is that here is an ideal area—the catching and marketing of fish—where the resources of our Indian population could be employed. This is an ideal area for encouragement of Canada's first citizens in an enterprise that could be profitable to them. But I have never seen any encouragement by The Department of Lands and Forests of initiative on the part of Indians to become seriously involved in commercial fishing.

Now, in that regard, I have spoken of the 3,000-pound catch off the mouth of the French River; they tell me that in Smith Bay, which abuts the reserve of the Manitouwanee band, they are catching virtually no fish, no fish at all.

To go farther west, how well I remember the complaints of Albert Wren about the Winnipeg goldeye, caught in Ontario and exported to Manitoba where it is cured and prepared. There was never any initiative by this department to encourage those Indians that catch the goldeye—I forget the name of the lake they catch them in now, north of Kenora—and to establish a plant on their own, to process and prepare that very edible, very valuable fish for marketing. I recall travelling down the west shore of Lake Nipigon, and Indians fish Lake Nipigon commercially, but the plant at that place—I forget the name of it—

Mr. Stokes: MacDiarmid.

Mr. Sopha: MacDiarmid, thank you very much. The plant is owned by white people who buy the catch from the Indians. Why, I asked, no initiative among our Indian population to establish these enterprises? I know, among the great fishermen of Manitoulin Island, the great Indian fishermen—I am not going to pause to extol their expertise in fishing, they are among Canada's best fishermen—

Hon. Mr. Grossman: Now you are proceeding to do it.

Mr. Sopha: I hope the Manitoulin Island tourist association does not read this—

Hon. Mr. Grossman: Do not say it then.

Mr. Sopha: —but the department has never encouraged those Indians to get into fishing in a commercial way in Lake Nipissing when the catch was good. You have Dokis Reserve and you have the Nipissing Reserve—I look in vain for my friend from Nipissing (Mr. R. S. Smith)—those two reserves on the lake. They do not fish commercially. Now, the government is to be taxed severely for never exercising any initiative in this way among our Indian population to do that which comes so naturally to them and is the result of their heritage of many hundreds of years. The special inherited expertise in the catching of fish, and it is a matter of sadness that in natural pursuits our Indians have not been encouraged.

The numbers of commercial fishermen in the upper lakes—of course, I know nothing of Lakes Erie or Ontario—but in the upper lakes the numbers are certainly on the decline. You only have two or three operators around the north shore of Lake Huron and Manitoulin, so far as I am aware. They appear to go at it in a big way, quite in contrast to the many scores of people around the village of Killarney—one of the oldest settlements in northern Ontario, one of the very oldest, beautiful Killarney—that used to fish out of Killarney and catch the Georgian Bay trout before it disappeared. Then the Lake Superior trout disappeared, but I am told it is coming back a little bit.

But you have only two or three along the north shore. You have one at Spanish, you have the Lowe brothers at Killarney; perhaps one or two on Manitoulin. And that is about it. It just seems to me that it is late in the day for the government to be establishing a fish marketing board when the fish are gone. It is certainly true of the great trout fishing industry of the upper lakes.

For those reasons I express my discontent with this statute and hope the Minister will enlighten us to some extent concerning those observations.

Mr. J. Renwick: Mr. Speaker, I want to speak just briefly about the bill as I understand it. I certainly agree with the comments that have been made, that the bill is extremely permissive if, when it is passed, the government has all sorts of options available to it as to what it will do under the bill.

But contrary to what the member for Sudbury has said, I think this is a very good example of the kind of co-operation within the constitution of the country which can take place between a province and the federal government under a federal system. I just

noticed that the reason for this bill, as I interpret it—I am subject, of course, to what the Minister says—is to complement a scheme in which, by and large, the initiative comes from the federal government under their Act. I would think, if one looks at the Constitution of the country, you could see that is quite rightly so. I notice in section 91 under heading 12 that the Parliament of Canada has exclusive jurisdiction to pass legislation dealing with sea coast and inland fisheries and in addition, of course, under heading No. 2 of section 91, the federal Parliament has exclusive jurisdiction to pass laws for the regulation of trade and commerce.

We know that the Privy Council has to a substantial extent circumscribed the power of the federal government under that particular head in relation to trade and commerce by drawing the distinction which this bill endeavours to cover, namely between intraprovincial trade as distinct from interprovincial trade. It is only, as I understand it, by means of complementary legislation of this nature that the two jurisdictions—the province of Ontario and the federal Parliament—can jointly regulate all aspects of the trade in fish. I assume that the province of Ontario believes—and that anyone who wants to use the Constitution as it is intended to be used would indicate—that the province has some legislative authority under the traditional heading No. 13 of section 92 dealing with property and civil rights.

I just want to emphasize that we certainly will support this bill in the principle of it.

Mr. Singer: You are sure now?

Mr. J. Renwick: Mr. Speaker, I made that comment for the benefit of the member for Downsview—

Mr. Singer: Well, we just want to know where you stand.

Mr. J. Renwick: Well, events will indicate whether or not we will support the bill.

But let me just re-emphasize that one point about the Constitution. We have heard so much these latter days that somehow or other the Constitution obstructs what people in the country want to accomplish. I think we should certainly point out that this bill in fact is the co-operative operation of both levels of government within their exclusive legislative authorities to provide an adequate method by which fish can be marketed without getting into a constitutional hangup about the respective legislative authorities.

If my understanding of the bill is correct, I would like to know specifically—and the other members have put many other questions—from the Minister what are the operative conditions as he sees it under which, in fact, the government will designate the corporation as the body which will control the selling and buying of fish at the same time as they designate the particular part, or parts, of Ontario to which this Act will apply.

Mr. Speaker, let me state that again. What are the operative conditions that the government will require before it, in fact, implements the bill?

Once the bill is implemented I notice that there are extremely wide powers even then for the government to exempt various classes of fish and various parts of the areas which are designated and particular persons, or classes of persons, from the Act. Now it is customary for the government to ask for this wide regulatory power, but I assume that the regulatory power will not be used for the purpose of defeating the Act but will be used in conjunction with and in co-operation with the federal department responsible for the administration of the federal Act.

Mr. Speaker, I have not had an opportunity to look at the federal Act, but I would hope that the Minister would comment about the point which has been made by the member for Rainy River and by the member for Brantford as to the way in which the Act will come into force in terms of the participation of the fisherman in the particular area in implementing the scheme—so that the Act will come into force by way of their initiative and not by way simply of government fiat, both from the point of view of the individual fisherman but more particularly from the point of view of any organization of fishermen which may have specific interests and rights. This should be of concern to the government before it decides to bring the bill into operation.

Those are the points on which I would like clarification, and I think I might make this one further comment, Mr. Speaker; when a Minister of the Crown introduces a bill and only makes a statement of the summary form set forth in the explanatory note, which is all that this Minister did on the first reading of this bill, when it is a complicated bill providing for complementary legislation at two levels of government, it would appear to me that this is the kind of occasion when the Minister responsible for the bill should take advantage of the opportunity under the rules on the calling of the bill for second reading to

make a more detailed statement of the purposes of the bill. He would have saved us raising all these questions, and then, of course, he would have had his traditional right of reply.

Mr. Speaker: Is there any other member who wishes to speak to the bill before the Minister? The hon. Minister has the floor.

Hon. Mr. Brunelle: Mr. Speaker, I wish to thank the hon. members for their comments and I think the last speaker, the hon. member for Riverdale, had a very constructive comment when he said that I probably should have made a statement longer than the explanatory note I gave on first reading. As was mentioned by some of the members, this bill is complementary to the federal bill which was passed in the federal House on February 27, I believe, establishing the Fresh Water Fish Marketing Corporation.

Now this corporation has the sole right to buy and sell fresh water fish in the prairie provinces of Manitoba, Saskatchewan and Alberta, the Northwest Territories and certain designated parts of Ontario.

At the present time, this Act will only apply in northwestern Ontario, and this will include the forest district of Geraldton and Port Arthur, excluding Lake Superior, and the districts of Sioux Lookout, Kenora and Fort Frances, excluding Rainy and Namakan Lakes.

It is the fishermen who decide by a majority vote if they want to come under this Act, so this Act when passed will just include the northwestern part of Ontario, excluding those three areas.

Mr. T. P. Reid: We will be able to opt in later, will we not?

Hon. Mr. Brunelle: That is right. At a later date, once the legislation is passed, the fishermen in the Lake Erie or Lake St. Clair areas may be included if they wish. They may do so on application, and of course they will have to decide themselves by a majority vote if they wish to be included.

Now the federal legislation deals with exports of fish and also inter-provincial trade. Our legislation deals with intra-provincial trade, that is within the province itself.

Mr. Paterson: Mr. Speaker, might I ask if the persons who can vote are the crews of the ships or the ship owners in the commercial fishing industry? Just who has the vote that you mentioned? As the crew members are shareholders in the ketch, do they each have one vote or is it just the owner of the ship in question?

Hon. Mr. Brunelle: My understanding, Mr. Speaker, is that it is one vote per fishing unit.

Mr. Paterson: For a licence?

Hon. Mr. Brunelle: Per licence, that is right. One vote per licence is right.

With reference to inspectors, the next bill, Bill 117, will establish that federal inspectors can be used for this provincial legislation. In other words, we do not intend to appoint additional inspectors. The federal inspectors will be empowered to inspect the fisheries.

Now with reference to coarse fish, the fish at the present time that will be included are pickerel—I would also like to mention, Mr. Speaker, that these recommendations came about of the commission of inquiry by Mr. George McIvor in 1965, which was appointed by the federal government and whereby they had many meetings in various parts of the prairies and northwestern Ontario. At these meetings the fishermen were represented, and that was the result of their recommendations.

Now the fish that will be included are pickerel, pike, sauger, whitefish and lake trout, which are the major species and are in total marketed mostly round or dressed. And 90 per cent of the total catch of these species is produced in the inland fisheries of Manitoba, Saskatchewan and Alberta and the northwestern part of Ontario.

The hon. member for Thunder Bay made a good suggestion that coarse fish should also be included, and I think this is a very good recommendation.

The board of directors of the corporation will be composed of 11 members. Our member, the director for Ontario, will be Mr. John Brubacker, who is in charge of our commercial fisheries. Also there will be three persons on the advisory committee, one of whom will be an Indian, and the others a commercial fisherman and a business man.

One member, the hon. member for Rainy River, mentioned cohoe salmon. I would say that at the present time cohoe salmon is still in the experimental stage. However, at a later date, once this fish becomes established in our fisheries, I see no reason why it should not be included.

The hon. member for Sudbury raised the point, I believe, about why the fisheries came under federal jurisdiction, and I appreciated the hon. member for Riverdale who referred to the fact that under section 91 of The

BNA Act, subsection 12, that sea coast and inland fisheries are the responsibility of the provincial government.

Mr. Sopha: Federal government.

Hon. Mr. Brunelle: I am sorry, federal government.

I would also like to tell the hon. member, of course, that we co-operate very closely. There is federal and provincial co-operation with regards to fish research in the Great Lakes. With reference to Indians, I was surprised to hear the hon. member's comments about The Department of Lands and Forests —I forget his exact wording, but he implied that we are not encouraging Indians in commercial fishing.

I would say, Mr. Speaker, that I will certainly be glad to send him the number of Indians who are in commercial fisheries, and this very Act is to help them. A great majority, a large number of fishermen in northwestern Ontario are Indians, and they are receiving very weak prices for the fish. One of the main purposes of this legislation, is to establish and give them better prices, and this will be very helpful to the Indian fishermen in northwestern Ontario as well as to Indians in other parts of Ontario.

It was asked by the hon. member for Riverdale what operative conditions the government will require before it will implement the bill? According to my understanding of his question, we will enter into an agreement with the federal government to pay our share. The federal government is putting up $100,000 for the initial administrative cost of implementing this corporation and the province of Ontario will be paying five per cent, $5,000, and then, once the corporation is established, we hope that it will operate on a self-sustaining basis. Since our share of the fisheries is calculated to be ten per cent, losses are incurred—and we hope there will not be any losses. However, of whatever losses are incurred we will pay five per cent and the federal government will be sharing on a 50-50 basis. They will be paying the other five per cent.

Mr. Stokes: What about the unusually high penalty?

Hon. Mr. Brunelle: The penalty. Again, Mr. Speaker, this legislation is based on the federal legislation. There have been many meetings and consultations with the federal authorities and other provincial authorities and this legislation is very similar to the federal legislation. We were guided by them.

Mr. T. P. Reid: Can I ask a question on a point of clarification, Mr. Speaker? Those people who are not part of the fish marketing plan will be under these regulations just the same, will they?

Hon. Mr. Brunelle: This legislation will apply initially only to that part of northwestern Ontario excluding Lake Superior, Rainy Lake and Namakan Lake and so, all those that are within that designated area will have to market their fish through this fish marketing board. It will be the sole agency to market, to buy and to sell the fish.

Mr. T. P. Reid: Some of these regulations, however, could refer to people who are not in these designated areas, and yet, who are commercial fishermen. Will they also be subject to these regulations?

Hon. Mr. Brunelle: Mr. Speaker, all the commercial fishermen in that designated area, will be subject to the regulations of the fish marketing board.

Mr. Speaker, I am trying to see if I have omitted to answer some of the questions that were put to me. With reference to the question of whether more personnel would be added to our department, asked by the hon. member for Rainy River; we do not anticipate adding any more personnel to our department. The director for Ontario will be our present supervisor of commercial fisheries.

Mr. Speaker, if I can sense the general attitude of the members, this legislation is good legislation. It will greatly help to better the prices, especially those in a designated area where Indians predominate, and we also hope that this will be well received. This corporation will be very helpful in the processing and also in the handling of the fish. We hope that it will not only increase sales but also make for better quality.

Mr. Stokes: One final point of clarification, if I may, Mr. Speaker. What arrangements will the province enter into in repaying the present fishermen for any plant that becomes redundant as a result of the operation of this fish marketing board?

Hon. Mr. Brunelle: Mr. Speaker, in reply to the hon. member, the legislation provides that if some plants become redundant it will be the responsibility of the province to pay for these redundant plants. But, I am advised that we do not anticipate that we will have any redundant plants in northwestern Ontario.

Motion agreed to; second reading of the bill.

THE FISH INSPECTION ACT

Hon. Mr. Brunelle moves second reading of Bill 117, An Act to amend The Fish Inspection Act.

Mr. T. P. Reid: Just one short comment, Mr. Speaker, which may refer back to the other bill but I think it might come in here, under the penalties under The Fish Inspection Act.

It states that fish may be seized by an inspector, but these fish may be held only for the expiration of 90 days from the day of seizure. Then part of the bill reads that only good wholesome fish may be sold.

I would suggest to the Minister that after 90 days there is not going to be much that would be edible left of the fish.

Mr. Speaker: Any other member wish to make a comment? The hon. member for Sarnia.

Mr. Bullbrook: Mr. Speaker, I just wanted to make one comment in connection with the comment made previously by the hon. Minister relative to cohoe salmon. Through you, I might direct to him a fact of which perhaps he is not knowledgeable. Recently, in our area, I am informed, that commercial people have taken out about ten tons of cohoe salmon, from Lake Huron. These fish really began their existence in Lake Huron as a result of a planned seeding of the area by the state of Michigan, intended for sportsmen. I had already taken the liberty of dealing with one of the Minister's assistants, perhaps his executive assistant? I phoned in connection with this and I wanted to convey to the Minister, in connection with his comment relative to the former bill, that cohoe salmon are becoming a significant fish in our area. Frankly, I would not want to see commercial activity unduly or adversely affect the intent of the state of Michigan and from the point of view of my own constituents and the sporting opportunity available to them.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: I have just one brief comment to make, Mr. Speaker. I was wondering, in view of the Minister's comments on the previous bill, when he said he did not anticipate that any additional personnel would be required. In fact the federal level of government will be providing the inspectors. Is this Act really necessary at all? You do not anticipate any inspection staff under the auspices of your own department?

Mr. T. P. Reid: Read the RSO No. 150, 1960.

Hon. Mr. Brunnelle: This Bill 117 is to clarify the provisions of the Act respecting inspectors and although the Act now provides for inspectors, it does not expressly provide for their appointment. With the additional emphasis being placed on fish inspection, particularly in view of the fish marketing board being established, it is essential that there be proper authorization for the officers. In 1955, we passed The Provincial Fish Inspection Act, but, now that we are dealing with the export of fish between provinces, the same federal inspectors will act on our authority as provincial inspectors.

Mr. Speaker: Perhaps the hon. Minister would wait to answer all the members at once, as the custom is. The hon. member for Essex South.

Mr. Paterson: Yes, for the purpose of clarification, Mr. Speaker, there are two points I would like to raise. Under this Act these inspectors would be acting throughout the whole of the province, and not just in that area which was designated in Bill 116. Do I have this correctly? If this is so, will they have enforcement authority to deal with commercial fishermen who may stray across the international boundary such as happens in my riding quite frequently with the Ohio people coming over? Will these inspectors have authority to deal with these particular people?

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: In relation to the cohoe problem, and it has become quite a serious problem, in tomorrow morning's *Globe* there is quite a lengthy article on this problem. The commercial fishermen are apparently far more upset than the anglers, because the cohoe, which are pouring over from the American side, are driving out the pickerel and the other lake fish on which the commercial fishermen depend. What is worse, as a result of this tremendous growth in the cohoe, apparently there are vast numbers of anglers going into the area near Goderich, specifically to Bayfield and surrounding area. As a result the nets of the commercial fishermen are beginning to be damaged. Apparently on the American side there has been a tremendous growth in the angling and to quote:

> In North Michigan the people went wild. One of two conservation officers had better

not go out by themselves, there were just thousands of boats and that is what we are afraid of here. It will be all right if they do not catch too many, but if they really start getting them, they will be out there by the thousands all over our nets. Besides everything else—

I interject here to point out that "everything else" means the driving out of the pickerel and the other lake fish:

—we will have our nets cut to pieces. If the cohoe stay all summer, there will be trouble.

So this is becoming quite a serious problem. It is a bonanza for the anglers but it has created a very serious problem for the commercial fishermen. I hope the Minister will give it some attention.

Mr. Speaker: Is there any other member who wishes to speak to the bill? The hon. Minister.

Hon. Mr. Brunelle: Mr. Speaker, with reference to the hon. member for Essex, the federal inspectors will be really working in northwestern Ontario in that designated part of the province. That will be their responsibility. There will be no changes in the other areas, in the area the member is referring to, Lake Erie and Lake St. Clair.

Motion agreed to; second reading of the bill.

THE MEDICAL SERVICES INSURANCE ACT, 1965

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill 121, An Act to amend The Medical Services Insurance Act, 1965.

Mr. J. Renwick: Mr. Speaker, on the second reading of Bill 121, I want to reiterate the opposition of this party to the proposal put forward by the Minister in introducing the bill.

There are three or four matters which I think have to be dealt with and brought to the attention of the government in order to explain to the government fully why we are opposed to what the Minister proposes in the bill. The Minister, when he was speaking earlier on one of the other occasions when the bill was before the House, used, if my memory serves me correctly, the illustration of the cost of a visit of a plumber to a house, and the fee charged or the amount charged for such a visit. I am not familiar with the prices which independent plumbers charge for their services; I am not familiar with the costs of carrying on the plumbing business, nor am I aware of the economics of that particular industry.

I have some knowledge, cursory as it may be, about the requirements of persons who are plumbers in this society. Is is necessary for such persons to be qualified; they have an apprenticeship course and then they obtain their various papers designating them as persons who can carry on the trade of plumbing in the province.

At the present time, throughout the construction industry in Metropolitan Toronto, the plumbers, along with a large number of the other traditional trades, the bricklayers, sheetmetal workers, the masonry workers and many other trades in the construction industry in Toronto, are engaged and have been engaged for some three months in the collective bargaining process under which the Toronto Construction Association and the 18 agreements of the 15 unions that are up for renegotiation have been subjected to intensive collective bargaining by the parties to those agreements.

The amount of money which they are talk-about, by and large — whether or not these particular skilled tradesmen, the carpenters and the plumbers and the electricians and the sheetmetal workers and the refrigeration workers and other persons, who have special qualifications — without getting into the fine points of the number of cents involved, whether or not they will be able to negotiate wages, will be somewhere in the neighbourhood of $4.50, $5 or $5.50 an hour.

Now, let us take what I believe to be the position of the plumbers in this case. They are negotiating and expect to get something just over $5 an hour for the exercise of the skill of their trade. On a 40-hour week, they will have a gross income of $200, and if they work for 50 weeks out of the year—and I would indicate, Mr. Speaker, that in the construction industry it does not necessarily follow that everyone is employed full time throughout the year—they will then have a gross income of about $10,000.

I suggest to the Minister that he cannot call in aid that kind of negotiated settlement which provides an income of about $10,000 gross to assist him in supporting the principle that the medical profession under this bill, without any collective bargaining process of any kind, should be able unilaterally to increase the schedule of fees in a profession which, as I understand it, on the latest statistics which are available from the federal gov-

ernment, indicate that across Canada the average income of a person in the medical profession for tax purposes is in the neighbourhood of $25,000 a year—

Hon. J. H. White (Minister of Revenue): Was.

Mr. J. Renwick: —was in the neighbourhood of $25,000 a year, because I think the statistics are two or three years out of date, if not more. That is the first point I want to make and I want to make it perfectly clearly that the time has passed when the professions in this country, in this province, are entitled unilaterally to decide what their tariff or schedule of fees will be.

The second point I want to make is that there is, in each of the professions and in the medical profession, a statute of this Legislature which provides for the self-governance of the professions and the medical profession is, as we all know, governed by the Act respecting the college of physicians and surgeons.

That is the body which is charged with the supervision, admission, discipline and conduct of the profession in all its branches. That body is responsible through that legislation to this Legislature in the sense that we can, in fact, change that legislation should we wish to do so. It has not, Mr. Speaker, been customary for those professions to be called before any of the standing committees of the Legislature, but certainly I made two or three years ago, and have reiterated on other occasions, the proposition that this government by and large is going to have to provide for more adequate direct supervision of the professions.

I say "supervision". I do not mean that the government is to take over the governance of those professions but it is certainly required to supervise the statutes which grants such a wide area of self-governance to the profession.

Now, those bodies, charged as they are with that responsibility, are quite separate and distinct, both in the medical profession and in the legal profession, and we are certainly going to run up against all the problems which are involved when they are not separate and distinct when the Attorney General brings in the bill relating to the professional engineers.

But in the medical profession, the college of physicians and surgeons is one body, which is the statutory body, and there is the other body, the Ontario Medical Association, which is the body primarily concerned with advancing the self-interests of the medical profession. That is a legitimate object and a legitimate purpose for any group of people to band themselves together to accomplish.

But that distinction, again, is the second one that I wanted to make perfectly clear. The Ontario Medical Association is formed and conducts its business, quite legitimately, for the purpose of enhancing its own self-interests. There is no intrusion of outside interests in the operation of that body, nor, in my judgment, should there be.

But the importance of the college of physicians and surgeons is that the legislation governing that body should provide, and the Minister is obligated to provide, in my judgment, amendments to that legislation which will permit that body to establish the tariffs and schedule of fees, because that body is charged with the exercise of a public interest.

It may be that that body by itself, if charged with that responsibilty, will discharge its obligation to the public because of the different connotations of that corporation, the college of physicians and surgeons, and the purposes which the statute requires it to serve.

If it did not discharge its public duty with respect to the fees to be charged by members of that profession, then the government has got a very clear way in which to bring the public interest to bear upon that profession. I say this quite advisedly, because I happen to believe that, in an analogous way or sense, that is what should be done and what, in a large measure, will in fact at some point be done so far as the Law Society of Upper Canada is concerned, in the governance of the legal profession.

Let us take this in the two stages. The Ontario Medical Association is designed to provide for the self-serving purposes of the medical profession, quite legitimately so. The college of physicians and surgeons is a body charged with a public duty and a public responsibility, and one of those duties and one of those responsibilities, which should be exercised by that college—and I happen to believe that, in the first instance in any event, as a matter of good faith, the college of physicians and surgeons should be given the opportunity to show whether or not it can act in the public interest and not simply in the interest of the profession itself—is the matter of the fees to be charged for services rendered by the members of that profession.

If we can come on, Mr. Speaker, to the next area, we have had in this Legislature—since The Medical Services Insurance Act was originally passed—another occasion when unilaterally the Ontario Medical Association

has changed its schedule of fees. I would have thought by now the Minister would have taken the step to assure the people in this province that the public interest would be represented. But he has not done so and we, of course, called for the roll back in those fees.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I do not wish to interrupt the train of thought but, if the hon. member would like to move the adjournment of the debate, I have an interesting motion to follow that.

Mr. J. Renwick: I move the adjournment of the debate.

Hon. Mr. Grossman: The hon. member is getting to be the best filibusterer in history.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, tomorrow we will carry on as today, considering the legislation on the order paper.

Hon. Mr. Welch moves the adjournment of the House.

Mr. Speaker: Before I place the motion of the hon. House leader, I would like to apologize to the members for Mr. Speaker's appearance earlier this evening. It apparently did not influence the outcome of the division, and I found it so comfortable, I must confess, that I am going to make submission to the committee on rules and precedents, that perhaps, except on ceremonial occasions, Mr. Speaker might have some leeway when the hot weather arrives.

Motion agreed to.

The House adjourned at 11.00 o'clock, p.m.

No. 99

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 29, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 29, 1969

Presenting reports, Mr. Welch and Mr. Randall 3681
Cancer Act, bill to amend, Mr. Dymond, first reading 3681
Time Act, bill to amend, Mr. Jessiman, first reading 3681
Tabling copies of Hedlin-Menzies report, Mr. Brunelle 3681
Carriers of medical insurance, questions to Mr. Dymond, Mr. Nixon 3683
Bruce trail and Niagara escarpment, questions to Mr. Simonett, Mr. Nixon 3683
Miss Alice Murphy, questions to Mr. Wishart, Mr. Nixon 3684
Bill 112, questions to Mr. A. F. Lawrence, Mr. MacDonald 3684
Tabling report of Ontario law reform commission, Mr. Wishart 3684
Dumping of oil into Great Lakes system, question to Mr. Robarts, Mr. Paterson 3685
Hamilton urban renewal programme, questions to Mr. McKeough, Mr. Deans 3685
Assessment appeals at local level, question to Mr. McKeough, Mr. Ruston 3686
Algoma Central Railway, question to Mr. MacNaughton, Mr. Stokes 3687
Quetico park, questions to Mr. Brunelle, Mr. Stokes 3687
Facilities at provincial camp sites, question to Mr. Brunelle, Mr. Stokes 3687
Regional government, questions to Mr. McKeough, Mr. Knight 3687
Area directors, property assessment, questions to Mr. McKeough, Mr. Good 3688
Evictions at Cobalt, questions to Mr. McKeough, Mr. Good 3688
Hydro discharge of warm water into Great Lakes, question to Mr. Simonett, Mr. Ferrier 3688
Water pollution, questions to Mr. Simonett, Mr. Nixon 3689
Atomic energy station at Pickering, question to Mr. Simonett, Mr. Nixon 3689
Operating Engineers Act, 1965, question to Mr. Bales, Mr. Haggerty 3689
Frank Marchildon, question to Mr. Wishart, Mr. Shulman 3689
Film censorship, questions to Mr. Auld, Mr. Shulman 3689
Construction industry and construction safety, questions to Mr. Bales, Mr. De Monte 3690
Highway 522, questions to Mr. Gomme, Mr. Innes 3690
Road superintendent for Alnwick township, questions to Mr. Gomme, Mr. Pitman 3690
Corporate consolidations, questions to Mr. Rowntree, Mr. Sargent 3690
Medical Services Insurance Act, 1965, bill to amend, Mr. Dymond, second reading 3691
Mining Tax Act, bill to amend, Mr. A. F. Lawrence, on second reading 3711
Recess, 6 o'clock 3719

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 29, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our visitors in the east gallery are students from the Herman E. Fawcett secondary school in Brantford and in the west gallery from Mount Mary Immaculate academy in Ancaster and Bayview junior high school in Willowdale.

Later this afternoon, there will be students from Parry Sound district high school with us and this evening there will be the 23rd Toronto Scout Troop from Toronto as our guests.

Mr. T. Reid (Scarborough East): Mr. Speaker, we have a very special guest in your gallery, sir—Miss Delia Opekokew, who is a Cree Indian from the Canoe Narrows band in Saskatchewan. Miss Delia Opekokew is the organizing secretary of the Ontario Native Development Fund. The purpose of this fund is to raise money for Indian organizations and for Indian research. Miss Delia Opekokew will be marching in the Miles For Millions march on Saturday and she would be delighted to meet with any members, or any members of the press gallery in the west lounge, in 15 minutes' time.

She is seeking sponsors.

Mr. Speaker: I am sure that the members will be glad to meet with the young lady. We are delighted to have her with us.

Petitions.

Presenting reports.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the annual report of the teachers' superanuation commission for the year ended October 31, 1968.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I beg leave to present to the House the following: the Sheridan Park Corporation annual report for 1968, and the Ontario Research Foundation annual report for 1967.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

THE CANCER ACT

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, An Act to amend The Cancer Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, the reason for this amendment is to add one representative to the institute board to represent New Mount Sinai hospital, one of the teaching hospitals of the University of Toronto.

Mr. Speaker: Introduction of bills.

THE TIME ACT

Mr. J. Jessiman (Fort William) moves first reading of bill intituled, An Act to amend The Time Act.

Motion agreed to; first reading of the bill.

Mr. Jessiman: This bill provides daylight saving time throughout Ontario and authorizes the councils of local municipalities to provide for the observance of standard time instead of daylight saving time.

Mr. Speaker: Introduction of bills.

Orders of the day.

The hon. Minister of Lands and Forests has a statement.

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I would like to table copies of the Hedlin-Menzies report entitled "The Ontario Forest Industry: Its Direct and Indirect Contribution to the Economy".

In order to evaluate the direct and indirect contribution of the forest industry to the economy of the province, The Department of Lands and Forests commissioned Hedlin-Menzies and Associates, a firm of consulting economists, to conduct such a study. Co-operation in undertaking the study was provided by many individuals, my department

officials, federal and provincial government departments, forest related industries and three northern Ontario communities.

The results of the project were presented to the department in two forms. One, a comprehensive statistical manual of the Ontario forest industry, which was prepared as a foundation for the analytical work. Second, the report I am tabling now, entitled, "The Ontario Forest Industry: Its Direct and Indirect Contribution to the Economy."

The report contains an overview of the forest industry as a whole as classified by the Dominion Bureau of Statisics. Among the more interesting results of the study are those relating to direct and indirect employment and government revenue generated by the forest industry. For example, it is estimated that for every person directly employed in the forest industry, an additional 1.73 jobs are created somewhere in the province.

With respect to government revenue, for every dollar received by our provincial Treasury through Department of Lands and Forests direct charges to the industry, an additional $4.22 accrues to our Treasury by way of direct and indirect taxation. The federal Treasury receives another $9.21 for that same one dollar.

The report states that 213,000 people, or about 10 per cent of the labour force in Ontario, earn their livelihood from the forest industry. For every four employees in the mills and forests another seven jobs are created somewhere in the province. Six out of every ten jobs in the forest industry are found in southern Ontario. This is primarily due to the location of secondary wood-using and paper-using industries in that portion of the province.

Mr. Speaker, the results and conclusions of the forest industry impact study are important to government, industry and the people of our province. It will provide us with a better basis for planning of our various programmes.

Also, it will lend support to educational material which will be useful in acquainting the general public with the value of Ontario's most important natural resources.

Mr. Speaker, the report confirms the importance of the resources of the north and the significant contribution these resources make to southern Ontario. Lastly, the study places the whole forest industry in perspective within the province's economic system.

Mr. Speaker, I also have a short statement concerning logging in Algonquin Park. In order to correct some misconceptions on the part of the public concerning logging operations in Algonquin Park, I would like to make this statement.

Logging has been carried out in the Algonquin Park area for over 130 years. This time span points up the capacity of the living forest to replace itself. This fact, coupled with modern forest management techniques, ensures that a healthy forest is available for all users of the park—both present and future.

Algonquin Park is considerably larger than the province of Prince Edward Island. It is logged to the extent of approximately 1.5 per cent each year. This percentage of the total area is directly involved in the actual production of logs. Not all of this area is clear-cut—much of this area is selectively cut, leaving sufficient tree cover to preserve scenic values and assist in establishing a new crop of trees.

From ten to 20 years following cutting, the evidence of prior cutting has all but disappeared and the forest continues to serve the purposes of both the recreationist and the forest products industry.

Basically, it is the evidences of logging, such as noise of trucks, bulldozers, and power saws, as well as roads and bridges in certain areas, which have proven to be most offensive to the recreationist. Accordingly, we have created certain restrictions on logging operations which have as their objective the minimizing of these irritations to the canoeists. The large proportion of park users in camp grounds and other locations in the park are sufficiently removed from logging activities that no noise problem arises.

The following restrictions are being imposed for this year 1969:

1. Some 730 miles of waterways are to be set aside as designated canoe routes. Along these routes there will be a 1,500 foot reservation in which only marked trees will be cut. There will be no cutting within 100 feet of shorelines or within 200 feet of portages.

2. There will be no cutting zones along public roads, railways, park boundaries and around developed recreational areas.

3. Road construction will not be permitted in any of the reservations and all road locations are to be approved by the park superintendent and built to the specifications laid down in the provincial plan.

4. During the summer period, June 28 to September 1, the hauling of logs will be permitted only during the periods from 8.00 a.m. to 5.00 p.m., Monday through Friday. There

will be no hauling on weekends, or on statutory holidays. No mechanized equipment is to be used at night.

5. A two-mile wide "sound buffer zone" has been created for the purpose of protection of the canoeist from the normal noises of logging operations. Experience will determine to what extent this distance is adequate, since there is no known basis in research for this type of zone. If the 1969 experience suggests that a wider zone is required, this will be kept in mind for 1970.

Mr. Speaker, of the 23 companies holding cutting rights in the park, 11 will not be operating during July and August 1969. Eleven other companies will operate during this period, but none of these will be operating within the two-mile sound buffer zone. Through economic necessity, one of the 23 companies will be operating within the two-mile zone. Alternate areas of supply for this company were fully explored before permitting this operation. Company officials have been fully apprised of the new logging regulations and the necessity for their being observed.

The experience gained during this summer will be most helpful in the development of adequate safeguards to ensure both a healthy forest, a satisfying recreational environment and an economic forest industry.

Mr. Speaker: May I remind the members again of the Planetarium visit? I am sure that more than half the members by now must know what their plans are for Thursday night, and again I would ask your co-operation in advising me.

I am advised that the Planetarium showing itself will begin about 6.45 p.m., so that if any of you cannot take advantage of the sandwich supper being served, you would be welcome to come over direct to the Planetarium about that time to be there by 6.45.

The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Health. Will the Minister report to the Legislature on the progress he has made in gaining agreement with carriers of medical insurance in preparation for Ontario's entry into the national Medicare plan?

Hon. Mr. Dymond: Mr. Speaker, I can only say that we appear to be making progress, but I have no definitive report to give at this time.

Mr. Nixon: A supplementary question, Mr. Speaker. I wonder if the Minister will recall me asking him to table his correspondence with PSI in this regard? He said there was none and yet I have since seen a copy of a draft agreement that was put forward by the Minister to PSI which might have been construed as part of his correspondence.

As a matter of fact, I am sure the Minister is aware that this was brought to public attention in a press release by the member for York South (Mr. MacDonald), and it has occurred to me that the Minister might be considerably franker with the House in these negotiations so that the information would be available to all of us.

Hon. Mr. Dymond: Mr. Speaker, I have already assured the House that when information is available it will be made available in this House.

Mr. Nixon: Why was that draft agreement not made available?

Hon. Mr. Dymond: Because this is a matter of discussion and it was not correspondence. It was a working paper that was handed to the people, if you want to be strictly technical. It was never sent through the mail, therefore I do not think it assumes the guise of correspondence, but—

Interjections by hon. members.

Mr. E. W. Sopha (Sudbury): He talks like a lawyer.

Hon. Mr. Dymond: I have had good practice listening to the hon. member tell of the cases he loses. I have said to you, sir, that when our negotiations have reached the stage where there is something positive to report, it will be reported in this House.

Mr. Nixon: Right. Mr. Speaker, I have a question of the Minister of Energy and Resources Management. What action is the conservation branch, or any other branch of the government, taking to assist in the developing of the Bruce trail and the preservation of the Niagara escarpment?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the Bruce trail was developed by private interests and no application has been received from any conservation authority for assisting in this development.

With regard to the preservation of the Niagara escarpment, the conservation authorities branch is awaiting a decision on the recommendation contained in the Gertler report.

When a decision has been reached, the branch will review development plans with

the eight conservation authorities involved to determine the role these authorities may play in the preservation.

Mr. Nixon: I wonder if the Minister could tell me if he is aware of the fact that recent land acquisitions—some of them fairly large—are disrupting the Bruce trail potential and that the exectuive of at least one organization association with this is blaming the government of Ontario for not giving assistance in planning for this particular project?

Hon. Mr. Simonett: Mr. Speaker, I am aware that there have been some land transactions, or attempts at buying some of the property, but I am not aware that there are organizations that have complained to the government about this.

Mr. Nixon: Mr. Speaker, I have a question remaining from yesterday for the Attorney General: Can the Minister explain the circumstances that resulted in Alice Murphy, of Cayuga, formerly clerk of the provincial and family and juvenile court, presently acting sheriff, registrar of the supreme and surrogate court, and clerk of the county court, going without pay since January 1, 1968?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I am getting the details, but, first of all, she did not go without pay. My understanding is she drew over $7,000 by regular cheque. The story in the press seems to be completely off base. But I am getting the complete detail and I will take pleasure in giving it to the House.

Mr. Nixon: Mr. Speaker, I wonder if I might ask the Attorney General a supplementary question? Is he aware that there is some question as to whether provincial court, scheduled for Thursday of this week, will continue unless this matter is ironed out?

Hon. Mr. Wishart: I do not think the court will fail to operate, on that account at least.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a question of our currently overworked Minister of Education, which I shall have to hold, but one which I can put to the Minister of Mines.

First, what explanation is there for the Minister's statement that the government now believes full implementation of Bill 112 would force out of business 23 of the 66 mining companies now in operation in Ontario?

Second, is the retreat from the 100 per cent processing-in-Canada policy permanent or temporary?

And, third, if only temporary, when will the 100 per cent processing-in-Canada become obligatory for companies now in operation?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, the hon. member is attributing statements to me which I have never made. It is my hope that this matter will come up for second reading this afternoon and, rather than get into a hassle in the question period, perhaps he can make his point and his arguments then and I will make mine then.

Mr. MacDonald: The *Globe and Mail* was inaccurate then?

Hon. A. F. Lawrence: No, I have the *Globe and Mail* here; it does not say that.

Mr. Speaker: The hon. Attorney General has asked permission to revert to presenting reports. I think he has a report for the House.

Hon. Mr. Wishart: Mr. Speaker, I beg leave to table herewith the report of the Ontario Law Reform Commission on the limitation of actions.

This exhaustive study was undertaken by the Ontario Law Reform Commission in view of the desirability of revising this very significant and important body of the laws of this province. The present statutory provisions find their origin in many ancient laws which, of course, were conceived at a time when the problems of our society were quite different from that which we find today. However, the significance of these limitation periods to our citizens is of a nature that requires our deepest consideration before any general revisions may be carried out by this Legislature.

Limitation periods are important to every citizen of the province, because they not only protect him from actions being brought after an inordinately long period, but they also ensure that his rights may be dealt with in an orderly and proper manner and with a degree of certainty that is desirable in the establishing of his rights.

I do not propose introducing any legislation implementing the recommendations in this report until the public and the legal profession have had an opportunity of considering the report and making comments upon it. The impact of the recommendations will best be recognized by the lawyers throughout the province and I commend it to them for their study. After full consideration and review it may well be appropriate to implement various recommendations which

are contained in the report and we will look forward to our continuing study in the light of the comments which we may receive. In the meantime, Mr. Speaker, I would commend it to the consideration of those members of this House who have an interest in the legal affairs of our province.

Mr. Speaker: The hon. member for Essex South has a question of the Premier.

Mr. D. A. Paterson (Essex South): Mr. Speaker, a question of the Premier.

In view of the dumping of 72,000 gallons of oil into the Great Lakes water system at the pressure plant in the Detroit-Windsor area, is there any remedy available to the government of Ontario, or to any individual who may have suffered damage as a result of this dumping, either by way of criminal procedure under any federal or provincial statute, or by civil action?

What action, if any, does the government of Ontario intend to take in this regard?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in the first place it must be understood that this involves a good deal of international law, criminal law and civil law. I am not in a position this afternoon to detail to the House what action might be available to any individual or any government that might be caused damages as a result of this particular incident.

As far as what action we intend to take, I am informed that no damage has been caused by the situation, and therefore the matter is pretty well academic. There is no need for us to take any action, nor do I think there will be any pressure for any individual to take action. No doubt, there are remedies available to those who may have suffered damage.

I think the real point in the whole matter is that we must have some form of international agreement, and some form of control of wastes, in order to ensure that this does not happen, because perhaps it is only luck that there is not a good deal of damage caused by this particular event.

Mr. Speaker: The hon. member has a further question?

Mr. Paterson: Yes, I have a question of the Minister of Highways.

What were the maintenance costs for each of the last three years for Highways 18A, 98 and 2 in Essex county and Highway 98 in Kent county?

If these highways are to return to their respective counties, what will be the disposition of equipment, patrol buildings and properties and the staff connected with the maintenance of these highways?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, the information requested on both these questions will require breakdown of accounts. We are proceeding with this work so that the questions can be properly answered in approximately two weeks' time.

Mr. Speaker: The hon. member for Wentworth has the floor if the Minister has now returned.

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker. I have a question for the Minister of Municipal Affairs, in three parts: Does the Minister receive regular reports on the Hamilton downtown civic square urban renewal programme?

Does the department have a full time representative in Hamilton for the purpose of protecting the province's interest?

Is the Minister satisfied that the changes being made by the Hamilton city council are acceptable to the province, in order to assure the province's participation in the programme?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, in reply to the member's question. I would say to the first part, yes, we do receive regular reports because we have a representative on the coordinating committee. We receive frequent written reports, some of which end up on my desk.

Second—do we have a full time representative in Hamilton for the purpose of protecting the province's interest? The member for Halton West points out that the hon. member, Mrs. Pritchard, is our full-time representative in Hamilton.

She, of course, is a member of the urban renewal committee and does keep us posted on a number of things. However, in terms of a full-time civil servant—no, we do not have that kind of a representative.

The expenditures, of course, are subject to the prior approval of the committee and, therefore, through the committee to the province, as well as to the federal level. I do not think that it would be advantageous on our part to interfere this way by having a full time person there.

Regarding the third part of the question, I think I would first of all say that the city council has not as yet finally adopted the revised plan, and with that qualification we

really do not know completely what plan is going to be put in front of us. I would say, yes—that the revised plan is generally acceptable to the province. The revised plan, in our view, is a definite improvement over the one originally adopted by the city.

The revised plan provides for a comprehensive series of activity centres formed by a somewhat greater concentration of the various uses which are now interconnected horizontally and vertically through the civic square by a weather-protected, grade-separated pedestrian system. This also provides access to a series of more publicly usable open spaces.

This inter-related system facilitates an increased urban quality, generated by the organization of the uses and spaces within the civic square, so that a greater range of urban experiences can be enjoyed by the public than was previously possible.

Uses on either side of King, Main and MacNab streets, are now connected by the pedestrian system. Provision is made for the eastward extension of this pedestrian system in the future, to connect across James street. There is significantly more usable open space on the north side of King street than previously.

The amount of open space provided is consistent with the somewhat more intensive pedestrian traffic and the greater number and variety of uses proposed on the north side of King street.

The open space areas will be attractively landscaped and are now directly accessible for pedestrians from the adjacent areas. And, on that basis, and again, subject to the qualification that we do not know what the city will finally lay in front of us, yes, we are satisfied.

Mr. R. Gisborn (Hamilton East): Everybody is confused now.

Mr. Deans: This is really a mess now. By way of a supplementary question, if I may, is the Minister aware, first, that there is to be considerably less open space than in the previous plan? And, second, that there is considerable turmoil within the city council of the city of Hamilton as to what actually is happening in the downtown area?

Hon. Mr. McKeough: Well, I would point out that my information is that it will provide more open space and, second, if there is turmoil in the city council, that is part of the normal democratic process. In due course the city council will resolve this issue and send it to us for approval.

Mr. Deans: And spending the money of the province, in some instances.

Mr. Speaker: The hon. member for Essex-Kent.

Hon. Mr. McKeough: I think we must correct this, Mr. Speaker. They are not spending the money of the province without our approval, and I do not think it would be appropriate at the present time for me to interject myself into some of the turmoil in the city council, where the matter should be properly settled.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question for the Minister of Municipal Affairs.

What plans does the Minister have to allow assessment appeals at local level when the province assumes assessment? Will the counties and cities appoint members of the courts of revision, or does the Minister intend to appoint them? Will the courts of revision be held in local areas as they are at the present time?

Hon. Mr. McKeough: Mr. Speaker, we will of course continue to allow assessment appeals at a local level when we assume the responsibility for the assessment function.

With regard to the appointments to the courts of revision, both the Smith committee and the White committee recommended that both methods of appointment be used, both locally and by the Minister and the government.

The suggested approach by the Smith committee provided that appointments to assessment appeal boards for cities, separated towns and counties, or any combination thereof, would be made by the municipality involved.

In the case of the assessment appeal boards for districts, the committee recommended that the Minister of Municipal Affairs should make the appointment upon recommendation of the local municipalities.

Those recommendations, of course, were all made before the announcement of the assumption of the assessment function by the province.

The answer to the third part of the question, I think I can say, is yes, but the main answer to the second part of the question will be known at such time as the assessment legislation is brought into the House.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. A question for the Provincial Treasurer. Was any tax relief given or promised to Algoma Central Railway in return for timber lands handed back to the government of Ontario?

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, the answer to the hon. member's question is no.

Mr. Stokes: I have questions for the Minister of Lands and Forests. Is there a study under way by your department to assess the future use of Quetico Park?

Is this study to assess the future use of this park for recreation exclusively or a multiple-use concept? Will this study attempt to co-ordinate economic use for this area by adjacent regions on the Canada and American sides?

Hon Mr. Brunelle: Mr. Speaker, in reply to the hon. member for Thunder Bay:

1. Department field staff are currently assembling data for the preparation of the master plan for Quetico Provincial Park. In 1967, a mail survey was carried out by the parks branch among visitors to the interior of Quetico Park and, in addition, supplementary data were collected at the ranger station on the perimeter of the park. Also, data on all visitors to this park has been gathered in the past, and will be gathered again this year, to provide necessary information for long-range planning of this area.

2. Planning studies of this park will assess the capability of the area for all natural resources. Decisions on the most desirable use, or uses of the park will be made on completion of these planing analyses. I consider it to be very likely that a major part of the park will be set aside for exclusively recreational use. It is also probable that some parts of the park will be managed in accordance with our concept of multiple use, ensuring that our recreational needs are given first priority consideration.

3. We hope to carry out next year an economic study of Quetico Park which will provide essential planning information. This study will consider the economic impact of the park, including its influence on adjacent regions, both in northwestern Ontario and in Minnesota. The economic implications of the proposed planning concepts for the park can then be better evaluated.

Mr. Stokes: A second question to the Minister: Can the Minister assure campers that facilities at provincial camp sites will be improved this summer, that good dry firewood will be made available, and that roads to the camps will be repaired, so that the uncomfortable and unsanitary conditions found in some parks last year—as reported in the Toronto *Star*, April 26—can be eliminated?

Hon. Mr. Brunelle: Mr. Speaker, I am pleased to inform the hon. member that the department intends to spend our parks improvement budget this year on improving our existing parks. These expenditures will include road improvements, bathing—construction of additional sanitary facilities—and provision for fuel wood. I think the member will see that this summer we will have our parks in a much better condition than previously.

Mr. Speaker: The hon. member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Thank you, Mr. Speaker. I have a question for the Minister of Municipal Affairs. In view of the Premiers announcement yesterday that regional government will not be imposed on local people, will the new policy of caution towards regional government affect the department's plans to implement regional government in the Muskoka area?

How serious are the complaints from that area, in view of the meeting on regional government held in Bracebridge last Friday evening?

Hon. Mr. McKeough: Mr. Speaker, the statement to which the hon. member refers was in keeping with the government's policy of not implementing regional governments on a wholesale basis, if we can put it that way. "Cookie cutting," my colleague, the Provincial Secretary, says.

It has been stated a number of times, and the Prime Minister took the opportunity yesterday to again state that regional government will be phased in on a priority basis.

Mr. Nixon: The Minister should let the Attorney General make a statement on regional government.

Hon. Mr. McKeough: Yes, the Attorney General was talking about the Sault, that great part of Ontario, the Sault.

Mr. Nixon: He is likely to grow a beard before they let it in up in his area, he said.

Hon. Mr. McKeough: The Attorney General goes away for long weekends and grows

a beard nearly every weekend, but it comes off on Mondays.

Mr. Nixon: . . . Next he'll be selling cough drops.

Hon. Mr. McKeough: Mr. Speaker, with regard to the second part of the question, concerning a meeting in Bracebridge on Friday evening.

This meeting was organized, I am delighted to know, by a group of ratepayers who met with me—or their representatives have met with me. I think they wanted to know more about regional government and they organized a meeting to that end. The hon. member for Muskoka was there and spoke to them, on Friday night last. A member from my staff, I believe, was there as well.

The situation in Muskoka is that we are awaiting the report from the commissioner, Mr. Patterson, which is expected, I would suppose, in the next few weeks. When it is received it will be presented to the people in the area and they will react to it and we will react to it as a government and as departments and then we will decide how we will proceed from that point.

At this time, of course, there is nothing to react to, because there is no report.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): I have a question of the Minister of Municipal Affairs. What salary will be paid to seven area directors, property assessment, whose positions are advertised on page B9 of the *Globe and Mail* today?

Second, what steps will be taken to see that the salary escalation associated with the county school board of education does not recur in the field of assessment?

Hon. Mr. McKeough: Mr. Speaker, speaking to the second part of the question first, the member is aware that salaries for assessors, when they become civil servants, will be determined in the normal course of events by the Civil Service Commission. After that they are subject to the approval of the Treasury Board, and of the Lieutenant-Governor-in-Council, in the same way that any other salaries are subject to that kind of approval.

Let me put it this way—perhaps there would be some thought from members opposite that those three groups, the Civil Service Commission, the Treasury Board of Ontario and the Cabinet of Ontario, have never been known for being overly-generous when they were setting salary schedules. That might be an observation which members opposite might make at some point or another. Perhaps that answers the second part of the question.

In reply to the first part, I would just say that the commission have settled on a salary range for these seven top jobs based on current salary rates for assessment staff in municipalities, based on the rates currently in effect for assessment classes in The Department of Municipal Affairs and based on a relationship with the provincial civil service —such as rates for property management and tax auditor classes. On that basis the rates for the seven area directors to be hired in the next few months, in a range from $16,619, $17,610, $18,680, $19,802, and $21,002.

Mr. Good: Mr. Speaker, I have an additional question of the Minister of Municipal Affairs: What are the terms of the proposal which the department has drafted to bail out the 52 families facing eviction at Cobalt on land owned by the Master-Met Cobalt Mines Limited?

Hon. Mr. McKeough: Mr. Speaker, very briefly, the department has not made a proposal on this matter, although I realize that there is a press report to the effect that we have. We have not made such a proposal.

We are meeting and have met with the officials of the town of Cobalt to discuss the various alternative courses of action which are open to the town in effecting a solution to the problem.

Mr. Good: Mr. Speaker, by way of a supplementary question.

If it comes to the point where action by this government is required to keep these people from losing their houses, is this department prepared to make a proposal?

Hon. Mr. McKeough: The final responsibility rests with the town of Cobalt, and we have been endeavouring to assist the town of Cobalt in working out a solution to this problem.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

What assurance can the Minister give that Hydro power stations will discontinue the discharging of warm water into the Great

Lakes thereby endangering game fish now found in the Great Lakes?

Hon. Mr. Simonett: Mr. Speaker, I cannot give any assurance that Hydro power stations will discontinue the discharge of warm water into the Great Lakes. I am not too sure that there is a problem of endangering game fish. As I understand from Hydro, the overall effect of the discharge of warm water will not exceed one quarter of one degree Fahrenheit, and it would seem to me that the amount of water going into the Great Lakes would not affect it materially.

Mr. Speaker: The hon. Minister has answers to some questions which he might now wish to give?

Hon. Mr. Simonett: I have the answer to question 1316 asked by the hon. member for Essex South.

All of the Ontario portion of Lake Erie is under licence of exploration or lease for oil and gas explorations or production respectively.

Mr. Speaker: It might be well to point out to the hon. Minister that that question has not been asked and has been withdrawn by the hon. member.

Hon. Mr. Simonett: Well, I had not been notified, and I was out of the House—

Mr. Speaker: Until it was asked the hon. Minister should not have answered the question. Perhaps he will pass to one of the other questions?

Hon. Mr. Simonett: Perhaps the rest have been withdrawn.

Mr. Speaker: It is not a question of it having been withdrawn. The hon. Minister did not pay attention to what the Speaker said. The Speaker said that the question had not been asked.

Hon. Mr. Simonett: But it had been withdrawn.

Mr. Speaker: The question had not been asked, and until it is asked the Minister should not endeavour to answer it. Perhaps he will proceed with his other questions, which were asked on another day.

Hon. Mr. Simonett: I have the answer to question 1317 from the hon. member for Brant.

There were 14 alleged violations which received legal action in 1968. There were nine convictions and five withdrawals.

I am having the information prepared and will table the answer as requested.

There was another question from the hon. member for Brant yesterday regarding the atomic energy station at Pickering, and although I gave him my answer yesterday, I understand the answer from Hydro is no.

Mr. Nixon: No problem?

Hon. Mr. Simonett: No problem.

Mr. Speaker: The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I have a question for the Minister of Labour.

When will The Operating Engineers Act, 1965, be proclaimed?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I anticipate that the Act will be proclaimed next month.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, I have a question for the Attorney General.

When is the case against Frank Marchildon, accused of robbing and beating Meyer Rush and arrested on February 20, 1967, to come to trial?

Hon. Mr. Wishart: Mr. Speaker, I understand that counsel for Marchildon and the Crown Attorney are seeking a date from the court. I should anticipate they will have a date shortly for trial.

Mr. Shulman: I have a question for the Minister of Tourism and Information, Mr. Speaker.

Will the Minister intervene with the censorship board so as to allow the showing in Ontario of the film "Titticut Follies", a documentary on the mistreatment of the mentally ill in mental institutions?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, the procedure for an appeal from a decision of the board of film censors is set out in the Act. No appeal has been made in the case of this film.

Mr. Shulman: Mr. Speaker, will the Minister accept a supplementary question?

Hon. Mr. Auld: I will listen to one.

Mr. Shulman: Is the Minister aware that at the committee hearing the other day I personally appealed this decision?

Hon. Mr. Auld: I am not sure that the hon. member appealed the decision. I understand he discussed it, and in fact I recall he had some comment about it in a speech made in this House last fall. I was a little surprised that it did not come up in my estimates. However, I can only repeat that the provision for an appeal from the decision of the board has not yet arisen, and in fact the time has expired in which it could have been made.

Mr. Shulman: Will the Minister accept a further supplementary question?

Hon. Mr. Auld: No.

Mr. Shulman: The Minister says no. I have another question for the Minister of Correctional Services, but because I have written him on this matter today I will await his reply.

Mr. Speaker: The hon. member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, I have a question of the Minister of Labour.

Is the Minister in the process of arranging non-stop negotiations between the Toronto construction unions and the contractors in order to avert a catastrophic strike threatened by May 1, and if not, what action has the Minister planned and has the Minister's department been involved in bringing the parties together?

Hon. Mr. Bales: Mr. Speaker, in reply to the question, we are keeping in close touch with the situation and we have been taking and are continuing to take all possible steps to assist the parties in their dispute.

Mr. De Monte: Will the Minister accept a supplementary question? What action has the department taken?

Hon. Mr. Bales: Mr. Speaker, I could not go into details at this moment. We have had meetings over a considerable period of time with reference to this matter and they are continuing.

Mr. De Monte: I have a further question of the Minister of Labour, Mr. Speaker.

Is the province planning the takeover of construction safety law enforcement from the municipalities this year?

Hon. Mr. Bales: Mr. Speaker, this matter is under consideration and it is a matter of government policy in the future.

Mr. Speaker: The hon. member for Oxford.

Mr. G. W. Innes (Oxford): Mr. Speaker, I have a question of the Minister of Highways.

When will Highway 522 from Loring to Highway 69 be completed?

Hon. Mr. Gomme: Mr. Speaker, no date has been established for the completion of this highway, and a recent economic study indicates that it has a low priority rate.

Mr. Innes: Mr. Speaker, could I ask a supplementary question? Has the Minister received a resolution from the Parry Sound area industrial development commission asking for its completion, since it had priority prior to October 1967?

Hon. Mr. Gomme: Mr. Speaker, I am not aware of the receipt of this and I am also not aware of the priority which it received before that time.

Mr. Speaker: The hon. member for Peterborough has a question from the other day.

Mr. W. G. Pitman (Peterborough): Yes, it is for the hon. Minister of Highways.

1. Was a bylaw passed by the township of Alnwick repealing the bylaw appointing Mr. Fred Murphy as road superintendent of said township?

2. Did the Minister consent to the repeal of the bylaw?

3. Did the township council of Alnwick pass a bylaw in a proper manner appointing a new road superintendent?

Hon. Mr. Gomme: The answer to number 1 is no. Approval of the new appointment by bylaw repeals the old one.

The second question is answered under number 1, and to number 3 the answer is yes.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): A question, Mr. Speaker, to the Minister of Financial and Commercial Affairs.

Will the Minister advise what steps he is taking to levy a two per cent merger tax on corporate consolidations; is he aware that the Federal Trade Commission of the U.S. Justice Department is requiring a 60-day prior notice on the consummation of a merger or acquisition, and will he consider the installation of legislation of merger notification?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): I am not contemplating the imposition of a two per cent tax

referred to by the hon. member at the moment.

With respect to the legislation referred to in another jurisdiction, I draw the attention of the House to the fact that the securities commission is conducting a study into mergers, takeovers and other related matters, and I have asked the commission to take into account the matter referred to by the hon. member.

Mr. Sargent: Mr. Speaker, in a supplementary way; the Minister has the power to make merger legislation here, if he wants in Ontario. Are you in favour of doing this?

Hon. Mr. Rowntree: We are in favour of implementing legislation which has to do with adequate and proper disclosure so that the relevant facts and information pertaining to the transaction is placed before the public and those parties who are concerned.

Mr. Speaker: Orders of the day.

Clerk of the House: The 17th order; resuming the adjourned debate on the motion for second reading of Bill 121, An Act to amend The Medical Services Insurance Act, 1965.

MEDICAL SERVICES INSURANCE ACT, 1965
(Continued)

Mr. J. Renwick (Riverdale): Mr. Speaker, when the House adjourned last night I was commenting upon the principle of the bill and our opposition to the principle of the bill, and I would like, extremely briefly, to summarize what I had said to the point of the adjournment and then to carry on with some further remarks about it.

The points which I had made last night were that, first of all, there is no possibility of drawing any parallel between the method adopted by the doctors, unilaterally, through the Ontario Medical Association—an association designed to serve the interests of its members solely, by which fee increases were arrived at, and the procedures which are followed by the construction industry. To use the example which the Minister of Health (Mr. Dymond) had used, of the plumbers, in the course of collective bargaining and after serious negotiations between the association of employers and the various trade and grades union construction industry, in due course collective agreements will be entered into, establishing the rates of wages which will be paid for the next period of time.

So that point is simply that in the one case it is a unilateral decision of a self-serving society, quite legitimately self-serving to change the rate schedule. In the other case, the fees or the wages earned in a particular trade are determined as a result of intensive collective bargaining and as a matter of public policy in this province, by the large, we accept that intensive collective bargaining is the method which will achieve a result which is in the public interest.

In that case—the public interest—is, by policy of this government, well looked after through the processes of the collective bargaining. The second point that I made, Mr. Speaker, was that the time has come, and I think this may be generalized amongst the other professions, but in this case, it has very clearly arrived when the question of the fees charged by professions in the province, particularly the medical profession, should be a matter that comes within the purview of the statutory body of the college of physicians and surgeons which is a body created by this Legislature for the purposes of serving the public interest, by granting a wide area of self-governance to the medical profession and by asserting the public interest in the persons who are qualified to practice medicine in the province, and the various rights and privileges and duties and obligations imposed upon them. The time has come for the college of physicians and surgeons to have the responsibility in the public interest, of dealing with the question of fees which are charged by doctors in the province. It should be removed from the authority of the self-serving association, the Ontario Medical Association.

I pointed out that I used the term "self-serving" as a legitimate term in the sense of any group of people may serve their own interests and meet together to establish an association to further their own ends. But in this instance, the time has come to transfer that authority from the Ontario Medical Association and put it into the statutory body which is accountable to this Legislature and indeed, to the government, for the governance of the medical profession in the province.

I now move on, Mr. Speaker, in my remarks. The third matter I want to deal with is that the government should have insisted, when they could not get agreement from the doctors to hold the line in their fees, by legislation introduced into this House, that the fees be rolled back to the fees which were in effect prior to April 1, 1969; that there should be a freeze on those fees until such time as the necessary changes are made and new arrangements entered into with the college of physicians and surgeons,

devising procedures by which the impact of public opinion and the accountability to the government and this Legislature, could be worked out in order that a forum would be available for explanation of the reasons for any increase in fees. A method could be devised by which the impact of public opinion could have a direct bearing upon the decision which would finally be made by the college of physicians and surgeons after discussion and public debate and, if necessary, the government would also require an adequate agreement.

Now we can all say very easily that the government can fix the fees. We are not talking about that. There are many stages before a government would be forced into the position of establishing the fees in depth for the medical profession or for any other profession. But, there are procedures by which the government, in the discharge of its responsibility, and by which the standing committees of this Legislature, in the discharge of the responsibility of this Legislature, could provide a forum and means of public discussion and debate about the fees that are going to be established.

I just happen to have sufficient confidence in members of the profession when they are charged with carrying out an obligation in the public interest, that the government could reach the kind of agreement which would avoid the kind of problem which is presented by the present unilateral increase.

The next point that I want to make, Mr. Speaker, is that the bill provides in substance that the government had no alternative, and this is what I object to and what we here object to. The government, in fact, were in the position where they were faced with, on the one hand, either accepting the increase and amending the Act, or imposing on something over one million people in the province of Ontario inadequate coverage, thereby defeating the plan—the purpose of the plan, which was the subject of such lengthy and protracted debate in this Assembly over the course of three or four years.

I do not think that any body in our society should be in a position to place the government in that kind of a strait-jacket where they have no room for manoeuvre, where they have no opportunity to assert the public interest but must just follow along and introduce the legislation which the Minister of Health has introduced.

What we are saying, Mr. Speaker, therefore, in summary, so far as my remarks are concerned in this debate, is that we are opposed to the bill. We are opposed to it for the reasons which I have stated and obviously other reasons that the members of this party will put forward in the debate.

In essence, what we are saying is that the highest paid profession in the land, the profession which has, if any profession has it, the benefit of very substantial public investment in their education and in their continuing education, and in the facilities which are made available to them through which they carry on their profession, that that profession must have brought home to it the public interest which is involved in their fee schedule and the impact which that fee schedule has upon all the medical plans in the province and particularly upon the government OMSIP plan. And therefore, Mr. Speaker, within the rules of the House, I move what I believe is known as a reasoned amendment on the second reading of the bill.

Mr. Speaker: It has been moved by Mr. J. Renwick, seconded by Mr. MacDonald, that the motion for second reading of Bill 121, intituled "An Act to amend The Medical Services Insurance Act, 1965", be amended by deleting all the words after "that" substituting therefor the words:

—that this bill be not now read a second time in order that:

1. The government reject the principle implicit in the bill that the Ontario Medical Association may unilaterally increase the fees for medical services thereby forcing the government to provide for payment of 90 per cent of such fees charged in accordance with the Ontario Medical Association fee schedule.

2. The medical profession, already the highest paid in the province with an average income in excess of $30,000 annually, be not further provided with large sums of public money through the vehicle of the Ontario Medical Services Insurance Programme without negotiation.

3. The government may introduce alternative legislation rolling back the fees for medical services to the level in effect prior to April 1, 1969.

4. In all dealings with the medical profession in the matter of fees for services provided, the principle of public accountability be established by requiring the College of Physicians and Surgeons and the government jointly to negotiate and agree upon any alteration to the existing fee schedule.

5. The public interest shall be further protected by ensuring that such negotia-

tions be instituted through the forum of the standing committee on health of this Legislature.

Now, while I have placed that motion at the moment, before the House, I reserve my right to rule on whether it is a proper amendment or not. In the meantime, I will be pleased to have the debate continue.

The hon. leader of the Opposition has the floor.

Mr. R. F. Nixon (Leader of the Opposiiton): Mr. Speaker, it was five months ago, I believe, that the Ontario Medical Association announced the ten per cent increase in their fees. That corresponds to the enactment that is before us, which would mean that this increase would be paid from the funds available to OMSIP.

In the intervening period, the Minister of Health has taken it upon himself to be the sole negotiator in this matter of such great importance. I believe he has been in error in assuming this responsibility himself. I feel that it would be incumbent upon him to make use of the Legislature, and the standing committee on health in the Legislature, to assist him in at least bringing to public knowledge and to public attention the reasons that the doctors might have for increasing their fees, other than the fact that they think the traffic can bear it. Second, the Minister must experience difficulties in assuming the responsibilities for administering OMSIP on a fair and equitable basis.

He himself told the House that he had used everything within his armoury to roll back the fee increase that had been unilaterally announced. He left it until the last moment, indeed, to present the legislation that is before us. I suppose it was simply exacted from him as if a gun had been held to his head. Because, if the legislation were not made available and if, in fact, it were not passed, it would mean that the doctors in charging the extra fees, would be able to—and no doubt in most cases would—render a second bill to their patients which would not be covered by the OMSIP responsibility.

For that reason, and under the circumstances that the Minister of Health has found himself, I would say that it is essential that this money be available so that doctors are not going to render second and separate bills to their patients. This would be unconscionable, particularly when we find ourselves in this province approaching sole participation in federal medicare and all that that involves, in a state-operated system.

I had the opportunity and, as a matter of fact, a great pleasure, in participating in a radio forum having to do with PSI. The interests of Physicians Services Incorporated was represented by the president of that organization, Dr. Miller. One of the things he had to say was that the costs of medical service are just beginning to escalate in a way in which we can hardly fathom at the present time.

He undertook to describe the requirements, financial and otherwise, in a kidney transplant. This used to be an extreme rarity, but is becoming much more customary or usual in the regular practice, particularly in the sophisticated facilities in hospitals such as we have in the city of Toronto.

Dr. Miller indicated that there are 40 patients at least, within his particular knowledge, waiting for a transplant of this type. While the operation itself can be accomplished for a fee of $400, he went on to enumerate and list the special tests and special care under doctors with out of the ordinary knowledge and ability which is attendant upon this sort of operation.

Most of us are aware as well of the many other facilities and procedures that are becoming much more standard and which all of us, as members of the Legislature and men in the street, looking after our families, are going to demand for our families if necessary in the immediate future. It becomes apparent then that the costs for OMSIP parallel with the costs for hospitalization, are going to grow at a very rapid rate indeed.

Because of this I think the time during which the doctors, through their professional organization, the Ontario Medical Association, can unilaterally make these decisions—which have some far-reaching effects, not only on their own income but on the Budget of the province—that this time should come to an end.

I am not suggesting that we, in this House, can set the fee schedule. Surely, they have the responsibility and the continuing responsibility to do that. But I am saying that the time when they can do this unilaterally and without any discussions, without effective liaison, either with the Minister of Health or any other responsible department of government, should be brought to an end.

We have said on this side for some years that the standing committees of the Legislature could be put to good use in this regard. The doctors, and the Ontario Medical Association in particular, should be called before

the standing committee to give what justification they can for the increase that is covered by this particular bill.

I think we should make a practice in the standing committees to keep abreast of changes so that the professional organization that is immediately concerned will have the opportunity, and perhaps even the advantage, of stating its case before a public forum. This forum would be amply covered by the press and we, as members of the Legislature can attend, and put our questions, not just to the Minister of Health, but to those people who are going to be directly affected by the increases in the rates which we are called upon to approve today.

This, of course, has a broader application because if we are going to apply this means of justification to doctors simply because we provide the major share of the funds that go towards meeting the requirements of their fee schedule, the same is true of other professions which enjoy something tantamount to a monopoly in this province because of the action of this Legislature.

It is certainly true of lawyers; it is true of teachers, and if I might extend it in some circumstances to agriculture—and I speak as a practising farmer. If I am in the business of selling a product which is directly controlled by an agency of this government, including its price, then surely before that price is changed there should be the requirement that it be justified before the standing committee on agriculture if such a justification is possible and so that the citizens, who must in the end pay for these services and these products, can have at least the opportunity for the public interest to be put forward.

I think this concept applies perfectly under these circumstances. This afternoon, we are asked to approve in principle a ten per cent increase in these fees without anyone—and surely the Minister of Health is not going to undertake it—justifying the need for the increase. We know that the doctors are very highly paid indeed. On the other hand, there are not many of us that envy them their responsibilities. As in any other profession, there are those who get away without carrying the major load of providing the service that is normally associated with the medical man. Yet, if we think of the responsibilities that are carried by these individuals in our own community, we not only do not envy them, but we respect them for what they do for our own people and for the community at large.

Mr. Speaker, I would say that I have listened to the amendment, which has been put forward, with a great deal of interest and some care. In my view, a reasoned amendment of this type is eminently in order; I would say so because actually I have one of my own that I would put before you, sir, if there had not already been one put on the floor of the House.

The one that I had intended to move was that all the words after "that" be struck out —in other words, it would not be moved a second time—and the following substituted: "that the bill be referred to the standing committee on health with instructions to hear public representations from the Ontario Medical Association and other concerned groups relating to medical fee increases dealt with in this bill."

I believe it is eminently reasonable, before we decide on the principle of the bill, that we have the information that can come to us through the sort of public hearing that I have in mind.

I recommend this to the Minister because, surely, he has shown that he himself is inadequate to deal as an individual with all the forces of the Ontario Medical Association and his colleagues in the medical profession. I must say that he must be aghast at the steps they have taken. In the past, he has always been one of their chief proponents in this House—as a matter of fact, to the extent that I have questioned in my own mind whether a doctor should be Minister of Health when the responsibilities under these bills come under his direction to such an extent. But I am quite sure, in his own remarks, he will continue with the expressions that he gave to the House during some questions that were put before him, in which he indicated that he really felt that the doctors—at least their professional organization—were acting in a manner which approached the unprofessional.

My point is that we—in this House—could help him in this particularly heavy job, that we owe it to the citizens of this province to call before us those people who are in fact holding a gun to our head now, saying that if we do not go along with the ten per cent increase, it means double billing, something which we should not permit.

So there is the situation that faces us. The Minister *in extremis* has brought down this bill at the last moment almost over his dead body which is not a bad illustration in this particular case—and we are asked to approve a blanket increase in fees.

I recall when the OMA made this announcement, it was a rather garbled one. The first announcement was that only some procedures would be subject to this ten per cent increase. Those particular procedures were ones which had gone through quite an evolutionary phase in the last few months so that many more people were taking advantage of them; they had come to such a level of use that they became more standard in the procedures that the medical men make use of. But then this was replaced by further information, which indicated that there was an across-the-board ten per cent increase.

It was almost as if the doctors could see the handwriting on the wall as far as Medicare was concerned. They no longer will have the problem of collecting overdue accounts themselves and this in itself, we are told, amounts to an increment of 15 per cent in their gross income. And they no longer will have to provide for the welfare cases that used to be a part of their professional responsibility, which have been taken over by the terms of OMSIP—terms, I would hasten to say, Mr. Speaker, which I approve and support.

So this is the situation that now confronts us: The Minister and the government are asking us to approve this increase without having any justification for it. He is surely not in a position to give that justification himself. It would amount, in one respect, to a conflict of interest, since he himself is a professional medical man, and he himself has spoken against the increases, which he felt were uncalled for. And he has said that he has done his best to prevent and roll back.

The terms of the amendment put before us by the NDP are not satisfactory, as far as I am concerned, in that they do not set the standing committee of health as the forum in which we, as members, can get the information needed before we approach the second reading, the approval of the bill in principle.

You know of course, Mr. Speaker, that when the bill is put, you will simply require us to vote on whether it should now be read a second time. The fact that there is a reasoned amendment accompanying it is of some interest, but I am afraid under these circumstances it is of academic and perhaps political interest only.

So our position is that when you call for the bill to be read a second time, we shall vote against that because we feel that the bill, before being put to us a second time, should have gone to the standing committee so that this information would be made available to us.

Now in my own view it would be very difficult—

Mr. R. Gisborn (Hamilton East): It is not the procedure of the House.

Mr. Nixon: Why can it not be the procedure of the House? There is precedent, Mr. Speaker.

Mr. Gisborn: What changed your mind yesterday?

Mr. Nixon: Mr. Speaker, I am sure that you could inform the hon. member who is interjecting that there is plenty of precedent for a bill to be sent to the standing committee before second reading so that information of this type can be put before the members before they are called upon to approve it in principle. This is an eminently orderly way to proceed with this matter, and surely the Minister of Health would find his own position much more tenable if he were to accept the suggestion that I have put before you this afternoon.

I hope I have made our position clear. We feel that the Minister of Health has been inadequate in dealing with the responsibilities that are his. He has acceded to what is, in fact, the blackmail procedure of the Ontario Medical Association in saying we are going to charge it whether we pay for it through OMSIP or not. Surely, the justification has to be something more than in the mind of the Minister and in his recommendations to his Cabinet colleagues. This is something that the whole Legislature, the whole community of Ontario is involved in. The only reasonable way we can proceed with this and the many similar amendments I predict will be brought before us having to do with the medical practice itself—unless far-reaching changes are accomplished. The Minister should move that the bill be not now read a second time but go before the standing committee. In the event he cannot accept that suggestion, we will oppose the bill on second reading.

Mr. Speaker: I think it proper before the debate proceeds that I deal with the matter of the amendment as introduced by the hon. member for Riverdale, and I would say that reasoned amendments are, of course, always acceptable in a case such as this, provided they are not a mere negation of the original motion. After reading the motion myself and being advised through appropriate channels as to precedents, I am of the opinion that paragraphs numbered 1 and 2 are mere negations of the motion as brought

in by the hon. Minister but that paragraphs 3, 4 and 5 are quite proper under the circumstances. Therefore my ruling is that the amendment is not in order with respect to those paragraphs numbered 1 and 2, but that it does fall within the rules and precedents of this House if it reads, and I read partially:

> This bill be not now read a second time in order that the government may introduce alternative legislation.

And so on, to the end of the motion. And, therefore, the debate from now on will deal with the amendment under those terms.

Mr. S. Lewis (Scarborough West): On a point of order, Mr. Speaker, which I assume it would be congenial to this caucus, to this party, to leave the amendment, if that is the final ruling of the Speaker, as long as the amendment is there and the intent is clear, which it is, that it can be voted on in that form, but I would draw your attention, sir, to two things: First, "Parliamentary Procedure in Ontario" by Alex Lewis, in which it says at page 57:

> No amendment can be offered to the motion for the second reading of a bill which would have the effect of altering the question which the bill proposes, but amendments may be submitted for the purpose of killing the bill.

Which I think would justify the first two sections. And in May, Mr. Speaker, under "reasoned amendments," it indicates that an amendment,

> May be declaratory of some principle adverse to or differing from the principles, policy or provisions of the bill.

I suggest to you, sir, that we are entirely covered both by the traditions of this Legislature and the more historical tradition of the other Legislature in the contents of the amendment. It is not a matter which we need dispute at length, but we did try to bring it within the context of precedent when submitting it to you.

Mr. Nixon: Well, speaking to the point of order, Mr. Speaker, I am quite interested in this since it is a procedure that I believe should be used perhaps more frequently—that surely if the amendment, in fact, negates the bill, the course open to the party that may find himself out of order in that regard is simply to vote against the bill as it is put forward. Surely the comment that the hon. member read from Lewis that it would tend to kill the bill or would kill the bill is the well-accepted procedure on second reading, that the amendment be that the bill be read a second time this day six months hence or something like that, which in fact kills the bill. If that were to carry, it would mean the bill would be dead. But surely if the amendment merely negates the intention for second reading the course open is to vote against the original motion.

Mr. Speaker: As I have said, I think only yesterday in this House, I do appreciate the interest which members have shown in the rules and precedents of the House because it is good for them and it is certainly of great assistance to the Speaker. The hon. leader of the Opposition has brought to my mind a ruling which I made in this House within the last week where it was pointed out that an amendment which is a mere negation of the original motion is out of order because the way to deal with the matter is to vote against the original motion.

Despite the reasoned speech and the authorities quoted by the hon. member for Scarborough West, I remain firm in my ruling. I agree with him that it really does not affect the course of this debate but I thought it well to have the matters dealt with so far as Mr. Speaker was concerned at this point.

The hon. member for Parkdale, I believe, was he on his feet? The hon. member for Humber, I am sorry, I knew it was someone to my left.

Mr. G. Ben (Humber): Thank you. Mr. Speaker, in rising to support the amendments, I want to point out as was already pointed out by my leader and other speakers, that doctors are indeed in a unique position. No other group in our society is trained for such a period of time at such a great expense to the public. This training entails to a degree not present in the training of any other group; the use of very expensive capital equipment and buildings supplied by and at public expense.

After the doctors begin practising, the public again supplies them with their capital needs and pays for these capital needs, that is, hospitals and all the expensive equipment that goes into the hospitals. Then, to top it off, doctors use this public service and are paid for so doing out of public funds even though they pay nothing for the use of these facilities.

Mr. Speaker, no one is suggesting that we, the government, should interfere or disturb the doctor-patient relationship and no one

to my knowledge makes such a suggestion. But when we pay for their training, supply the facilities, pay them, we should have some say as to what they should be paid.

Hon. A. Grossman (Minister of Correctional Services): What about a lawyer?

Mr. Ben: The hon. Minister of Correctional Services speaks of the legal profession. The legal profession uses the taxpayers' money to train, so do almost all other groups, but until quite recently, the legal profession supplied its own facilities.

Hon. Mr. Grossman: Like the courthouse?

Mr. Ben: No, they supply their own facilities for training in Osgoode Hall law school. It has been only in the last six or seven or eight years, somebody here might correct me who has a better appreciation of the time element, that universities started to give law degrees and the Law Society of Upper Canada lost its monopoly on its granting of degrees.

Hon. Mr. Grossman: They tell me it was 20 years ago.

Mr. Ben: No, it was not 20 years ago because it has been since I graduated.

Hon. Mr. Grossman: I just lost my QC.

Mr. Ben: Furthermore, the legal profession, when it decided to take public money for serving the public, agreed to take 25 per cent less than what they had as the minimum tariff. We are having difficulty persuading the doctors to take 10 per cent less. Furthermore, it is the doctors who are the highest paid profession, and not the legal profession. The doctors keep on speaking of their Hippocratic oath.

I would suggest what they should call it is the "hypocrite's oath" because I can only draw to the attention of this House, Mr. Speaker, that for many years, as a matter of fact until OMSIP came into being, a doctor as part of his accreditation to a hospital, had to serve out-patients free of charge. This is a service every doctor accredited to a hospital had to render in some degree or another without charge.

Since OMSIP came into being, the doctors set up emergency services and they now charge for services rendered to out-patients. But this is not just the one aspect of being a hypocrite manifested by these people. You may recall, Mr. Speaker, that when OMSIP did come into being, many doctors simply refused to bill the government directly. They said that this would rip asunder their sacred patient-doctor relationship, that they were serving the patient and not the government and it is the patient who should be billed because that is where the relationship was.

But do they follow this practice when it comes to serving emergency patients or out-patients? Can you visualize some Hairless Joe or Lonesome Polecat character being brought in for over-indulgence and after he is treated, the doctor say to this humble individual, "All right, Hairless Joe, you can go home now, we'll send you a bill and you can collect from OMSIP and then pay us." Not on your life!

In that particular instance, when anybody comes off the street for emergency treatment, then they are quite happy to take the 90 per cent of their tariff because 90 per cent of what they were being paid is a lot more than 100 per cent of nothing, considerably more. So it seems that they can laugh out of both sides of their face and they are the only ones I know who can take your money while they have both their hands in their own pockets.

Further, Mr. Speaker, there seems to be some idea that the rates have only gone up 10 per cent. This is not so. For example, these are some of the figures that are taken out of the new tariffs that the medical profession is now subscribing to. Under general practice for office visits the old tariff was $5; the new one $5.50, an increase of 10 per cent. But hearken—if I may use the phrase often used by the hon. member for Sudbury (Mr. Sopha)—to the rest of these figures.

Home visits—the 1967 tariff was $7, the new tariff is $8, a 14.5 per cent increase. Night house visits, if you can find a doctor for it, 1967 tariff—$10, the new 1969 tariff—$12, an increase of 20 per cent.

For specialists in internal medicine—consultation—the old tariff $30, the new tariff—$35, an increase of 16 per cent.

General assessment—old tariff $20, the new tariff $25, a 45 per cent increase.

General assessment every 12 months, old tariff—$15, new tariff $20, an increase of 33 per cent.

Hospital first visit, formerly $20, now $25, an increase of 25 per cent.

Pediatrics—for consultation—old tariff $25, new tariff—$35, an increase of 40 per cent.

Repeat consultations—formerly $15, now $20, an increase of 33 per cent.

For under physical medicine—consultation—formerly $25, now $35, an increase of 40 per cent.

Repeat consultation—formerly $15 now $20, an increase of 33 per cent.

Psychiatry—guess these fellows could not face themselves if they charged too big an increase—formerly $30 now $35, an increase of only 16 per cent. I say only because of all the other large increases.

Mr. Lewis: That is per hour.

Mr. Ben: That is per visit. That is less than an hour, so that does not help.

Obstetrical care has gone up 15 per cent and obstetrical care total has gone up 25 per cent.

Now where is this so-called 10 per cent? The average increase is closer to 25 per cent than it is to 10 per cent. This has gone on, as I say—taking public money after they were trained with public money and just sneering all the people that pay them. They really must have taken "Hypocrites Oath". I cannot think of any oath that they would have taken.

Under the circumstances, Mr. Speaker, I cannot see how we in this party, or in this House, can do anything else but try to compel this government to convince these doctors, either through the use of a club, or through the use of honey, that they are not a law unto themselves; that they were not the people that were put above all the others to govern them; and that they owe a duty and obligation to the public, whose funds they used to attain their exalted position, to treat the public fairly. For that reason we are going to support this amendment. Thank you.

Mr. Lewis: The member is supporting the amendment rather than voting against the bill.

Mr. J. B. Trotter (Parkdale): One of the great tragedies of this legislation before the House is that between the increased rates and the view of the government on insurance companies' medical insurance—which I believe is a tremendous benefit to the general public—medical insurance is becoming the milch cow of a few very particular interests.

In speaking on the principle of this bill I have in mind not only how the Ontario Medical Association is abusing the privileges which it has in our society but also that there is considerable reason to believe that this government wants to turn medical insurance, or the administration of it, over to a private insurance consortium. In the event that they enter a federal scheme, we are facing a very, very serious problem that there is going to be no control whatsoever on the cost of medical insurance.

And if the costs continue to run completely out of hand, Mr. Speaker, it means that the people—either through premiums or through our general taxes—are going to pay far too heavy a price for medical insurance. Medical insurance need not be expensive, but if there are no controls, if the government has made up its mind to sit back and listen to the private pleaders—and by the private pleaders I mean the insurance companies and the medical doctors—there is simply no stopping the costs.

You know, Mr. Speaker, one of the mythologies in government is that the Tory administration because they are more closely attached to business are efficient in administration. This is a mythology that if it has not been completely bursted by now—I do not know if bursted is the right term or not—busted, or whatever you might use—if it has not been broken by now, this mythology is going to be obvious in the near future as exactly what it is.

For example, Mr. Speaker, just the other day—after having listened a few weeks ago to the Treasurer of this province talk about a balanced budget—we were told that there were going to be increased grants in education for $50 million. I do not know where that appears in the balanced budget, but if this bill becomes law, Mr. Speaker, it means that even with a 10 per cent raise—which I believe is a low estimate, and the hon. member for Humber has pointed this out—but even with a 10 per cent raise OMSIP is going to cost at least $11 million or $12 million more a year. There is no allowance for this in the budget that was before the House only a few weeks ago. So here is another $11 million or $12 million added to our budget, and again I say, Mr. Speaker, where has the balanced budget gone?

In the event that medical insurance as advocated by the federal government comes into effect and this province joins the scheme—and 7,250,000 citizens are part of the scheme—I believe that medical insurance will cost approximately $400 million a year in this province. A year or two ago I would not have believed that that was possible. But because there is no control on costs and because this province, just used as an example in the principle of this bill, is making no effort to control costs, we are going to be paying for medical insurance approximately $400 million a year.

If you look at a 10 per cent raise—and I do think that is taking an extremely mild view of it—it means that with legislation such as

this it is going to cost this province approximately $40 million a year more if we go into the new scheme. And I, in all frankness, say I am in favour of this province becoming part of the medical insurance scheme as advocated by the federal government, because I believe in the principle of it and if it is efficiently administered it can be a good thing, and it will be a good thing for all the people in the province of Ontario, in fact, across the country.

When we are faced with the facts—and when we pass legislation that we have before us—that we are faced with an immediate bill of $12 million at least, and if we have an overall scheme we are faced with a $40 million bill in the province of Ontario, it seems to me that the government has been extremely lax in coming to grips with what is an obvious problem that has not only been with us for some time but that is going to be with us for a number of years unless we lay down the rules to the Ontario Medical Association that they just do not have the privilege of using public funds and treating the public treasury, as I said before, as a milch cow.

In fairness to the medical profession, if you look at the history of medical schemes it was the medical profession that really pioneered the prepaid medical scheme. And no doubt the PSI was inspired by medical men and the people that founded that scheme certainly had a considerable social responsibility. But the spokesmen of the Ontario Medical Association today are utterly and completely devoid of any social responsibility. You would almost think that they consider themselves citizens apart from the rest of us. So we are simply going to have to devise schemes that bring the Ontario Medical Association into line.

We have some means of comparison, Mr. Speaker, in the use of legal aid. Certainly the lawyers are subject to a great deal of criticism if a particular group of lawyers receives too many cases under legal care. The legal fees are stringent and they are under control, and I do not see why the Ontario Medical Association should not be in the same situation. I heartily endorse, Mr. Speaker, the suggestion of my leader that if there is any change in the schedule of fees charged by the Ontario Medical Association, such a review should come before the standing committee on health.

Not only does the general public have some idea—in fact, should have a good idea —of what the medical association is charging, but the medical profession as a whole would have an opportunity to see in black and white just what is going on. There is no question in my mind, Mr. Speaker, that the average general practitioner, the average doctor, is really too busy in his own practice to pay much attention to what the Ontario Medical Association is doing.

I remember a few years ago just checking to see how many doctors actually belonged to the Ontario Medical Association. Admittedly the majority of them do, but not as great a number as I would have thought. If you examine how many members of the medical profession and members of the Ontario Medical Association actually attend meetings, you will find they are almost as bad as lawyers in attending meetings of, let us say, the York County Law Association. They simply do not attend. And the rules and regulations of the Ontario Medical Association are made by a very small clique and this particular clique, I feel today, is doing not only a disservice to the public of the province of Ontario, but they are doing a disservice to the medical profession itself.

As much as many of us may admire and respect our own medical doctor, our own specialist, our own GP, there is no question in my mind that the medical profession has been falling into great disrepute with the general public in this province. I believe they deserve to be the highest paid, because it is probably the most difficult and certainly the most honoured profession. However, because of the assistance extended to individual doctors, in obtaining their education, but more particularly because of the heavy responsibility they bear in the work that they do, they must certainly examine far more closely the economics of the medical profession.

No matter how up to date the average doctor may be in medical treatment, there is no question in my mind that of all the professions in this province, it is the most archaic in its economic thinking, and in how its profession fits into the general picture of the economy of the province and of the country as a whole. The government, essentially, Mr. Speaker, is the one at fault.

When it started OMSIP it got off on the wrong foot in the way it set up the whole system. For example, when an outpatient now attends at a general hospital, and I think it was one or two years ago I went into this in some detail, we are now paying far too much money for outpatient services through OMSIP. This is only going to increase the folly, by paying more in the way of funds. I think at one time, Mr. Speaker,

I pointed out how doctors in hospitals had formed doctors' associations. That money which OMSIP paid for individual treatment for outpatient services went to the doctors' association, despite the fact that the work was done by interns and the medical doctors were not there in attendance. This is just a little bit more on the medical gravy train. It is the system itself that we have set up that is certainly inefficient, and uneconomic.

It is time that we completely overhaul our medical administration in this province. I think it is complete folly for us at this time to pass Bill 121 and encourage the Ontario Medical Association on the road that it insists on following, which is complete indifference to the problems with which the average person is faced in paying medical bills, if they have to pay the extra, and many of them do.

If the medical profession was an oppressed minority, a poverty stricken group, I would be the first to speak on their behalf. But when you bear in mind that the medical profession in this province, probably second only to the insurance companies, is the most powerful political lobby in the country, and that in passing this bill, all the government is doing is bending its knee to a selfish interest that will perpetuate itself in its greed, unless we in this House, and particularly this government, say it must stop. I would urge that everyone in this House defeat this bill.

Mr. D. C. MacDonald (York South): Mr. Speaker, there are many remarkable features about this bill that I think merit discussion on second reading but I want to concentrate on what is, to my mind, the most remarkable feature, namely that this government had its fingers burned rather badly two years ago. The Minister was rather indignant, many backbenchers joined him in an expression of that indignation, but they did nothing about it, so that two years later they had their fingers burned again. One wonders when they are going to learn, because the bill indicates no machinery, indeed, no intent on the part of the government to cope with this fundamental problem of assuring prior consultation and joint agreement between the medical profession and the government on behalf of OMSIP, before we have another fee increase. The result is the government has been a sitting duck for still another unilateral raise that the OMA has made.

Now, while the responsibility of this rests with the government as a whole, it primarily rests on the Minister of Health. He is apparently willing to permit himself to be dictated to by the medical profession, in a manner which he himself deplored in years gone by. Where is the self respect of this once proud Scot that sometimes rises up in righteous wrath when this kind of thing happens in the Legislature? Well, that is a personal matter for the Minister to attend to, but in bowing once again to the unilateral dictates of the medical profession, he has shown himself to be both unwilling and/or unable to stand up to the protection of the public interest. Perhaps, as has already been suggested in the debate this afternoon, it is impossible for a member of the medical profession to negotiate with the medical profession. Perhaps the Minister has unwittingly slipped into a position that represents a conflict of interest. If so, I think it is his responsibility to resign the post and let somebody take it over who is in a position to negotiate and protect the public interest.

Mr. Speaker, if you think I am being harsh, I just want to let the record speak for itself, because it is a pretty astounding one, to put it frankly.

In 1965, when the original OMSIP legislation was in committee before this Legislature, members of the Opposition raised the prospect of periodic increases in fees and what public control there would be over it and what accountability there would be. On page 3993 of *Hansard* for 1965, the Minister observed that the Opposition critic seemed,

> to imply that this section means that the fees in effect from time to time automatically will go up. This, to me, does not follow at all. I do not read that into this section at all.

What sort of a dream world is the Minister in? He did not "read it into the section." One did not need to be very astute or knowledgeable as to procedures to speculate that at some point there was going to be a fee increase, but the Minister did not read it into that section.

Two years later the fees went up, by unilateral decision of the OMA, and Doctor R. M. Matthews, who was then president of the OMA, was asked to come before the standing committee of health. According to the news reports, the MPPs tangled vigorously with him.

I would just like to remind the House of some of the reports. I quote, for example, from the London *Free Press*, despatched by Norm Ibsen for March 22, 1967. The despatch opens this way:

> Doctors and MPPs tangled yesterday over the forthcoming increases in the Ontario

Medical Association fee schedule. Both Conservative and New Democratic Party members accused doctors of jeopardizing the Ontario Medical Services insurance plan and appealed to them to postpone fee increases.

Several MPPs asserted that doctors' incomes are already high enough and that an immediate fee increase is unnecessary. However, Dr. R. M. Matthews, president of the OMA, said last night, "The doctors still consider their reasons valid and the increases will become effective as scheduled.

John White, P.C., London South,

since elevated to the etherel heights of Minister of Revenue in this province

who said he was "deeply distressed" by the increases, suggested that OMSIP,

by guaranteeing payment of bills and the higher fees together,

would add $10,000 a year to doctors' incomes, raising the Ontario average to $35,000.

Well I am not going to vouch for the exact accuracy of his figures. On occasion in the past I have been critical of his figures but they are not too far wrong. It is certainly beyond the $30,000 mark at the present time. However, Mr. Speaker, note this:

Hon. Minister Doctor Matthew Dymond joined in the criticism of the OMA action. He enquired why plans for a general fee increase were not mentioned during his negotiations with doctors, when the OMSIP legislation was being prepared. The Minister said he would have made allowances in the legislation had be known about the imminent increase.

Mr. Speaker, there is almost a pathetic touch about this. Who is in control in this situation? Here is the Minister of Health complaining, pleading that OMA had not played fair with him. He had negotiated with them but they had not told him that they had this little trick up their sleeve, that they were planning this unilateral fee increase and if they had told him, of course, he would have put something in his bill to accommodate them!

Well, unwittingly, in this one little quote you have the whole attitude and indeed, the problem that arises from the Minister's attitude which we have to cope with in this Legislature.

However, the Minister came back to the Legislature after that meeting of the standing committee, licking his wounds. But he was vigorous again; he assured the hon. members of the House that it would never happen again and listen, Mr. Speaker, to this, page 1801 of *Hansard* 1967:

In order to ensure that this situation does not occur in the future, I recently wrote again to the OMA and to the Ontario College of Physicians and Surgeons inviting them to participate in an arrangement which would offer prior consultation and joint agreement on these matters.

Mr. Speaker, obviously the Minister did not get that assurance. Once again he has been the helpless victim of a unilateral fee increase, but apparently the Minister never learns. He is either unwilling or unable to cope with the situation because this year he tried to sneak the bill into the Legislature. I do not think there is any other way to describe it. It came in without the official notification that is required for a bill, and on the last day of the session before Easter. We fought it. My colleague, the hon. member for Riverdale asked the Minister, whether he had in any way endeavoured to roll back the doctors' fees charged in the province, or did he just sit meekly by and accept what they had to say to him.

And the Minister's reply was: "Yes, I did endeavour in every possible way".

Well, Mr. Speaker, I ask once again, who is running the show—the Minister or the medical profession?

An hon. member: Who is looking after the store?

Mr. MacDonald: I do not know who is looking after the store. Obviously the store is not being looked after—the public interest is not being protected in this whole matter. The Minister can do something and this is the point I want to lay emphasis on this afternoon, Mr. Speaker. The Minister can do something and one wonders why he so stubbornly refuses to do something when it is he who is the victim of each unilateral act and of fee increase, therefore, the most embarrassed—I would hope the most embarrassed person in the whole picture. Indeed, if some of his public statements back in 1967 are accurate he was not only very embarrassed, he was very indignant.

Let me remind the House, Mr. Speaker, of the kind of thing that has been done in other provinces. I am not necessarily advocating this as something to be duplicated automatically in the province of Ontario but I draw it to the attention of the hon. members to assure them that this problem has been coped with successfully where you have governments and Ministers who are willing to

stand up and protect the public interest. Strange as it may seem, the case I am going to cite to you, is the Social Credit government in British Columbia. God help us if the Social Credit government is ahead of us. That just goes to prove how lax is the government here in the province of Ontario is being.

In British Columbia there is an agreement —I have a copy of it right here—between the British Columbia Medical Plan which is their equivalent of OMSIP and the Canadian Medical Association, B.C. division—an agreement with regard to fees and the relationship between the professional body and the provincial insurance carrier in the province of British Columbia.

Mr. Speaker, the original agreement is based on a formula that is geared to the rise in the cost of living and to the weekly wages and salaries, so that at least in terms of their increase if not to their present highest position in the range of professions, there is some tying of doctor's incomes to the cost of living and the increase in the capacity of those who are paying doctors' bills as represented in weekly wages and salaries.

The agreement allows for an automatic granting of schedule increases up to 5.6 per cent when it is opened every second year. With demands of up to eight per cent, they are subject to negotiation. Anything beyond the eight per cent is negotiable with the added right, if either side care to exercise it, of settling the matter by arbitration. I draw this to your attention, Mr. Speaker—when this agreement had been in effect for two years in the province of British Columbia and was coming up for re-negotiation last year, the doctors of the province of British Columbia demanded a nine per cent fee increase and this was subject to negotiation and they finally settled at 6.75 per cent. I have here a story, it was carried in the Victoria *Colonist* on July 26, 1968, in which they spell out this formula and its operation.

It concludes with these two paragraphs, which I draw particularly to the attention of the Minister:

> A spokesman for the B.C. Medical Association said the medical profession is showing itself to be responsible and willing to exercise restraint in the period of inflation by accepting a 6.75 per cent fee increase. The agreement was reached amicably.

In short, when you are willing to sit down and negotiate, and protect the public interest, as my colleague from Riverdale has indicated, the medical profession has indicated that they too are willing to negotiate and that it can be done amicably. So why has the government not moved in this area? Why do you have to be the victim of this unilateral increase and then cry in anguish every couple of years?

I am sure if we had gone before the standing committee once again this year, we would have had precisely the same kind of protest from the government backbenchers. So quite apart from meeting the public need, before this bill is passed, we should have included in it legislative authority for such an agreement, if for no other purpose than to protect the Minister—or more likely, his successor—from being the victim of still another unilateral increase some two years from now.

And that is, in general terms, what is included in our amendment. We have talked about it in terms of discussion at the standing committee on health. I have now added one example of the formula that is apparently an effective formula in another province. The Minister must have known of these. Therefore he must have deliberately come to the conclusion that he is not moving in that direction, and for that reason we think that he has been negligent and that the bill should be killed for the moment. It should be withdrawn until the government can do the complete job and protect the interests of the people of this province.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, this whole question of the doctors making a unilateral decision to increase their fees through the OMA is rather foreign to what workers have to do, in terms of having to justify their demands at the bargaining table. And we found only yesterday the government putting civic workers and workers in nursing homes in an even more precarious position by having to submit to compulsory arbitration.

I want to say at the very outset that I for one am not opposed to a fair fee for services rendered, and I do not think anyone in this province of Ontario would object to that. I also want to say that it seems to me that when the doctors opposed Medicare initially —and I am not too sure that they are not playing this same tune—that this would destroy the patient-doctor relationship.

It seems to me now that really their opposition to participating in Medicare may mean that the doctors will have to justify their fee increases if they do participate in Medicare. Maybe this is really the reason why they do not want to participate in a Medicare programme in this country, and it is not really

the question of destroying the patient-doctor relationship.

Maybe we could transpose the doctor's unilateral rights to raise their fees by the Ontario Medical Association and relate that to the hospital workers. Maybe we should say to the hospital workers, if this standard is good enough for the doctors then we will apply it to the workers as well, so that they can set up a board of governors or an association to make the decision as to what their wages or fees should be for services rendered. In this case we have provided a double standard.

In other words, the profession can set their own fees while the workers have to justify theirs through collective bargaining or through compulsory abitration. And really, I submit to this House, this puts the doctors in a very privileged class, and one that I do do not think is absolutely correct in this day and age. I support the whole resolution, or amendment by my colleague from Riverdale, but the last two points, I think, deal specifically with the point I am trying to make, when it says:

> In all dealings with the medical profession in the matter of fees for services provided, the principle of public accountability be established by requiring the College of Physicians and Surgeons and government jointly to negotiate and agree upon any alteration to the existing fee schedule.

And where it goes on to say that the public interest will be further protected by ensuring that such negotiations be instituted through the forum of the standing committee on health in this Legislature.

Surely this will then, to a degree, put the doctors in the same relative position as many other people in this province find themselves. At least they are going to have their fee increases reviewed by public scrutiny. It may not be dealing with the public directly, but through the government and through the standing committee, and it seems to me that this is the only adequate procedure. Obviously they are not going to negotiate with each individual subscriber, but this will be the form—they would justify their fee increases.

And I make that point, Mr. Speaker, because I feel that the professions should justify their demands or their fee increases as everyone else has to in this province and it is only fair that they do that. And I would recommend to this House to support the amendment that my colleague from Riverdale placed, and that doctors justify their fee increases as everyone else has to.

Mr. Speaker: Does any other member wish to participate in the debate before the hon. Minister replies?

Mr. Lewis: Mr. Speaker, I rise to oppose the principle of the bill and to support the amendment. I do not think it is necessary to enter into much of the statistical material which is now on the file to demonstrate the fallacy in the government's case and the iniquity in this particular piece of legislation. I think perhaps it is only necessary, at this point, to reinforce what has been said by our party in this debate and by members generally in the House.

The first observation, obviously, is that the fundamental principle of this bill is profoundly repugnant to the legislative process. There is no other group in this province, not one, which can unilaterally extract from the public purse without accountibility large sums of money, unless it may be the members of this Legislature themselves.

And even here, Mr. Speaker, let it be noted that at long last, under the urgings of the members of this House, the Prime Minister (Mr. Robarts), is presently involved in a procedure which will exempt us from that particular personal ignominy, and allow salaries and wage levels to be determined by an impartial tribunal outside. But that exemption, forthcoming as it is for the members of this Legislature, will not apply to the one remote and Olympian profession of this province—the medical profession, in whose connivance, in whose motives the Minister unfailingly concurs.

Despite the greatest protestations of the Minister, and he doth protest far too much, Mr. Speaker—he is no longer credible in his protests. He will not be credible when he rises in his seat to explain how difficult the negotiations were, and how reluctant he is to grant the increase, because all members of this House now know that he is determined to enter into complicity with the medical profession in the unilateral extraction of moneys from the public purse. That is the end result of all such negotiations which the Minister is prepared to carry on.

I point out to you, sir, that it is repugnant to every principle of collective bargaining—and indeed, to the way in which society operates generally—that the medical profession should set themselves apart in a manner at once so arrogant and so inflammatory, and, with the supine agreement of government, invade the public treasury in this fashion. It is not to be permitted and there

is nothing which can explain it. That is the first point, Mr. Speaker.

The second point is, I suggest, that it is not only wrong now, as it was wrong two years ago when the Minister postured before this House in an effort to redeem what was left of his noble reputation; but it is doubly and triply wrong now, because we are on the eve of entering the federal medical care plan.

The Minister himself is in negotiation with a number of private groups in an effort to meet a deadline of July 1, 1969. All the protestations notwithstanding, the Minister knows that part of the reason for capitulating to the medical profession on this issue of fee increase is for the most ignoble of political motives. This is to bring into disrepute the total costs of a medical care scheme, and to demonstrate from a position of the most obscure and rigid Toryism, the fact that medical care is a vastly more expensive service to the people of this society than it need be.

In the process of capitulating to this bill and to the profession, the Minister is again confirming, at least in his own mind, that health services to people must result in public aggrandisement for the few and lavish cost for the many. We will not be participants in that nefarious political motive which underlines his willingness to comply.

Further than that, Mr. Speaker, there is also the conflict of interest factor, to which my hon. leader referred and the members of the Liberal Party have referred. There is no question, Mr. Speaker, that not a single Cabinet Minister in this government would have agreed to what the Minister of Health negotiated—or indeed failed to negotiate—not a single one. Only a medical doctor could have been brought to heel in a manner at once so humiliating and so inconsistent with the public good as this Minister has been brought to heel by the Ontario Medical Association.

Note, Mr. Speaker, that when those in the related health fields—not doctors mind you, but those in the related health fields—come pleading and knocking at the door of this Minister, he is prepared to say "no" to them all.

When nursing home operators come to him and say, "we cannot function on a *per diem* rate of $9.50 if we are to provide more than custodial care for our people. Give us $12 a day," the Minister says, "be gone."

When the staff in the Ontario hospitals—his own staff, from the ward staff to the psychiatrists—come pleading with his mental health division to provide them with a *per diem* rate which would bring them into the twentieth century in mental health care, the Minister says, "be gone."

When, under the civil service commission, the members of the Opposition rise and ask the Minister why he does not go to bat for the people in his own department who are on salaries abhorrent to a decent standard of living in this society, the Minister shows no interest whatsoever. In effect he says to the member of the Opposition, "be gone."

When the auxiliary health services come before this Minister—like the chiropractors—and ask, with deference and humility, to have him lower the drawbridge over the moat so that they can enter the sacrosanct halls of OMSIP and be eligible for the money provided thereunder, the Minister says, about the chiropractic profession, as he has said about so many others: "be gone."

In every auxiliary and related health service the Minister will not move one jot in the granting of appropriate and valid increases, either for services rendered nor salaries provided. But note, Mr. Speaker, what happens when the medical profession courts his favour as a doctor. Note what happens under those circumstances, Mr. Speaker. There is much public fulmination, but there is always ultimate capitulation.

Huddling around their stethoscopes, Mr. Speaker, the medical profession takes the scalpel to the Minister, every time.

It would be all right if it was only the Minister's pound of flesh that was being excised. But I point out to you, sir, that it is the entire public that is being operated on at the moment, and none of us are prepared to bear that with equanimity.

The good doctor, nursing his wounds, battered and beaten, treads his lonely way back to the Cabinet and frantically drafts Bill 121 so that somehow the services of the profession can be rendered unto Caesar.

Well, this is the prostrate position you know, Mr. Speaker, that the Minister invariably subscribes to. It is an unlovely position.

I point out to you, sir, and to the members of the House, again, that the Provincial Treasurer would never have agreed to such a proposition if all the work had not been done, and agreed to, and capitulated in, by the Minister of Health. It is not only the members of the Ontario Medical Association that hold the gun to the government, it is the Minister of Health who holds the gun at the head of the government.

How uncomfortable it is for the Provincial Treasurer, at the end of one week to have his Minister of Education throw his balanced budget into a cocked hat and at the beginning of the next week the Minister of Health runs riot with what remnant of financial austerity there might be left.

The fact of the matter is that the Provincial Treasurer would not have contemplated this increase if it were not in effect a *fait accompli* in which he must join. The Minister of Revenue (Mr. White) is already on record, eloquently, both in committee and in the House, as to the opposition of a member of Cabinet to this whole proposition which unilaterally increases fees in this society for a select professional group when you never grant that particular right to any other group.

Torn between the blood oath of allegiance to the medical profession and his own Toryism, the Minister gave in.

Mr. Speaker, no one denies, as has been repeated *ad nauseam* in the Legislature, the right of a profession to earn a fair income for services rendered. But that one group should place itself outside the pale with the agreement of government as an intolerable proposition.

It is particularly intolerable, Mr. Speaker, when, as the member for York South, leader of this party, has pointed out, there are alternatives available. There are precedents on which to base a negotiating procedure that has already been implemented in other provinces.

It is not as though the Minister has no alternative. He has had two years to find a formula. How long does it take for the intellect of one man and an entire Treasury Board to come up with a formula? Is it too much that members of this House have asked that you produce something viable and legitimate after a two-year period of gestation?

The fact of the matter is, Mr. Speaker, that there is no possible explanation under the sun which can convince the members of this House for the need for an increase which might conceivably have been arrived at on a negotiated basis; but would certainly have been subject to public scrutiny if our amendments were accepted and should certainly have been the procedure that was adopted.

I remind you, sir, I remind the Minister, that he is not a happy man. We know he is not a happy man. We feel for this once proud Scot—if that is not too much a—

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, may I be permitted to rise on a point of privilege? I wish my colleague would stop referring to me as a Scot. I am a Canadian, sir, and proud of it and will always be a Canadian.

Mr. Lewis: We feel, Mr. Speaker, for this once-proud Canadian of Scottish ancestry. We want him to know that we do, sir. We want him to know that we do, because we know the abject humiliation which has characterized his political experience over the last number of weeks.

I asked the Minister some months ago, Mr. Speaker, whether or not the unilateral increase in the fee schedule which was to be implemented on April 1 would be subject to government negotiation. He indicated with that hauteur, with that contempt that he often has in this Legislature, that is was obviously under government scrutiny. He gave those of us in Opposition reason to believe that there would still be some basis for alteration.

Well, Mr. Speaker, what disarray. What about all the people on the front benches in the Conservative Party? That is what one has to ask. Is the whole Cabinet intimidated by the medical profession? Is that sturdy rank of Treasury Board appointees trembling and palpitating in the presence of the Ontario Medical Association? Are these grown men but as petulant children when faced with a medical ultimatum—all of them over there? Do the lions of austerity become the lambs of extravagance when faced by the medical profession?

Look at them. These Tories who practice austerity, these people upon whom such unhappy fate has come; falling, bowing, scraping, genuflecting, posturing, pleading, begging, paying endless obeisance to the medical Mecca. That is the nature of this Cabinet as soon as the Ontario Medical Association speaks to the Minister of Health, he with a Pavlovian response barks his willingness to conform.

Well, Mr. Speaker, the Conservatives dishonour Cabinet government, they dishonour the parliamentary process and, much more important in this instance, they dishonour public accountability. The government has no honour left but to join with us in defeating the bill on second reading and supporting the amendment.

Mr. Speaker: Does any other member wish to participate in this debate? If not, the hon. Minister of Health.

Hon. Mr. Dymond: Mr. Speaker, it is rather unfortunate that the hon. member for Riverdale drew a parallel between medical fees and

plumbers' charges. First of all, he imputed to me words which I never have used. I searched *Hansard* and the only record I can see is attributed to Mr. W. B. Lewis, then member for Humber-York—I believe it was at that time—on page 2217 of *Hansard*, 1967. It was not a very good analogy for the member for Riverdale to use, and I am rather surprised that he did use it. But I could not help but note, sir, that he studiously avoided comparison between my profession and his own. He did not say anything about the government of the legal profession.

Mr. J. Renwick: I did.

Hon. Mr. Dymond: Oh yes, I know what he said, but he did not say it in the same context. He is quite prepared to find a statutory body which—

Mr. J. Renwick: We will deal with that when we come to the legal aid plan in the province of Ontario.

Hon. Mr. Dymond: Yes, and an awful lot of that has to come out too and a lot will come out that will not—or should not—make you very happy.

Mr. MacDonald: Is the Minister defending the profession or defending the people?

Hon. Mr. Dymond: Mr. Speaker, would you mind keeping them quiet and stop their nattering? I have not said a word throughout the whole of their bluster.

Interjections by hon. members.

Hon. Mr. Dymond: Mr. Speaker, I pointed out that the hon. member for Riverdale, in pleading that the statutory body relative to the medical profession should have responsibility for the setting of fees, did not state that this is not done in his own profession nor is it done in any profession operating in the province of Ontario. The legal fees, as I understand it, are set by the county association—I do not know if they have a provincial association—whereas, in the medical profession, the fees are set by the provincial association.

It would be quite impossible to put this responsibility in the hands of the college, because the college's job is to look after the public interest. People are human and doctors too are human, and it stands to reason that if the college had responsibility to check and control the fees of the profession, there would be risk of real conflict of interest because it is rather hard to wear two hats at the same time and look objectively on both sides of the question.

I think the way it is set now is the only satisfactory way, but on the other hand this will all be under review again, and it may well be that out of the studies of the committee on the healing arts will come a recommendation of this kind to bring the control of fees under the statutory body. For that we shall have to wait and see what comes along.

He also said there should be a freeze on fees. Well I am quite certain that my profession—and certainly I, sir—would support such a proposal if it were generally applied. Every one of us has said from time to time that there is no reason why there should not be a freeze on prices, but it must apply to everybody, to every profession, to every group, to every business, to all costs, profits, salaries, wages, whatever. When this government is ready to introduce that, then of course the medical profession shall be controlled by it just the same as everybody else.

Mr. Gisborn: That is the same old red herring.

Hon. Mr. Dymond: Yes, I know, it is always a red herring when it happens to be their ox that appears to be in the process of being gored.

Mr. Gisborn: We are talking about accountability, not the freezing of salaries.

Hon. Mr. Dymond: There has been a great deal of discussion, sir, about the doctors' unilateral action. The doctors have stated to us quite clearly that, "We reserve the right to set our own fee schedules. If you choose not to pay that under your plan, then this is your responsibility and this is your determination." And this, of course, is what causes us a very great deal of worry.

They did discuss fee increases with us, they did ask for the right to see our statistics, as they did all other statistics that are made readily available and are readily available on a public basis. They have talked about possible ways and means and procedures or systems by which government could control fees, but out of this has come nothing concrete except they have stated that as long as they are left with the right to set their own fee schedule, to put to the services the price they believe they should receive, then let us determine what percentage of that or what part of that we shall pay. They cannot interfere with government if we choose to set a schedule of our own. But what is gained in setting our own schedule if it is so far apart from the schedule set

by the doctors themselves that the people are charged for the service?

In setting up this programme, we hoped to insure people against what could easily be catastrophic costs, but if the difference between the payment for benefits and the price charged is so great that no real advantage flows to the subscriber or to the recipient, then we have not gained anything. Indeed—and this was written into the federal proposal—as long as the procedures followed by the profession did not offend the purpose or intent of the Act, then there would be no interference with it. But when it comes to dictating or setting fees or setting terms and conditions, interference just does not work.

There was reference made to B.C.'s programme, and I will come to that as we go along, but we have had actual experience not only in Canada, but in almost every country in the world where interference has been attempted, that services have been withheld. Now, fortunately, we have only once had a threat of that in this province, and I believe there was a great deal of regret that even that threat was made. I would not want to see it come about, sir, because I know the only ones to suffer are those who require the services, and this I think has been proven, even in our own country.

The government has no other alternative, if we are going to have OMSIP provide the service, which was our intention when we brought it into being, if the difference between the amount paid for benefits and the price being charged is so great that it constitutes a deterrent, then I think we have done far more harm than will flow from this action which we have to take here.

At the present time, we have very good reason to believe—and I cannot make it any more specific than that because this is a very difficult thing to determine accurately—that the great majority of physicians who bill OMSIP or who accept the OMSIP programme, do not bill the patients or do not bill to schedule. They accept 90 per cent of the fee schedule as the total fee.

An hon. member: Not all of them?

Hon. Mr. Dymond: I did not say all of them, and I have never professed all of them. Your own organization, my friend, does not do very much better. I can give you chapter and verse of that too.

But I say to you, sir, the great majority of physicians do accept the 90 per cent as the full fee. If we were to continue—as I very seriously considered doing—the fee schedule at its present level—90 per cent of the 1967 schedule—then we would be paying something of the order of 80 to 82 per cent. It was my reasoning that if we do that, then the great majority of doctors would consider it was worthwhile billing for that 18 to 20 per cent and there would be a general upsurge in the whole cost of medical care.

There has been a good deal of talk about us being the highest paid profession, that a great deal of public investment is put in our education—and this is quite true—but what profession, outside of divinity, does not gain a great deal from very large public investment both in capital and operating costs? And politicians, I agree with my friend from Wellington.

Only last week I had the occasion to meet with a group of doctors, and I put this very argument before them that we were the highest income group. Now do not give us that nonsense. They trotted out a report from the seven Metro municipalities that every one of them had decided to increase the salary for the director of education to $35,000. Even with the extravagant figures put upon our incomes by my hon. friend from York South—

Interjections by hon. members.

Hon. Mr. Dymond: I will listen to you after I am through—by my voluble friend from York South, and from Riverdale—

Mr. Speaker: The hon. Minister quite rightly pointed out, and I have been listening, that he gave the courtesy of a hearing to the members speaking on the other side of the House, and surely they can give him the same courtesy.

Hon. Mr. Dymond: —that we have not yet reached the stage, sir, where we are credited or blamed for having an income of $35,000 per year on the average. I can say to you, sir—I am not here to defend this but I am only going to touch on it—a great many family physicians who are the keystone of any medical service programme are not earning in this bracket at all.

The reason for increasing the fees was pointed out to me that, as asked by the hon. leader of the Opposition, the medical profession point out rightly that the average increase in the fee schedule for this year is 9.7 per cent according to OMSIP'S own figuring. The profession has set 10 per cent.

And while the hon. member for Humber did point out that in many cases there are

very large increases, he failed to point out that in some cases there are reductions of the fees and in other cases the increase is far lower than those he quoted. But the overall effect, according to our own economists in OMSIP, will be an increase of 9.7 per cent across the board. And this is in keeping with the general increase that has come about over the past two years. But I have argued with the profession that they were starting from too high a base in the first instance, although I have not been able to convince them of this, and they still do not believe me when I say this.

As for the proposal that the hon. leader of the Opposition put forward—that this bill should go to the standing committee on health before it comes here for second reading—I have never had any recollection of another going thus. The legal counsel tell me that this does happen, once in a great while, but it is not usual or ordinary practice. I would remind you, Mr. Speaker, that the hon. member for York South read into the record what happened the last time that this matter was discussed before the standing committee on health. What concrete, what positive benefit did we achieve from that?

Mr. Nixon: That was after the bill had been read a second time.

Hon. Mr. Dymond: I was talking to your hon. leader, who has some intelligence. The hon. member for York South himself pointed out that nothing came out of that. How do we expect, or how does he propose, that anything would come of putting this amendment to the committee before it comes here to be discussed in principle?

Mr. Nixon: If the hon. Minister is asking a question, perhaps I can give him an answer? Surely he today is asking us to approve a decision that he has already taken —that we should pay the 10 per cent fee increase? Would it not be more reasonable if we had had an opportunity to talk to those leaders in the profession who are asking, demanding, requiring this increase before we make our decision? What is unreasonable about that?

Hon. Mr. Dymond: Mr. Speaker, as I understand the process of government, the government maps out its programme and brings it to Parliament, and Parliament has the right to either support it or condemn it.

Mr. Nixon: We can do this responsibly only after getting information.

Hon. Mr. Dymond: Well then, we are trying to give the member the information.

Mr. Nixon: I do not think the Minister competent to give that information.

Hon. Mr. Dymond: Well that is very nice, but there is an old saying—

Mr. Nixon: There is nothing implied in—

Mr. Speaker: The hon. Minister has the floor, and he—

Mr. Nixon: Point of order, Mr. Speaker!

Mr. Speaker: Point of order.

Mr. Nixon: There is nothing in my comment that is derogatory to the Minister at all when I say he is incompetent to give that information. He is a doctor, and the Minister of Health, and the information might justify the increases that are demanded by this bill. Why should he be the justifier of the whole medical profession, when actually he is giving arguments that would in fact go against them?

Hon. Mr. Dymond: Mr. Speaker, I am not trying by this bill to justify the medical profession in any way, shape or form. It can justify its own actions. I am presenting to this Parliament, sir, a piece of legislation that has been authorized by the government of this province. It is put before Parliament for its approval or its rejection. I am backing it up with the information that we have, and upon which we based our decision to present this piece of legislation.

I am not here in the role of an apologist for the doctors in any way, shape or form. The increases relate, as I pointed out, in the main to services provided by the family physicians and they are not general across the board, although the effect across the board will, as I have pointed out, mean an increase in the cost of something of the order of 9.7 per cent.

I have been not a little amused—and I would be dishonest if I did not also say, sir, not a little hurt—to hear that I am accused so frequently of conflict of interest. I do not think that any hon. member in this House who is fair minded or at all objective can say that at any time I have had any interest at heart or obviously presented other than the interest of the people of the province of Ontario.

I have been so insulting to my colleagues in the medical profession many, many times, that I have been ashamed of myself for

taking the attitude I have. I have insulted them in this respect far more than has any one of my colleagues in the Cabinet. They know without any question where I stand and they know my feeling about this. I have no hesitation in saying to you, sir, and to this Parliament, I still believe our fees are too high. But I have one important duty to perform: I have to make OMSIP work the best way I know how, and it seems to me, after careful consideration, that this is the best way that I can devise.

Mr. MacDonald: How do other Ministers of Health succeed where this Minister fails?

Hon. Mr. Dymond: None of them have succeeded.

Mr. MacDonald: They have in other provinces.

Hon. Mr. Dymond: No. I am going to come to that, because I have a little information that you may not yet have.

The hon. member for Parkdale spoke again—and I know this is a matter that has given him a great deal of concern over the years—of the apparent double charging when patients go to the out-patients' department in our larger hospitals. A great many of those patients go to our larger hospitals—the hon. member I think knows this—particularly the downtown hospitals, because this is the pattern of medical care to which they have from birth almost been accustomed. Coming to this, their new land, they try to follow the same habit, the same pattern.

If the hon. member can document any case where OMSIP has paid for a patient who was cared for by an intern but billed by a doctor who was not there and was not in any way related with the case, I would ask him to tell me who it is. Give me the facts and I will undertake to see that that doctor is prosecuted before the courts of our province.

The medical profession has stated unequivocally its stand on this matter, that no doctor should render a bill for services with which he is not in some measure involved, and that involvement is not simply a matter of signing his name to an account. I give you this as the avowed policy of the profession, but more importantly the avowed policy of this department.

The hon. member for York South said there had been no prior discussion. There has been a very great deal of discussion over the two years. Unfortunately, we have not reached successful conclusions. We have not arrived at mutually acceptable methods of dealing with this, and looking back over what I said two years ago I noticed I opened by saying, "one man can lead a horse to water but 1,000 cannot make him drink." If my hon. friend can tell me how we can come to a conclusion I would be delighted to listen to it.

I have tried all of the things that he has told us here. I do pay attention to what he says—because he has a lot of good ideas from time to time, a little bit woolly and airy—but if they will work I am not too proud to borrow his ideas and call them my own. I have not found an idea that he has ever presented in this House, or anywhere in my hearing, that has worked yet, and I do not think that he can bring one along.

He spoke about B.C. The B.C. programme has worked for the first part of its life, but I want to say to my hon. friend that the latest information I have is that the profession wants no more part of it, that when it runs out its present term, that is the end of it,

Now I say this is the latest information I have. I cannot prove that this is factual; it is as factual as I have been able to get it up to the persent time. After all, if you watched the way that it worked, the increases there have been just the same in total as the increases in Ontario. Only today, there came to my desk an extract from a paper in New York about the group health insurance programme, I believe they call it—a relative of one of the Kaiser plans, where they have just put up their fees 41 per cent for exactly the same reason—because of the escalating costs of health care.

The hon. member for Oshawa referred to the principle of negotiation by hospitals and related facilities and of course this is so. But I would point out to my hon. friend that the professional people employed on a salary basis negotiate just exactly the same as do the other workers, be they nurses, orderlies, nurses aides or the houskeeping staff in a hospital. They go through the same kind of negotiation and have the same procedures and systems available to them. Salaried doctors in my own department negotiate through the civil service association and with The Department of Civil Service just as do all the rest of our staff.

The privately practicing physician is a self-employed individual and again I have to repeat, sir, that until we reach the stage where we are prepared as a government to legislate a freeze on all of these salaries, wages, costs, etc., I find it very difficult to

understand how we can single out one group and say that their rates should be frozen or their rates should be rolled back.

Mr. Pilkey: The Minister should justify the fees, not make a unilateral decision.

Hon. Mr. Dymond: I am not going to apologize for them because they will have to do this, this is up to them. I am faced with the problem that this is the price that it is going to cost the public of Ontario for medical care.

I would also point out—the only comment I will make on what the member for Scarborough West said—that he spoke as though we, under OMSIP, were setting the proration of the fee that would be paid for all services. I would remind you, Mr. Speaker, that we have less than one-third of our people covered under our programme. We have some two million people. The commercial carriers alone have the bulk of our people covered—3.2 million I believe is the figure—and I would remind you, sir, and the hon. members, that they are paying 100 per cent of the fee schedule.

This, in itself, puts OMSIP in an almost impossible situation because the private carriers are now paying 100 per cent.

PSI, the next largest non-profit group, has been paying 100 per cent now for two years and has already undertaken to pay 100 per cent of the new fee schedule. How in the name of common sense, sir, can we continue to pay what would be something of the order, as I suggested, of 80 to 82 per cent, when all other carriers are now paying from 90 to 100 per cent without any question?

I say to you, sir, without me trying to justify the action of the profession, this is proposed by government in the interests of the public whom we serve. And then I repeat —and I think it is worthwhile repeating for emphasis if for nothing else, that if the benefit paid were far apart from the price charged, then I am quite certain that the patients would suffer. Deterrent fees are perhaps one of the most vicious instruments that can be used; the patient would suffer because this would be a very substantial deterrent fee, and the whole principle and intent of the programme would be defeated.

I have to say to you, sir—and I am still proud, I have not lost any of my pride, and I have not lost any of my conviction either —that I deny absolutely any conflict of interest. But I have to say to you that this amendment is essential in the best interests of the people of Ontario and I would hope that the House will rise to a man and defeat the amendment that has been proposed.

Mr. Speaker: I am sure that I do not need to remind the members that the first question which must be decided now by the House is whether or not the word "now" and the other words sought to be struck out shall stand.

The motion is that by the hon. Minister of Health for second reading of Bill 121. The question to be decided by the House is whether the word 'now' and the other words ought to be struck out, shall stand as part of the motion.

The House divided on the motion which was agreed by the following vote:

Ayes	Nays
Allan	Ben
Apps	Braithwaite
Auld	Breithaupt
Bales	Bukator
Boyer	Bullbrook
Brunelle	Burr
Connell	Davison
Demers	Deacon
Downer	Deans
Dymond	De Monte
Evans	Edighoffer
Gilbertson	Farquhar
Gomme	Ferrier
Grossman	Gaunt
Guindon	Gisborn
Haskett	Good
Hodgson (Victoria-Haliburton)	Haggerty
Hodgson (York North)	Innes
Jessiman	Jackson
Johnston (St. Catharines)	Knight
Johnston (Parry Sound)	Lawlor
Johnston (Carleton)	Lewis
Kerr	MacDonald
Lawrence (Carleton East)	MacKenzie
Lawrence (St. George)	Martel
Meen	Newman (Windsor-Walkerville)
Morningstar	Nixon
Morrow	Paterson
McKeough	Pilkey
McNeil	Pitman
Price	Reid (Rainy River)
Pritchard (Mrs.)	Reid (Scarborough East)
Randall	Renwick (Riverdale)
Reilly	Ruston
	Singer
	Smith (Nipissing)

Ayes	Nays
Reuter	Spence
Rollins	Stokes
Rowntree	Trotter
Simonett	Worton—40.
Snow	
Stewart	
Villeneuve	
Welch	
Wells	
White	
Winkler	
Wishart	
Yakabuski	
Yaremko—48.	

Clerk of the House: Mr. Speaker, the Ayes are 48, the Nays 40.

Motion agreed to; second reading of the bill.

THE MINING TAX ACT

Hon. A. F. Lawrence (Minister of Mines) moves second reading of Bill 111, An Act to amend The Mining Tax Act.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, on this bill, I think the general proposition leading off could well be that the people of Ontario derive little enough from their natural resources. In the case of forestry, it costs us money to have the trees, we would be better without them. That is a crying shame on the basis of the proposition as such.

In the case of the mining industry, it is perhaps not quite as bad. It is better to have the industry than not, but this bill, coming forward under the stalking horse and masquerade of certain refining potential being established in this province, then proceeds to cut down, in my opinion, the revenues we derive from our mineral resources.

The bill, not in whole, but in part, is a sell-out, and I would like, in instance after instance, for the Minister to justify the measures he has placed before this House. I think it would be well, at the inception, to refer to the Smith report on mines—chapter 32 of that reactionary document. However reactionary a document it may be, it contains a simulacrum of truth here and there.

What it has to say about the nickel industry is particularly apposite, and what it has recommended with respect to gold and iron ore is something. In the case of gold, it does not run adverse to the Minister, but in the case of iron ore, it most certainly does. And so far as nickel is concerned, the Minister has neither the intestinal fortitude nor the good sense from a revenue standpoint to begin to move in on that area, where our greatest possible potential is.

Smith quotes from a man who was with The Department of Mines for many years, a kind of czar of mining, as I understand it, in this province at an early time and in the history of this legislation:

> The Supplementary Revenue Act of 1907 introduced a tax on mining profits, which, after certain minor amendments enacted in 1908, was embodied in a separate Act entitled, The Mining Tax Act of 1914. T. W. Gibson, who at this time held a position equivalent to Deputy Minister of Mines, explained the concept of relating the tax to mining profits in the following words:
>
> An impost on mine products, say so much per ounce of gold or silver, or per ton of nickel-copper ore, would not discriminate between rich ores and poor. An ounce of gold wrung with difficulty from low-grade ore would pay as much as an ounce taken from the richest quartz, so also a ton of ore just above the neutral point would be taxed as heavily as ore of the highest possible grade.
>
> The conditions indicated a tax on profits. It was considered right to claim for the public interest some share in the bounty of nature, especially when lands sold for $2, $2.50, or $3.50 per acre were found to contain great riches, sometimes a veritable Golconda.

From its introduction, the profits tax was levied upon profits derived only from the extraction of ore. In computing the taxable profit, only those expenses that directly pertained to the extraction of the ore and moving it to the surface of the mine were allowed as deductions from the value of the ore at the pit's mouth.

This concept has been retained to the present day, although there has been some liberalization in expense deductions.

And if I may break off at this point, there is further liberalization under this new bill before us with respect to expense deductions. That is one of the areas, Mr. Speaker, in which we are being mulcted of our revenue —the continuing erosion through the recognition of wider areas of depreciation allowances and the business of giving the 10 per cent rebate.

But there are eight or nine various heads where the mining industry of this province

and this country derives benefits which are extraordinary. They are completely out of keeping, compared to other corporations which have to pay a certain range of taxes—and goodness knows such corporations get enough benefits under the legislation that exists.

But there is a cascading of benefits here and when you add them all up, and when you add the new ones being conferred under this legislation, I would not care to predict the amount of revenue that we are likely to derive from our mining industry. I will ask the Minister. Under the recommendations of the select committee, we would hope to get $25 million a year. International Nickel alone last year enjoyed a profit after taxes, of $125 million. We in this province get $25 million.

That is on the proposed tax, not the present, when the mining municipalities are brought under the shelter of the tax which has not as yet taken place. And, incidentally, why is this matter before this Minister at this time? Why is not the Minister of Revenue responsible for bringing this bill forward? Surely his functions are not yet so onerous that he cannot assume his responsibilities, which responsibilities have been given to him under the legislation. Why does the Minister of Mines retain the taxing authority in this regard? At this time, what is his intention in this regard? Does he intend to place it in the proper hands? We created a Department of Revenue at considerable expense to the taxpayer; let them collect the money. What is the Minister of Mines doing sitting there?

> The original Act made no allowances for either depreciation or the costs of discovery and development.

But he goes on to say, as you can probably guess, that that did not last very long:

> This was defended as being reasonable in view of the low (three per cent) rate of the initial tax. Municipal taxes were allowed as a deduction, contrary to the general principle of allowing only direct costs of mining.
>
> As an incentive to small mines, the first $10,000 of profits was exempted from tax. The 1907 Act was more concerned with simplicity of administration than with attaining scrupulously equitable treatment of taxpayers.

One could read on. Even in so bland a document as this, one would come across scurrilous passages attacking the mining industry as a whole—and you who consort with the mining industry, you who lend your assistance covertly to the mining industry in order to have them escape their due share of taxes.

There is such a thing as, not a royalty, but a rental benefit conferred on the people of the province over and above anything else, and this "economic rent" concept is simply being eroded. There is no consideration apparently in the mind of this government or this Minister to what benefit are the mines of Ontario to the residents of Ontario. The rascals have never contributed, at least in any measure, even to the maintenance of the municipalities in which they find themselves.

They utilize the dormitory municipality in their environment, and pay not a dime to the maintenance of those municipalities. They came before the select committee mealy-mouthed and saying that they are now prepared to do that. One of these ten or 12 heads under which I see you confer benefits, that exceed the dreams of Midas, upon these companies, and thereby mulct your own Treasury. When you cry to the heavens for moneys, as you do almost perennially, and allow that whole field to lie fallow with our resource industries, then I do not blame the federal government for laughing up its sleeve at you. You simply do not utilize the resources that you have at hand or those that may be seized.

The first thing that this new bill in principle does, Mr. Speaker, is raise the exemption. Hurray! It used to be $10,000, now it is going to be $50,000. Prior to this, it was a graduated tax at six per cent from $10,000 to $1 million, and it went to 11 and then 12 per cent in excess of $5 million, and it brought in little enough revenue, heaven knows, over against the overall benefits conferred.

In looking at the Smith report at page 305, it sets out the fiscal years beginning at 1960 and running through to 1966, where you picked up in mining tax revenue $12.9 million in 1960 and $14.8 million in 1966—I do not have more recent figures—representing one percentage point of the net ordinary revenue of this province coming from our resource industry.

And we know, it is known all over the world, of the enormous wealth of our mines. It is attractive; it is the bonanza; it is the thing which we depend upon; it is our future; it is the one source upon which this province can orient its growth, and while tentative steps have been taken in the right direction, which will apply great employment and greater corporation tax because smelters will be brought in, why should not this blessing

conferred upon us by nature be utilized to the benefit of all the people of this province?

We happen to be born into a fortunate condition but our birthright is being turned into a mess of pottage over there, by simply releasing them from their obligation to pay what would be a normal, satisfactory, rational tax, even as Smith has recommended. He said if his recommendations were accepted, he would have two sets of tax—a mines profit tax at a flat rate and a mine service tax.

The mine service tax was directed towards the municipalities and the basic concept behind that was that he would give no basic exemptions whatsoever. Some of the provinces of this country give no basic exemptions whatsoever, but this Minister sees fit to raise the basic exemption from $10,000 which is not too bad—the select committee was, I think, if I recall, prepared to go on the $10,000 basic exemption as an incentive to mining industries—but to lift the figure to $50,000 and then impose a flat rate of 15 per cent across the board, I suggest is going to substantially lower the revenue coming in from our mining industry.

I would like to see some figures on it; I would like to know if the computations have been done in this regard to justify that particular measure when, as I said in 1966, the total revenue brought in from the mining industry, according to Smith's figures, brought in close to a billion dollars—we picked up $14 million.

There is hardly justification for this. Is there no kind of rationale, no kind of interrelationship between the profitability and what the province derives from these resources—which, unlike the forests, of course, are irreplaceable? Once they are mined out it is done.

Under this head we will begin to run through the various exemptions. The business that the province, along with the federal government, gives a three-year tax holiday on corporation income tax to new mines; that is number one. That is enough manna falling from heaven, let me say, to feed an elephant. What do they do then? You see it is a most self-defeating ordinance. They therefore prepare their mine sites in such a way that they will expect, if possible, the total ore extractable from those mines within the three years.

You set up housing projects around; you set up a little town. People have moved and dislocated their lives to go in there. You have spent money through OHC, through CMHC. You have given the semblance of a community and then this mining operation goes in and mines the thing out in a period as quickly as it possibly can, and if possible within the three-year period. Is that not great? Therefore, you leave a derelict town strewn throughout the northland and people again are basiclly dislocated. It can be nothing else but a question of considering property of a higher quality than people and making them even out these things over periods of time.

The computation base upon which it is made, therefore—the $50,000 you know is left in their hands. We in law have a saying, when we do not have a rule of law, when we do not know how to put our finger on a principle, and so on, we say it is as long as the chancellor's foot. Mining assessors of this province have mighty long feet.

If one runs through the basis of the computation left in the discretion of this august body—the mining assessors—who, if they had even a suspicion or a desire to be in any way allied with the mining industry, or in cahoots with the companies involved, certainly have the people of Ontario and this Minister by the tail, with respect to the basis of the discretions and how they operate.

First of all, this is the one province in the whole country in which there is nothing laid down; at least at the time of Smith's report there was nothing laid down at all. At page 311 he says: "In every province except Ontario the method of valuation is published either in the taxing statute or in regulations."

But not in Ontario. So it is left in the Solomonic wisdom of some mining assessor whose future dependency may be very much allied to the interests of the mining companies.

I dare say he is not going to bend over backwards when he comes to his assessments. And the range and type of his assessments—well, I do not mind boring you. I will read it. I think it should be placed on record how this is done.

You know your former Minister of everything, Robert Macaulay, when he was a member of that government and in its Cabinet, that he often—both with respect to forests and with respect to mines—found the gravest difficulty locating, putting his finger upon, and being able to discern, what the basis of various forms of taxation were. They were the most mysterious things in the world, particularly in the forest industry.

No one could explain it to him, and the one blessing that Smith conferred was that he at least set it down in black and white,

where we can get to it with some degree of immediacy. Since that blessing lies on our heads we may as well utilize it, may we not? And tell just how mining assessors, using the cloven foot, manage to come to an assessment of such a megalopolis as International Nickel, and much to their benefit I am sure.

> When an appraisal is made, the mine assessor usually, but not invariably, follows a standard procedure.

But not invariably you notice. He is out at the heels. The foot is breaking through.

> This consists of deducting from the sale price of the processed product the costs of processing and marketing; the portion of head office expenses allocatable to processing; an allowance for depreciation of the processing plant, since they are only going to tax up to the point where processing begins, just the mining operation itself.

And again I will break off in a long—you know, James Joyce used to always speak in brackets, and I think perhaps it is the best way to speak but it does mess up *Hansard*, I will agree with that. But apart from that I shall bracket and break off and say that the distinction between the mining and the processing was obviated by Smith, and while the select committee went against that, on reconsideration I think it may have been a bloody mistake.

I think that if we are going to assess mines —the way they sneak out of it a great deal, through the mine assessor's logic in allocating what comes to the mine from the mining operation as such, in contradistinction to what is the processing. They should be both lumped together, then we will get the profit situation in the mine and it should be taxed on its gross profits. Now it may be a reduced rate but the fact of the matter is that this is too peculiar, too mysterious, and too—

Hon. A. A. Wishart (Minister of Justice): I just wanted to know if that was the end of the bracket?

Mr. Lawlor: I do not know where the bracket ends.

Well, anyhow, we got down to an allowance for depreciation of the processing plant, an allowance for a processing profit. Now you see, an allowance for a processing profit —I got it, I just picked it out of the air, this boy will not have to pay any money this year:

> The latter processing allowance is generally determined by the mine assessor at eight per cent of the original cost to the operator of the assets used for processing, regardless of any depreciation that may have been claimed in respect of them, but this is modified, inasmuch as he will not permit the allowance to be less than 15 per cent, or more than 65 per cent, of the profits of the combined mining and processing operations before deducting the allowance itself.

Now that is certainly an enormous span—15 to 65 per cent being allowable. I tell you, the man is either a czar or he is a Solomon, but anything less than that type of genius I would think would be beneath his dignity.

Mr. MacDonald: He is Santa Claus; he gives everything away.

Mr. Lawlor: He could be Santa Claus. I suppose he could be Scrooge too, but not too likely:

> The lower and upper limits for the allowance are arbitrary devices which are adopted to ensure that not more than 65 per cent of the profits of combined operations of marginal producers would be attributed to processing and that where the investment in processing assets were small, relative to that of other assets, the allowance would not fall below 15 per cent of such profits in practice.

The mine assessor gives the operators of nickel mines a special processing allowance.

An hon. member: They need it.

Mr. Lawlor: You know, I really cannot refrain from, before this thing is over, reading passages about the International Nickel Company, with their special processing allowance down over the years—which the select committee, incidentally said, "wipe out", and which Smith himself said, "wipe out." But you come forward with an Act today—you know, with a little bill. There is no wiping out, is there? No!

Where benefits can be conferred they are granted—largesse—the great bonanza—the Minister with the golden horn. But where any type of money is to be brought into the Treasury of this province for the overall good of us all, then you ignore the recommendations as they stand.

> In practice, the mine assessor gives the operators of nickel mines a special processing allowance, in addition to the general allowance that is described, in recognition of what he considers to be special conditions that apply to smelting and re-

fining of nickel ores. This was a special condition of nickel ores in 1919.

They discovered the secret and they have been getting the benefits ever since. They were getting special allowance because they discovered a catalyst to some formula and this has been claimed:

> From 1939 to 1950, but not subsequently, the basis for special allowance was authorized by Order-in-Council. To summarize: under this method of appraisal the value of ore at the pit mouth is determined by deducting from the value of the processed product specified processing cost and allowance for processing profit.

And then there is a gross revenue and I suppose you would say that there is a second step you come down to. You allow certain transportation costs, depreciation, business and then there are allowances made for proper working expenses of which there is a range and which there is enormous discretion left in the hands of this mining assessor.

I think all this should be codified and all should be set up in black and white and should be tied down. It is a built-in piece of ingenuity to escape taxation over and above all the taxation they escape in any other way. That is why my remarks are directed in this way to day, because of the profits.

First of all they start with gross revenue, then they come down to the net revenue, and then they make further deductions and get down to the taxable revenue. By the time they get to that, with the chancellor's foot with his toes wiggling in the middle of the pie, there is very little left that we can see for the people of Ontario.

The tax that comes in is negligible. It is hardly enough to maintain your department in existence or go very far towards the salaries and staffs in maintaining it. I would think that if that is going to be the case it would be perhaps just as well to let them lie for a year or two until we get rid of this government and we can take over and make some money on the mines. But in the meantime there is no use taking our ore away and depleting our mines without deriving any benefit from the mining operations.

Mr. Lewis: More goes to the Tory Party than goes to the public purse.

Mr. Lawlor: My friend suggests that maybe you fellows derive more benefit from it than the public purse, but far be it from me to even consider such a thought.

As far as gold mines are concerned—and there is a section in here, Mr. Speaker, directly concerned with the gold mines. It repeals the special benefit.

Now this is a somewhat ludicrous situation. The ludicrous situation consists in the fact that practically the only revenue we get in this province that we get from gold mines is the tax that we impose upon the federal subsidy to the gold mines. In other words, we impose a tax on what the government gives as a grant and that is our gold mining revenue. Now it is obvious that if you want the money then the best thing to do is to go up to Ottawa, cap in hand, and say, "Now listen, with regard to gold mines, will you not give it directly to us since we do not want to go through the channels any longer? We would just as leave have it given to us directly? That is a mischievous piece of business and if that is part of co-operative federalism then I would think it is coming by the back door, where you folks tax us upon federal government money going to particular individuals.

Now you are wiping that out, and it is recommended that you wipe it out, but I am against wiping it out, because you are not going to have any money left. Your revenue derived in the mining tax. In 1962 the mining tax paid by gold mines receiving the EGMA —the payments made to the gold mines from the federal government—was $248,000. If you did what your bill proposes to do now—wipe that out—you would get $10,000 from gold mines.

The mining tax paid in 1964 under this head, taxing the subsidy, was $632,000. If you wiped it out it would drop by more than two thirds down to $274,000. I mean, you get little enough revenue from mines in the province already without just casting the rest of it away. This is eating substantially into the amount of money you got in 1964, which was $10,300,000, of which you would lose, under this head, $358,000.

Mr. Lewis: Three to four per cent of revenue.

Mr. Lawlor Yes, and this is what you are proposing to do under the circumstances, however ludicrous and however stupid a way of taxing the gold mining situation. It is just as well we maintain the tax rather than jettison it as you are seeking to do, unless you replace it with a more equitable tax in order to make up for these lost revenues. And so my question comes under this head, as elsewhere, just how do you propose to make

up the lost revenues that your new magnificent Act, designed to raise revenues—or maybe the Minister designed the Act to lose revenues, it is a little out of the way but it is not completely unheard of. Maybe he is doing it inadvertently, but certainly the justification does not appear on the surface.

As far as iron ore is concerned, as the Minister well knows, for many years past the smelters of the province have derived the benefit under this head, and Smith, at 324—he refers to in in many places, at 308 and other pages, but at 324 he says: "The Minister of Mines has had discretionary power from 1907 to remit the tax on iron"—1907!—I do not think you have been in government all that time, but you look hoary enough over there to suggest that that is possible. Darwin may never have lived, you know, so far as evolution is concerned. 1907? They have this beneficence and you have been patting them on the head ever since. I continue: —"to remit the tax on iron ore smelted in Canada as an incentive to establish smelting operations."

Well how long, oh Lord, how long? I mean, they have set up the smelting operation. The new ones, I am sure, are going to be exempted from the necessity of setting up smelters from those other areas in northern Ontario which are lying fallow up there at the present time, but the ones who derived the benefit from 1908 have the smelters. I would say, perhaps a 40-year limitation might be imposed on some of these.

When you passed out the privilege, did it have an in-built life? What is the longevity of a privilege? Have you given any thought to possibly cutting it back? I guess maybe a decade would be enough to recompense them for the fact that they make such a good deal of money out of the resources of this province. Do you have to add a little to the gravy, to the soup, kind of thing? "In practice the Minister invariably remits the tax." He does it on the day before Christmas. If it is a Sunday afternoon he puts a hat on. It is a tremendous sight to see him remitting that tax. He does it invariably. He has never fallen down on the job once.

> And the amounts remitted have been small. The total amount of tax remitted from 1946 to 1964 was $1,117,000. This amount does not suggest that the incentive has had any material effect on the expansion of Canada's steel making capacity.

In other words, when they come down and say that the remission is not that important, that it does not have any impact on the industry as such, and to cut it out—and the select committee, under your Minister of Revenue, similarly made this submission, as page 260 of the select committee reports:

> We accept this recommendation, but we think its repeal should be staged over a five-year period and we reword the recommendation, therefore, as follows—

I will not read it, but where is this recommendation in this proposed legislation before us? It is simply nowhere evident.

We have seen a number of areas in which, I say, a special kindness has been shown to the mining industry. Looking at the *Globe and Mail* of recent date, on the Texas Gulf matter, the terms on which the Minister came to with Texas Gulf, and are embodied substantially in this bill to carry out his intent, lists a number of exemptions and what-not, and beneficencies given to Texas Gulf and to the mining industry of Ontario, in extenso of, and compounding all the privileges and exemptions and benefits that you have given them in the past.

First, exemption from the processing in Canada requirement of all Texas Gulf lead and silver production at Kidd Creek, although zinc concentrate is by far the major item. Second, allowance of pre-production expenses, retroactive to 1965, and that is one of the sections in this bill, a 10 per cent situation, which was never previously given in mining.

There are two things that we have not done in mining, which the Minister is quite likely to allow in the tenure of office—being the bright young radical that his reputation comports him to be. I suggest depletion allowances in the future, and he is today honorifically allowing, for the first time in our history, exploration and development costs—allowance of pre-production expenses retroactive to 1965 against the company's mining tax. In other words, whatever exploration costs they had, it was not enough to give it to them as of today or tomorrow when the bill is proclaimed, he had to go right back to the beginning, he had to give them all the money back again, just in case there should be any extra money come into the Treasury of this province.

They did not want even a red nickel from that bunch. There is certainly an independence of mind, Mr. Speaker, the Minister stands aloof; he allows pre-production expense, permitting the company to write off 10 per cent of preliminary expenses for each year — these arrangements made possible

through the amendments of The Mining Tax Act, and if and when adopted will be available to other mining companies. Is that not nice?

Number three: Mining tax write-off of eight per cent of the capital costs of the ore concentration complex, increasing to 16 per cent at the smelter stage, 20 per cent at the refinery stage. Well, on top of that they get low hydro-electric rates; on top of that they get low freight rates on shipping of sulphuric acid from Timmins via the Ontario Northland Railway.

And these are a few of the special beneficences conferred for some ungodly reason upon the mining industry. Then they will dispense out their dividends to some place close to Houston and have ranches of 100,000 miles apiece, and none of us will enjoy any of those benefits at all.

So in a wide range of matters contained under this bill, benefits have been conferred beyond anything that would be permissible in any rational system of taxation. If I may just summarize and bring to a head these various things. First of all, the mining industries of the province have a three-year tax holiday. That in itself is an incredible thing.

Then, on top of that, this Minister is raising the basic exemption from $10,000 up to $50,000. That cannot help but have the effect of lowering our total revenues from the mining industry substantially. Just why he is making this move—other provinces are not making it, there is another province that does, but by and large either there are no basic exemptions or they are around a figure of $10,000.

I have indicated the computation base and the role of the mining assessor in this thing, which means that in terms of the actual profit, in determining the profit on actuarial principles, if proper accountancy was kept on this thing, it would produce far greater profits, I suggest, than what is presently allowed under The Mining Act.

By the way, I promised you the great pleasure of reading about International Nickel before I close and I shall launch into that banal enterprise right now. At page 329, Smith said:

> Finally, we believe that there is no justification for the special allowance to nickel producers. Since 1907, the taxation of nickel companies having extensive processing facilities in the form of concentrators, smelters and refineries has been based on the philosophy that a very substantial part of the profits must be attributed to these ore treatment facilities.
>
> The combined effect of the general and special processing allowances granted by the mine assessor in his valuation procedure has been to allow a figure close to 25 per cent in recent years rather than the normal eight per cent of the cost of processing assets.
>
> From 1907 to 1955, except for the period of 1917 to 1921—

When even International Nickel Company thought that perhaps the war might be won, or ought to be won, and made a little concession towards that ultimate objective, so that the free world and the free price of nickel may remain in suzerainty in all men's minds. I had better read that over again, that bracket took a little while:

> From 1907 to 1955, except for the period of 1917 to 1921, 60 to 65 per cent of profits were attributable to processing.

Mr. E. Sargent (Grey-Bruce): Incredible! What are you going to do about it?

Mr. Lawlor: As the hon. member for Grey-Bruce said, "What are you going to do about it?"

Mr. Nixon: Did the member bring his ball of wax?

Mr. Lawlor: To continue the quote:

> Since 1956, the rate has been calculated annually by the mine assessor based on the same premises. While the effective rate of the combined allowance has fluctuated slightly from year to year, 54 per cent of the profits—of the company's profits—were attributed to processing—

And therefore not subject to your tax at all.

> —in the six years 1958 to 1963, the special allowances to nickel mines have substantially reduced the mining tax revenues of Ontario.

I will read that again: "The special allowances to nickel mines have substantially reduced the mining tax revenues of Ontario".

Now coming from this fellow, you know, that is an indictment. The calculation of the nickel allowance was fully described by G. R. Mickle, the first mine assessor in a memorandum prepared for the Royal Ontario Nickel Commission dated November 20, 1916. He had recognized the difficulties encountered by the early refiners in developing methods of separating nickel from copper and other metals associated with it, and then refining

the nickel. Other evidence submitted to the commissioner supported the mine assessors' position in part. Nevertheless the commission concluded that, despite early difficulties, by 1916 several refining processes were in use, and it recommended that the special allowance be abolished and that the tax applied to all profits from the refined metal—1916.

Mr. E. W. Martel (Sudbury East): Tax reform in Ontario.

Mr. Lawlor: Its recommendation was adopted for the special allowance was revived in 1921 in response to representations to the government by the principal producer of nickel in Ontario and ever since that time you have been in their back pocket.

It could hardly be justified, the omitting from consideration of these factors in bringing forward the legislation that we are asked to pass here today. As I have indicated, there are special concessions made to gold mines. The computation base is awry and this even perverts the stock market. The iron mines have enjoyed an area of non-taxation which is hardly deserved, in which independently minded people I am sure including the Minister, if he would rouse to the occasion, would agree. It is an outmoded, unnecessary exemption and in effect is doing a disservice to the people of Ontario. There the money lies, there should the money be brought forward. It is not on the little guy that the full weight of taxation should fall, while we allow our whole mining industry to escape from their fair share. There is presently no economic rent derivable from these sources.

To wind up this particular topic, this bill is defective on practically every one of its heads. And as we come through the Committee of the Whole we will see in detailed examination of section by section just how far this falls short, and what a dereliction from responsibility this kind of legislation is. It is, you know. In a way it has elements of treachery or something like that about it. Where, as I say, the revenue is, and is readily taxable, there ought your weight to fall in equity, in justice, on the principle of the ability to pay, as your own select committee has recommended and as recommended to you time after time—instead of undermining and eroding the whole basis of mining taxation and resource industries in the province, as you are presently doing under this bill. You are bringing in less revenue than you have ever done before, or even at the best, not producing the kind of revenue that is readily available to hand.

And I have not yet turned to the recommendation touching on the Sudbury area. Then the final crux is in the mining industry, that when you do impose a tax, on the contrary you are imposing a non-tax because they make sure it is readily deductible from their corporate income tax. It will not cost them a dime. It is in their interest.

As a matter of fact, it may be to suppose their rights to have some benefits to them. The business of paying a little municipal tax, for the first time in their history—which has not come to pass yet, or is envisaged in this bill—that possibility does not hurt International Nickel, Falconbridge or the other mines in this province at all. That is simply deductible expense along with the others. Why should they not do it? It does not hurt them a bit.

The same thing applies with respect to your taxation. So why should you be so niggling? Why you should be so solicitous of their interest, when their interest is not in any event well looked after by themselves in terms of the deduction they can enjoy, both under your corporate income tax and that of the federal government. How to get to them is a real problem, but to renege upon getting to them, to withdraw from the attempt, as this legislation obviously does, that is a cry to heaven, and is an abnegation of your responsibility as the new Minister in this department who was going to give it direction, weight and some dynamism for a change, and not just simply sit and allow them to take you for some kind of patsy, some kind of person who will not—perhaps because of campaign funds or for other reasons—be prepared to look after the best interests of your department and the people you are sworn to look after.

Mr. T. P. Reid (Rainy River): Mr. Speaker, after that rather lengthy preroration, the Minister does not ride out of that great coffee cloud thrown up by the member for Lakeshore as quite the white shining knight that he rode into it. I think the member for Lakeshore has raised some very good points. They are a little confused, perhaps, but they were raised, and two points the people of this province are particularly interested in, are: (1) How much extra revenue this bill will provide to the people of Ontario? And, secondly, in regard to the Texas Gulf smelter situation in Timmins, what is the total tax bill going to be to the residents of Ontario in the benefits that you have expended to that company in regard to cheap Hydro rates, freight rates, etc?

Coming to the principle of the bill, it is not the best bill in the world but the Minister has proceeded much further than his predecessor ever did in this regard.

An hon. member: I will give the member an "A" for that.

Mr. T. P. Reid: I would suggest that perhaps the hon. member who just spoke is not perhaps aware of all the realities and economics of the mining industry, but then facts have never bothered the people on the left anyway.

I would like to draw the attention of the Minister to subsection 3 of section 2 of the bill, in which, in subsection 2 of subsection 3, he says that the ore taken from the mine is beneficiated, at least to the smelter stage in Canada.

Now, I would ask the Minister if this does not in some way contradict the intent of Bill 112, in which in subsection 1, he says that all lands claims, etc., "shall be so and so, so as to yield refined metal, or other products suitable for direct use in the arts without further treatment." It seems to me that that statement is contradictory and perhaps you could give us an explanation.

Mr. Speaker: It being 6.00 of the clock I do now leave the chair and we will resume at 8.00 p.m.

It being 6.00 of the clock, p.m., the House took recess.

No. 100



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, April 29, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969



Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, April 29, 1969

Mining Tax Act, bill to amend, Mr. A. F. Lawrence, second reading 3723

Mining Act, bill to amend, Mr. A. F. Lawrence, second reading 3746

Motion to adjourn, Mr. Welch, agreed to 3755

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 29, 1969

The House resumed at 8 of the clock, p.m.

THE MINING TAX ACT
(Continued)

Mr. P. D. Lawlor (Lakeshore): With the leave of the House I will recommence the same speech I made immediately before dinner.

I am sure it will gratify the Minister of Mines (Mr. A. F. Lawrence).

Mr. Speaker, I wish to take this occasion to introduce to the House, constituents of mine and party workers from the Lakeshore New Democratic Party, who are in the galleries; a memorable crew these people and I thank them. They are the people who are largely responsible for my being here, for better or for worse.

I say for better or worse for your gratification, sir, or for your aggravation, depending upon the mood that you happen to be in. Thank you very much.

Mr. R. H. Knight (Port Arthur): It is as official Opposition critic for the mining area that I participate in this debate, on the second reading of Bill 111, which is before the House.

I should say, Mr. Speaker, that the official Opposition has been arguing for years for a modernization of this department's methods and procedures, and also for steps to return to the people of this province, the reasonable tax profit from the development by private industry of natural resources which belong to them and which, once mined, are gone forever. Now that we see, in this hon. Minister, the foresight and the courage to at least take some steps in those directions, we are certainly not going to discourage him, or certainly not contradict the very position that we have held and argued for for many years in the past.

The truth is, Mr. Speaker, we see in this Minister at least some reward, let me put it that way, for the Liberal Party's efforts toward improvement in the mining field, and if he and his department continue following Liberal advice, believe me, he cannot go too far wrong at all.

Mr. Speaker, the estimates of The Department of Mines will be coming up very soon, we hope. We have been waiting for three or four weeks now for them to come, so I do not plan to speak at length tonight.

However, Mr. Speaker, I would like to give a warning to this hon. Minister. As we have seen with this government's attempts toward the implementation of regional government, though a policy may be a good one, the way in which it is implemented is probably of just as much importance.

While this party does agree with tightening the measures of this department, and also adding further taxation in the mining field, we certainly feel that this Minister in entering into this area has perhaps put himself on a tightrope. Not just perhaps, he certainly has, because it seems to me that this Minister, Mr. Speaker, on the one hand, is faced with those who say "tax the mining companies to the teeth" and those on the other hand who say, "Wait a minute, the mining industry is one of our major industries. We certainly do not want you to do away with all of the tax incentives that have attracted new mining developments in our area."

Mr. Speaker, I would suspect this is especially true of the people in the northwestern part of this province who right at this moment, and I am sure the Minister is aware of it, are wondering how far the Minister or his department will go in this taxation. Because it is not so many years ago that the great iron ore development of Steep Rock iron ores began its work in Atikokan and the Caland Iron Ore Company followed because of tax incentives that were made available at that time which, along with the natural raw material that was there for them to glean, attracted them into the field.

And so we find in newspapers in northwestern Ontario in recent weeks, editorials urging this Minister and this department not to go too far. Mr. Speaker, I would add that same warning at this time while I have the opportunity: go far enough but do not go too far.

How far do you go? Well, that is up to the Minister, it is his problem.

Hon. S. J. Randall (Minister of Trade and Development): Why do you not make up your mind?

Mr. Knight: Now there is a Minister who should know absolutely what I am talking about. Perhaps he does not apply these principles of wisdom in his own field.

Mr. R. F. Nixon (Leader of the Opposition): He never does anything for northwestern Ontario, that Minister.

Mr. Knight: Never mind, let us talk about Bill 111.

Mr. Speaker, if the Minister will listen for a moment, I can see that his colleague, the hon. Minister of Mines, does understand what I am getting at. And I am not standing here speaking for the sake of speaking. This is an extremely important matter and the caution I pass along to this Minister at this moment is extremely important to the people of my riding, if not to those of his riding. And he should not forget it.

Interjections by hon. members.

Mr. Knight: Mr. Speaker, it is easy to understand why these two bills, 112 and 111, have come together at this time; certainly one is related with the other. One bill seeks to increase a method of taxation on the mining industry and the other demands that the mining industry take its production right to the refining phase.

It would seem to me that both of these are impositions on the mining industry—legitimate impositions on the mining industry; however, the one must be balanced with the other and the one must be weighed against the other.

I would not like to think that by putting up the taxes, we are going to discourage companies from coming in because they cannot afford also, the added expenditure of refining the product in this country. The business of refining, in my opinion, is more important than the increased taxation, Mr. Speaker.

I say there has to be taxation but I say it has to be balanced with new restrictive laws such as we find in Bill 112, because I do not want to discourage the mining industry. I am too well aware of the number of jobs it has brought to northwestern Ontario, the number of roads, the amount of development, the hope and encouragement that our people have been given and I think I am backed up very well by one of the voices of northwestern Ontario, the Port Arthur *News Chronicle* of March 26, and I read only in part:

> We stress, along with the industry spokesmen, that it is unnecessary, indeed unhealthy, to completely restructure the tax base to delete incentives that have served as the adrenalin for exploration and growth.

So I say that this Minister has to maintain constant consultation with the mining industry; constant, that is right, and regular.

Mr. S. Lewis (Scarborough West): What concessions has he taken out?

Mr. Knight: I am speaking to Mr. Speaker; the member is supposed to be listening. I found the hon. member very eloquent when he had his chance this afternoon, Mr. Speaker, and I was happy to listen to him at that time. I wish he would listen at this time.

Mr. Lewis: I am listening very carefully.

Mr. R. F. Ruston (Essex-Kent): And he said nothing.

Mr. Knight: Mr. Speaker, the Minister of this department is suddenly coming up with some action; something that we on this side have been asking for for a long time. Now we are saying, add to the action a considerable amount of wisdom and commonsense, so that we do not kill development of the mining industry in northwestern Ontario.

Mining is one of the three big industries of northwestern Ontario; our three big hopes. One is forestry, the second is tourism and the other is mining, and when I hear outcrys from communities, from the business community, and I dare say even from labour —the men who make their living in this field—when I heard warnings of the danger that these incentives might cause to them, I listen. Because mining is the type of industry that you might find is here today and gone tomorrow; we are talking about a given industry.

Mr. M. Shulman (High Park): This is just nonsense.

Mr. Knight: We have seen what has happened in the gold mines up in Geraldton—

Mr. J. Renwick (Riverdale): There is wealth there.

Mr. Knight: We know that in Atikoken there is only a limited supply, Mr. Speaker, and there is nobody to say that Steep Rock and Caland will still be producing 20 years

from now. As a matter of fact I have received information to the opposite.

We have to be very careful. We have to use a considerable amount of good judgment in bringing in these new restrictions and I say that the mining industry should be treated in good faith. The Minister should be in regular consultation with them and his department should be making a continuous assessment of individual industries and the industry generally up there.

Mr. Speaker, I would also point out the caution necessary in another area. While the big mining companies might well be able to absorb these taxes and possibly even further tax increases—the tax that will be going on the cost of production machinery, the federal tax and all the other taxes that are attributed to this industry—perhaps the smaller mining companies might be in some difficulty. For this reason I am glad that the Act indicates that the 50 per cent tax will apply only to those companies that realize a profit of $50,000 and more.

There are local enterprises in the north—our own Ontario people who would like to be able to become involved and try to develop something in the mining field. They find it very difficult and I am thinking about those people. I would not like to see these laws being too restrictive on them.

Mr. Speaker, that is the extent of my remarks at this time on this particular bill. We will support it, and we will also congratulate the Minister and encourage him. He is headed in the right direction; he is putting the mining department, and especially the tax part of it, in order. But I caution him not to kill the mining industry in the north and on this matter he has a big responsibility and a very delicate job indeed. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Timiskaming.

Mr. D. Jackson (Timiskaming): Mr. Speaker, my remarks will not be too lengthy. My colleague from Lakeshore (Mr. Lawlor) has, I think, dissected the bill quite adequately.

But the member for Port Arthur; I just cannot understand his reasoning. It has always been our feeling in northern Ontario that we get very little out of mining and unless we do get something out of mining, we cannot see much reason for it to exist in Ontario.

Earlier today the Minister of Lands and Forests (Mr. Brunelle) tabled a report and in his remarks in the last paragraph he said: "Mr. Speaker, the report confirms the importance of the resources of the north and the significant contribution these resources make to southern Ontario."

That is the point I would like to expand on a little bit—the contribution the resources make to southern Ontario—and when we are speaking of mining, might we say to the southern United States and to other countries of the world—more than they do to the province of Ontario.

If we take this bill, Mr. Speaker, I think we can say that really it is not a tax bill at all; it is a give-away bill. When we talk of the Minister with his hand in the company's back pocket I think we should be saying that the Minister has his hand in the pocket of the public purse and is handing the money back to the companies. Well, how then are they helping us?

We talk about development. Well, Mr. Speaker, I choose to use the word the mining companies have been using for a long time "exploitation", because it is true. It is not developing Canada's north, or Ontario's north, when we allow them to come into the country, take out the raw ores, which we feel belong to the people of Ontario, and then give us nothing back.

At the same time, we turn around and give them concessions so that they can do this. We say "here it is, dig it out and we will pay you to dig it out."

I have said before Mr. Speaker, I pointed out during the mining estimate last year, that contrary to the general belief that the mining companies are here because we give them big concessions to come in and mine our ore, contrary to that, I pointed out last year, as the Paley report in the United States in the 1950s pointed out, the United States could not exist and increase their industrial capacity without ore from all other countries in the world.

Mr. Speaker, we have the ores; that is why the United States is here; not because they are getting concessions. They are here because we have the ores. Japan is here because we have the ores and any other country that is doing any mining or has any investment in the mining field in this country is here because we have the ore and they do not have it.

This is not a lessening thing. As the years go on, the problem of lack of resource is going to show up more and more in these countries that have either used up their resources without looking to the future or never had any natural resources to start

with, such as, the position that Japan is in at the moment.

Right at the moment, the United States is in the worst possible political situation that they can ever be in. Some of the Latin American countries have told them to get out in no uncertain terms. Some of the African countries, where they have a major source of natural resources, have told them to get out.

They have turned to Ontario, Mr. Speaker, to come in here and say to us: we will dig your ore as long as you give us a concession. And we have never had the guts to say to them: "Fine, dig our ores but there will be no concessions, you are here because you need them, and we want you here because you will pay for them." Instead of that we have said so often, we will give you something more.

To go back to what I said about the importance of the resources of the north and the contributions these resources made to southern Ontario, Mr. Speaker, this last week newspaper, the Toronto *Daily Star,* I should say, headlined an article "Plans for Zinc smelters bring joy to Timmins".

This is quite true because it is going to mean a lot of jobs for the people of our areas. But what good are jobs if in 20 to 25 years we end up with a situation like we have now. With the mines closed down, we look around for added revenue to keep them going and we have to give away a bit more in order to put food on the table, you might say.

Is this what we are going to do for the next 50 or 100 years of so-called growth in Ontario? Give away a little bit more so that we can have at least half of the loaf. Well, Mr. Speaker, that, in my opinion is not what we should be doing today. We should be saying that our ores are here for the benefit of everyone. But we want to share a little bit in them—for our benefit too not just for the benefit of Texas Gulf Sulphur or any of the other mining companies who feel that if they push the government hard enough and hold out long enough, they will get another concession.

I think there is very good reason to believe that when you look at this so-called tax bill and realize that by holding out, Texas Gulf has got concessions that are completely ridiculous, completely against everything that was said in this House for the last two years.

We have talked about added revenue from our mining concessions or exploitation, and instead of adding revenue to this province, we have put added revenue into the coffers of the mining companies for them to go and use that added revenue to pay dividends to people in the United States, or to put money into another mining venture in another country—New Zealand or Australia.

When I first mentioned my intention to speak on this bill, my colleague from Lakeshore told me that many of my views were very selfish. Well, Mr. Speaker, I admit to being selfish. It is my belief that not only should this bill give us something for our mining resources, but should also drop this "give-away" to the rest of Canada.

In saying that ores shall be smelted in Ontario, they have left in the phrase that the Lieutenant Governor in Council "may exempt" and I think that is adequate protection for any mining company. If we are going to exempt, then let us have the Act read: "must be smelted in Ontario."

Hon. A. F. Lawrence (Minister of Mines): What bill is the hon. member on?

Mr. Jackson: The Mining Tax Act, and it says "ore that is smelted in Canada" and it should read "ore that is smelted in Ontario". You have already given yourself the little loophole—the large loophole—that says "the Lieutenant Governor in Council may exempt any ore taken".

Mr. Nixon: You can drive a truck through that loophole.

An hon. member: What does that mean?

Mr. Jackson: That is exactly what we have been labouring under for so many years.

Mr. Lawlor: They should not write the Act at all with a clause like that.

Mr. Jackson: Why bother putting that clause in if you are already giving them the exemptions? The ore belongs to the people of Ontario, not to any government, not to any company.

Hon. J. R. Simonett (Minister of Energy and Resources Management): What is the government but the people of Ontario?

Mr. Shulman: They sure do not represent the people of Ontario.

Mr. Jackson: This government is a poor example of a government, and a poor representative of the people of Ontario; a decidedly poor example.

Mr. C. G. Pilkey (Oshawa): Forty-two per cent.

Mr. Lewis: Well it will not happen again.

Hon. Mr. Simonett: Oh you had a small percentage of that.

Mr. Pilkey: Forty-two per cent, that is all.

Mr. Lawlor: You are on the skids boys, and you know it.

Mr. Lewis: It is bills like this that will bring you down.

Mr. Speaker: Order.

Mr. Jackson: To go back to my remarks, Mr. Speaker, I maintain that it should have read "Ontario" rather than "Canada"—

Mr. Martel (Sudbury East): They are just polluting the air.

Mr. Jackson: —and that if this government feels that any exemption should be made, then they have the power in that section that reads "the Lieutenant Governor in Council may exempt any ore taken from a mine". The power is there, but is a smelter any good to people in Ontario if it is built in British Columbia?

The Minister says it is, I disagree with him very severely.

Mr. Speaker, I would just like to leave that and go to the $50,000 allowance that is part of this bill. The $50,000 is supposedly to allow the marginal mines to stay in existence. Well, I feel that in some cases it will do just the opposite; it will do just the opposite.

We have many, many mines. The marginal mines stay in existence with a $10,000 exemption, but there are many of those that have laboured on under that $10,000 that will make their $50,000 in a year, and they will not be in business the following year. Contrary to the belief that it will entice them to stay in business, it will entice them to close down, because anything over the $50,000 they would pay in taxes. I fail to realize the rationality behind exempting the first $50,000, and then charging 15 per cent tax on the next $1,000.

In my opinion it means that a company within any reasonable area around the $50,000 will close their doors for three or four months a year, as happened in Cobalt many times. They will close their doors for some months of the year before they make over that $50,000.

Some of them will close down and open up again the next year under another name, as many of the Cobalt mines have done. So rather than being an enticement for a marginal mine to stay in business this will be just the opposite; it will be an enticement for a lot of marginal mines to get as much as they can in one or two years and then get out.

Something else that has bothered me, Mr. Speaker, is the way the assessment is made on mines profits tax, and as my colleague for Lakeshore has said, there really is no criteria. Often it is left up to the assessor to make his own judgment of the profits, and many times this assessor will accept the company figures on profit.

They will accept the prices as arbitrarily set by the company and this is particularly true in the case of a captive mine where a company like Jones and Laughlin Steel sets a price in the United States for ore that they are going to buy from their own mine. Who is to say they are wrong? Who is to say they are right? And yet our assessor will accept the price that is put out by the company, maybe at $16 a ton or $20 a ton, the price that is arbitrarily set by a company that wholly owns the mine that is selling the ore.

I will agree with my colleague that until this department sets out some criteria for the assessor to be guided by, then it does not make much sense that we base our taxation on mines profit on company information.

In winding up, Mr. Speaker, I believe my colleague has said most of what I would have to say. All I can add is that we welcome the Timmins smelter and we would welcome any smelter that is built in Ontario. We would welcome any mining development. But unless we, as the people of Ontario and we, as the people of northern Ontario, who are more directly affected by any mining development, until we realize a fair return for our mining resources, then any announcement of a zinc smelter or a mining development is going to to mean to us very short term benefits without any guarantee that within 10, or 15, or 20 years we will not be back in the same situation we are in today with mines closing down and towns going bankrupt.

Mr. Speaker, because of that we cannot support this bill and we intend to vote against it.

Mr. Speaker: Does any other member wish to participate in the debate?

Mr. J. Renwick: Mr. Speaker, I wanted to comment very briefly about one or two portions of the implications of the bill for the province of Ontario, indeed, for Canada.

I certainly am sorry that the electors of the member from the riding of Lakeshore were not here this afternoon, to have had the opportunity to hear the member expound in an incisive and delightful and fascinating manner about the implication for the province of this particular bill. There is little question that had they been here it would have ensured his re-election.

Mr. Lewis: It was magnificent, Mr. Speaker. I know you would want the House to confirm it.

Mr. J. Renwick: We want to record our tribute.

Mr. V. M. Singer (Downsview): How are we voting tonight? Did you say, or does the other fellow say?

Mr. M. Gaunt (Huron-Bruce): Who is the leader tonight?

Interjections by hon. members.

Mr. Pilkey: Be quiet or we will bring Judy in again.

Mr. J. Renwick: I am only brought into the discussion of the principle of the bill, Mr. Speaker, because of the remarks of the member for Port Arthur.

The member for Port Arthur seemed to believe that for some reason or other there was a very delicate operation in which he and the Minister of Mines were engaged, in order to make certain that those who wanted to invest in the mining resources of Canada would not flee if the Minister of Mines were, for example, to blink his eyes too rapidly, or to cough in their face—they might just disappear.

I want to point out that, unless the determined action of government is taken, as evidenced in the written word in the next bill which will undoubtedly be debated in this House, we can only speak of the northern frontier of this country as an American frontier because it is an American resource frontier. It is Canadian in a geographic sense and in a governmental sense, but when one studies the depletion of the resources in the United States, one finds the continuing fact of Canadian history. There s a terrific impingement by American capital to replace the depleted resources in the United States by resources which are available close at hand in a stable economy and in an area in which they know they can invest their capital at a very fine return on it.

I think in that kind of a bargaining situation the Minister of Mines need not be particularly concerned that, somehow or other, capital will flee this country, because capital will not.

The member for Port Arthur seemed to be under the misapprehension that, in some way or other, the bill which is before us is exacting additional tax revenue for the province. My understanding of it is—and I stand to be disabused by the Minister himself when he speaks—my understanding of it is that, in fact, it consists of a series of substantial tax concessions to mining companies which are engaged in resource development in Canada and in the province of Ontario.

Now if the Minister wishes us to believe that this particular taxing statute is going to produce substantial additional revenue, I hope that when he comments in the bill he will point out to us how this will be done. The provisions for the deduction of development expenses, for example, is a concession to the mining industry. There is a recovery provision with respect to depreciation. There is an increase in the minimum income which is required before mining companies become taxable. But as I read the bill in its substance, it consists of a series of concessions by the Minister to the mining industry, and all I am simply pointing out to him is that he need not be unnecessarily timid or concerned about the remarks by the member for Port Arthur.

I close my remarks with the one survey which has been done in the United States in depth about the resources which have been subjected to depletion in that country, and the Paley report, which is now some years old but is still a very good guide as to the extent to which the resources of the United States have been depleted and as to the extent to which they will look to Canada as the major source from which they will replenish those depleted resources.

The Paley report provided that of 29 key commodities, Canada was specified as a probably major source of supply for 12. The 12 which were listed are nickel, tungsten, copper, lead, zinc, cadmium, bismuth, aluminum, titanium, fluorspar and asbestos. The report did not deal with other than mineral product in the widest sense of the term. Therefore I think that, because we are in this kind of a bargaining position, where the United States will see us as a major source of supply, I think that the Minister can very well lean on the stick and avoid the carrot, so far as the exploitation of the mineral resources in Ontario are concerned.

There is an old saying that capital will come and will be invested where it can, in fact, make a return. That capital does not as such have any nationality, any allegiance, or any moral connotations to it. If it can come to an economy in which there is a stability, in which that investment can be made over a long period of time, and a return can be earned, then you can be certain as the day follows night that in fact capital will flow to this abundantly endowed province of Ontario to exploit its resources.

The plea of this party—and the consistent plea of this party—has been that, to the extent that capital, whether it is Canadian capital, or Ontario capital, foreign capital, or United States capital, whatever the connotation may be that is applied to it, that in the exploitation of the resources of this province, a substantial part of the profit that is earned and of the surplus which is created and of the capital which is produced by the exploitation of those resources, will be used here in Ontario for the benefit primarily of the communities in which those mineral resources are found and in which they are exploited and secondarily for the benefit of the whole of the province of Ontario.

I think the Minister, Mr. Speaker, is moving slowly in that direction. I say slowly because, of course, it is 70 years ago that the government of the province of Ontario established this principle in definitive terms for the lumbering industry in Canada—for the forest products industry. It was consistently applied for many, many years until it fell into disuse, not by statutory abrogation but by disuse of the government.

But the reason why we have in the province of Ontario a thriving processing industry in the field of forest products is because of the courage and stand and determination of the governments in the early part of this century. I am simply saying that 70 years later the Minister of Mines has brought in the bill which is the following and companion bill to this particular statute to again assert the public interest in the province of Ontario in the processing of the resources of this province within Ontario, or within Canada.

If the member for Port Arthur has for some reason or other weakened the will of the Minister of Mines, my brief remarks in this debate are simply again to stiffen his spine and to hope that he will insist more upon the public interest in the province of Ontario in the exploitation of those resources in the light of the depletion continuous and recurring in the United States of those resources of which we happen to be abundantly endowed in the province of Ontario.

Mr. Speaker: Do any other members wish to speak to the bill? The hon. leader of the Opposition.

Mr. Nixon: Mr. Speaker, all of us in this House are deeply concerned about regional disparities in this province. I am quite sure that the citizens of the town of Timmins are not so concerned about the means used by this government or even by the government in Ottawa who contributed, I suppose, to the enticement, if you would care to use that word, that finally decided that Texas Gulf would locate their Kidd Creek refinery in the town of Timmins. I am surprised that the hon. member for Timmins is not involving himself in this debate along the lines that have been put forward so strongly by the deputy leader of the NDP and those who have spoken before, because we are concerned about regional disparity. I would say heaven help this Minister and that government if because there has not been sufficient government leadership that particular refinery had been lost to us. When we talk about the next bill and the requirement that ores in Ontario be refined in Canada, we will have something further to say. However, in my view, Ontario, which could be very rich in electrical power, has lost this position of pre-eminence in the last few years but may regain it.

Interjection by an hon. member.

Mr. Nixon: We certainly hope we can regain it.

Interjections by hon. members.

Mr. Nixon: This province, through a series of governments, has established the Ontario Northland Railway which has at its direct disposal and as a function of its policy, the awarding of assistance in transportation. Surely these are two features of enticement, if you wish to use that word—and there are many better words—for the assistance of communities in the northern part of this province which have been left in the lurch by many policies of this government and the government in Ottawa in years gone by. I would say that, in this regard, we support the bill. I am concerned, Mr. Speaker, I am concerned further, that the tax concessions that are, I would think, a more far reaching part of the principle of this bill, have been never fully explained to the members of this House.

What it would mean for the development of any particular ore body, the one in Timmins is the one I have chosen as an example, and some others associated with it, are of great concern—

Mr. J. Renwick: The member for Lakeshore explained—

Mr. Nixon: Well, the member for Lakeshore—I have heard of the Lakeshore mine but I do not think it is in his particular area.

I would have liked to have heard from the member for Timmins, who is basically concerned with the fact that his town, standing or living on a mother lode of riches, was in fact an area that had to be designated by the federal government because this government took no definite steps to see that industry of any sort, mining industry or even secondary industry, were brought into that part of Ontario, that part that has suffered from regional economic disparity to such an extent. These bills are of great importance.

I personally do not believe that the government is selling our birthright down the river, I would say that it is essential that government policy see to it that the northern part of our province is developed. It is quite easy for some of the members in this House who live in the centre of Metropolitan Toronto and who are quick to say that all the bills needed for the programmes they are concerned with, can be paid by the mining industry and the resources. It is easy for them to say that, but I do not hear the member for Timmins saying it.

We are going to divide the House on this particular bill, we are going to divide the House and those who are interrupting me will have an opportunity to cast their vote as they see fit and to express their views on any occasion. But certainly I am here to say that one of the biggest problems we have is in providing the economic wherewithal so that those citizens who are equal and better than many of us who have sought to make our lives in easier parts of this province, that those citizens who live in the far reaches of northern Ontario in situations where they have every commitment to the community and their family that we have and perhaps more, have an opportunity to see some future. They are going to participate in the wealth of the province in a way that is not necessarily the way the leader of the NDP is so quick to see it, and that is that the taxes will be extracted from the companies and returned for their particular use, but that the industry will be there in the first place.

I refuse to be tarred with any kind of a brush that is wielded indiscriminately by someone to the left, that would say that I or my colleague, the hon. member for Port Arthur is prepared to sell out the resources of this province. That is absolutely ridiculous and I will not accept it. I would certainly hope that the Minister of Mines would not accept it either. The approach taken by the deputy leader of the NDP is irresponsible in this regard. It is an easy political approach, that somebody else should pay our bills, and he uses this at the drop of every hat. Where are you going to get the money, they say; fine, the mining industry will pay the bills. I think the mining industry can pay most of the bills, but I am also concerned that the development of this industry be directed to the northern part of this province. I believe that the Minister was pussyfooting when he put his restriction just to our nation, rather than to our province, but that is something we will deal with later.

So we will support the bill; we do not think it is perfect. On the other hand, however, it is a vehicle which will direct industry to the northern part of our province and that is what we want.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have various thoughts on this bill. I have something to say about the gold mining industry.

Interjections by hon. members.

Mr. Ferrier: If you will just wait, I will say a few things. My own feeling is—and I am going to go against my party on this bill, but be that as it may—I think as far as the gold mines are concerned, Mr. Speaker, this bill will probably strengthen them and goodness knows they need strengthening in my riding. I feel that if this tax is now on them, were taken off, there would be a possibility of the unions, in their negotiations with these companies, to speak with a much firmer hand.

It was mentioned by the leader of the Opposition that the area to the north was designated by the federal government. This is true, it was designated by them through the efforts of Arnold Peters who is the MP for Timiskaming. I had mixed thoughts as far as the concessions that are granted to Texas Gulf are concerned. They are a powerful American company; they have been given a $6.5 million grant. We have concessions that are given in this Act, the Minister mentioned Hydro rates, and rates for sulphuric acid on

the ONR and this other concession or write-offs, one wonders if when these kind of things are given to a company, how much is going to come back to the province. One also wonders if this kind of money is available for private foreign owned industry. Why there cannot be a much more public policy towards mining, and from the public purse, more money put in to develop this industry.

Private companies such as Polymar not only pay their taxes, but pay the dividends back to the country. The country benefits in two ways from the public investment. One feels that this kind of thing should go on in the mining industry and that really a socialist policy would be the answer to the development of the north, and be the best use of our money rather than giving it away.

I am somewhat concerned that our north is being bought by the Americans. Somebody said that the Americans were shooting all kinds of capital into the north, I do not think they are. Another thing that concerns me is that our own stock markets in Canada are not putting very much of our Canadian money into the development of the north. Fifteen or twenty years ago, there were millions of dollars put into developing the mining industry and the petroleum industries of the West, but now our stock exchanges and investment houses are diverting this money across the border to buy American stocks and put their money into these conglomerates and so on. They are not putting it into the development of Canada, and there are mineral resources in the north that could be developed. I am concerned about this.

I am somewhat concerned that the *Northern Miner* of April 10 says that over 50 Canadian mining companies seek minerals outside the country. I would hope that our Canadian mines would be channeling what money they had for development into our own Canadian mining, for exploration and development of our own Canadian mining industry, rather than shooting it out to other countries.

Mr. E. A. Winkler (Grey South): Has the member spoken to his colleague from High Park?

Mr. Shulman: We see eye to eye on this.

Mr. Ferrier: I am speaking for myself. I know that I am taking an unpopular position, but sometimes one has to do this.

I am concerned that Canada is being bought out by American firms, and that the Canadian people have a sort of complicity in this whole thing, that we are shooting our money out, and that others are coming in and we are being taken over. This country is not being taken over by arms; it is being taken over by money, subtly, but it is being taken over quickly. I am concerned that our mining companies are among those that are shooting money out.

I am not altogether happy with this bill. As I say, it makes large concessions; however, I took the position in this Legislature that this Minister and this government should do everything possible to bring the smelter to Timmins and to provide development and growth for that area, and I think that our future is an awful lot more bright because of the fact that it is there. I suggested, perhaps, that there might be Hydro concessions given and that the ONR might make special concessions as far as transportation is concerned. Therefore, Mr. Speaker, when the vote is taken, I will be voting with the government on this one.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, this is a sad night for the province of Ontario, when we get the official Opposition siding in with the government on a bill of this nature, which is nothing but a complete sellout to the mining companies. It is my feeling, Mr. Speaker, that the time has long since passed when we should be going to mining companies cap in hand and saying, "Won't you please come in and take what is left of our natural resources." This is what is happening in the mining industry.

I can take you up into the riding of Thunder Bay, where we have dying communities that were built and owe their existence to the mining industry. All that is left are a few shacks, a few people who are ill-trained to do any other kind of work, who have no outlook for the future at all, because their town owes its existence to a depleted resource. We have seen fit to give these mining companies tax concessions, write-offs, depletional allowances. Now we are faced with trying to woo one of the richest mining co-operations on the face of the earth, Texas Gulf Sulphur, into the northern part of our province, to develop and exploit a $2.5 billion ore body with our own money. They are going to spend something like $50 million on a smelter, 18 miles from Timmins, and there is actually about $26 million from the public purse to help them exploit a $2.5 billion ore body.

The government should have the intestinal fortitude to stand up to these companies and say, "Yes, you can come in and develop our resources, but we want a little bit more than the wages that are entailed in mining it, or a hole in the ground left and a dying community that does not have a viable base in order to provide the services once they are gone."

I think that the time has long since passed when we could say the resources that we have are only developable and exploitable by attracting in foreign capital. I think the time has come when government must stand up to its responsibility and say, "If you do not develop these resources, or do not care to develop them on our terms, we will develop them ourselves for the benefit of the people of this province."

Mr. Speaker: Order!

Mr. Stokes: We have ample evidence that Crown corporations are workable, and they will work to the benefit of the majority of the people of this province and this country. I think we have ample evidence that we have the ability to do this. We have the capital to do it. All we lack is the will to do it, and I say it is time this government and this Minister stood up to these mining corporations and said, "If you do not develop our resources, on our terms for the benefit of all of the people of the province, we will do it our selves withour own resources, for the benefit of our own people."

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: Mr. Speaker, a few moments ago when my—

Interjections by hon. members.

Mr. Shulman: You have all night, gentlemen. A few moments ago when my colleague from Timiskaming was commenting on this bill, the Minister of Mines asked which bill we were discussing. We know the Minister of Mines has suffered in recent weeks from foot-in-mouth disease, but even allowing for this little problem, perhaps this most recent gaffe explains the problem he had in drawing up the bill. He just did not understand what he was doing because he was not paying attention. We have heard a great deal of talk tonight about these vast sums of American money that have been poured in to develop the north. I happen to have the figures here on Texas Gulf, because I have done a great deal of research on this particular problem in recent months—

Mr. G. Ben (Humber): Is the member a shareholder?

Mr. Shulman: No, I am not a shareholder, I have not made a penny on the company yet, but I am going to make a great deal because I have a book coming out about it very shortly.

Interjections by hon. members?

Mr. Speaker: Order!

Mr. Shulman: Mr. Speaker, try to keep the rabble in order so that we can get some facts on the record. Texas Gulf poured a huge sum of money into developing the Texas Gulf mine at Kidd Creek. They spent $500 for a two-year option. At the end of the two years they bought all of the mineral rights for $18,000, plus ten per cent of the profits, which go to a rather rich member of the establishment who lives in Hamilton.

Hon. A. Grossman (Minister of Correctional Services): Would the hon. member not rather be rich?

Mr. Shulman: It is a pleasure to be rich and be able to be here and tell the government members all the things they are doing wrong, and there is so much they are doing wrong.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Shulman: That is what it cost Texas Gulf to buy this mine. Now, admittedly they spent money in exploration. They dug a lot of holes, they flew a lot of air, before they found the Texas Gulf mine. They spent $3 million in total.

Hon. Mr. Grossman: How much.

Mr. Shulman: Three million dollars. Now, let me tell you what they got back. 1967 was the first year they started digging this ore out, while the Minister of Mines was sitting on his rear end not doing a darn thing about it, because the member from Timmins had not yet put a little needle under there to get him moving. In 1967, the sales and earnings of Texas Gulf were the highest in the company's history by a wide margin.

President Claude Stephens said that the Kidd Creek mine had made a substantial contribution to the company's increased sales and earnings. Earnings went from $2.80 per share to $6.15 per share in one year. The next year it went on up to $6.99 a share. In

other words, the Texas Gulf people had discovered an ore body worth, they admit, something over $2 billion.

Now, it is worth a great deal more than that, because drilling has been done in addition to the 55 million tons which they admit blocking, and they have not released the results of that drilling, and they do not intend to release the results of that drilling in the immediate future. What was the question?

Mr. J. Jessiman (Fort William): Have you been to Saskatchewan recently?

Mr. Shulman: No, I have not been to Saskatchewan recently, but this explains, perhaps, the thinking of the member for Fort William who knows as much about his subject as perhaps the member from Port Arthur, but I have been up to Kidd Creek mine. I was up there two weeks ago, and I stood in that pit, and I went through their mill, and I know this subject, and I know how much money they are taking out of it.

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Shulman: This company had ten million shares out before they made their three for one split; those ten million shares went up $100 a share.

An hon. member: So what?

Mr. Shulman: Wonderful, except all that profit went to the United States of America, it did not come to Canada. There was not one shareholder in Canada; 99.9 per cent of those shares were held in the United States.

Mr. G. A. Kerr (Halton West): Why did Canadians not buy them?

Mr. Shulman: To answer the question from the member from Halton West, the reason Canadians do not buy them is because Texas Gulf has never seen any reason to list their shares here. They have never seen any reason to issue a Canadian subsidiary with Canadian stock, because the government here, and the government in Ottawa, have not taken the necessary tax steps to make this attractive. It is very very simple. Poor government is responsible.

Interjections by hon. members.

Mr. J. W. Snow (Halton East): I bought them in 1965.

Mr. Shulman: Ah, now there is a Canadian who bought stock. I am glad that the member from Halton East bought shares. It appears that you have to be in government, in the Conservative government, to know which stocks to buy. Well, perhaps they have better connections than the public have. But the public did not buy the shares, because I have gone through the shareholders list and the stock is owned by United States citizens, and the profits have gone to the United States of America because we have poor government.

Mr. Singer: Keep it up, you are getting to it.

Mr. Shulman: Well, they spent $500 for an option on a $2 billion ore body, and we have the Liberals here to my right in their usual confused way, saying for goodness sake do not make them pay taxes, we might upset things. What poor understanding. And then we have the Minister, who we know is bright enough to understand but who perhaps cannot move against his Cabinet colleagues, who say: Goodness gracious, Inco might stop giving us the donations we receive if we start putting in proper taxes.

May I say, through you, Mr. Speaker, to the Minister of Mines, there is at least one official with whom I have had the opportunity to have some social intercourse at Texas Gulf, whose opinion is that the only reason that Texas Gulf was forced, and they were forced, to put their smelter in Timmins, was they made the crucial and horrible error, before the last election, of not making a suitable donation to the Conservative Party, unlike the other large companies who are not put in these awkward positions, because they are more foresighted. Perhaps this lesson has sunk in and before the next election I presume Texas Gulf will fall in line with all the rich companies who know who to pay off, and who is buyable. Certainly we know. It is you.

Hon. J. R. Simonett (Minister of Energy and Resources Management): A point of order, Mr. Speaker.

Mr. Speaker: Order; please on a point of order.

Hon. Mr. Simonett: I wonder if the hon. member would tell the House the money spent by Texas Gulf to develop that mine at Timmins.

Mr. Speaker: Well that is hardly a point of order.

Hon. Mr. Simonett: Well, I think the House would like to hear, I think this was misunderstood the first time.

Mr. Speaker: If the hon. Minister wishes to direct a question to the hon. member for High Park, and the hon. member wishes to answer it, it is quite in order.

Mr. Shulman: I am getting into it.

Hon. Mr. Simonett: I wonder if the hon. member would tell the House the money spent by Texas Gulf to develop that mine at Timmins.

Mr. Shulman: The point of order, Mr. Speaker—

Mr. Speaker: It is not a point of order, it is simply a question.

Mr. Shulman: But on a point of order, I will just explain, through you, sir, to the Minister, that if he wishes to ask a question, he must first ask permission of the member.

Mr. Speaker: Will the hon. member for High Park answer a question from the Minister.

Mr. Shulman: I would be delighted to answer any question from that Minister.

Hon. Mr. Simonett: Mr. Speaker, may I ask the hon. member if he would repeat again the money spent by Texas Gulf to develop the mine at Timmins.

Mr. Shulman: I would be delighted to go into some detail on that subject, if you indulge me Mr. Speaker.

Mr. Snow: All we want is the facts.

Mr. P. J. Yakabuski (Renfrew South): This is the voice of authority.

Mr. Shulman: Yes, it is the voice of authority; one year's study has gone into this subject.

Mr. Speaker: Order. I must point out to the hon. member for High Park that the question was for a specific amount of money rather than a detailed elaboration.

Mr. Shulman: I certainly would want to give only the details of the amounts of money, and nothing more than that, Mr. Speaker, to explain to the quack quack from Fort William, who is making the noises on my extreme right.

Mr. Lewis: Well, that is the most notable thing he has contributed to the evening.

Mr. Shulman: It may be the only speech he has made since he came to this House.

Mr. Lewis: No, no. He has made others of equal absurdity.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Simonett: Give us the figures if you will, please.

Mr. Shulman: Yes, I would like to, if you can keep your back benchers quiet for a moment. It is unfortunate, Mr. Speaker, that the Cabinet members are not aware of this but the exact cost is as follows. In November 26, 1963, they put down one drill hole which came up almost pure ore. The cost was $14,839.76. This allowed them enough information; they stopped all drilling, putting a tree which they dug up, over the hole they had put down, so that no one would know what had been discovered. They then went out, Mr. Speaker, and in the next six months, without doing any further drilling, bought up all the land around for many, many miles, and that is what it cost them to make this tremendous discovery.

From there on in, their costs were something like 1/100 of 1 per cent of the ore they took out because they did not have to dig a mine; it is an open pit, you just shovel the stuff out of there, take it down to the United States and sell it—two billion dollars worth—my guess is four billion dollars worth.

Interjections by hon. members.

Mr. Shulman: It did not cost a penny because as the ore came up it was immediately saleable and the cost came right out of the profits; it came out of the ground. Does the Minister not understand anything?

Mr. Speaker: Order. It seems to me that the question and answer period should now be discontinued. We shall get back to Bill 111.

Mr. Shulman: Mr. Speaker, the Minister of Mines is probably not aware of this but an event of high significance has occurred in another country which affects Texas Gulf, Ontario and the whole mining industry and our relations with United States capital.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker, what bothers me is the comparative lack of knowledge of the Minister of Energy and Resources. If he knows nothing, we are in very, very bad shape as regards water and air pollution.

Interjections by hon. members.

Mr. Speaker: Order. Order. The hon. member for Humber has a point of order?

Mr. G. Ben (Humber): This heated crossfire is causing my bouttonniere to wilt.

Mr. Speaker: Will the hon. members of the House please take note as regards the hon. member's contribution.

Mr. Shulman: Mr. Speaker, a very significant event has occurred in recent weeks in Peru. The government there, supposedly a pro-American government, has stepped in and taken over, literally without compensation, United States-owned natural resources companies. They say they are giving compensation, but in return for the compensation they demand back an equal amount of money which they say was exploited out of the country by the Americans concerned.

Mr. Winkler: Is the member in favour—

Mr. Shulman: The significance of these events is that they are going to affect everyone in Ontario, and seriously—

Mr. Yakabuski: What about Czechoslovakia?

Mr. Shulman: In *Business Week* of last month, in *Time Magazine*, in *Fortune*, this event has received a great deal of attention. Unfortunately, it has probably not yet sunk through to the Conservative benches. As a result of this event a very serious disturbance has occurred in United States capital, and in the United States government.

Quoting from *Business Week*:

> The United States government is now encouraging United States capital to do their developing in Canada because it is an area which is politically stable, and where—

Interjections by hon. members.

> **Mr. Shulman:** —where the alternative to the Conservative and Liberal ruling parties is the reform party, who everyone knows in the United States is a moderate party which will improve the relations between the two countries. In addition to which, they know that taxes may increase here, but there are not going to be expropriations or the other horrible things that have occurred to United States capital in Africa, in Asia and now in South America.

So no matter what the Minister of Mines does, even if he screws his courage up before the next election and brings in a proper tax bill, the United States capital is still going to come here because the United States government directs it here. And if United States money comes here, they are still going to explore here, because this is the best place in the world to explore, and when they do find it, they ring the jackpot. And not just United States capital—

Mr. Winkler: Would the hon. member permit a question? Does he agree with that Peruvian takeover?

Mr. Shulman: Of course I do not agree with expropriation anywhere in the world. However, I do believe —

Interjections by hon. members.

Mr. Speaker: Order! The hon. member for High Park has the floor.

Mr. Shulman: I am answering a question—

Mr. Speaker: There was no question directed through the Chair.

Mr. Shulman: That is typical. Does the member wish to direct questions to the Chair?

Mr. Winkler: Mr. Speaker, if I may, I would put that question to the member for High Park through the Chair.

Mr. Shulman: What was the question?

Mr. Winkler: My question was, does he agree with the Peruvian takeover of the American interests?

Mr. Shulman: No, of course not. But I would say this, that in Peru as in anywhere else in the world, the people in the country deserve a share of the profits—

Mr. J. Renwick: Hear. Hear.

Mr. Shulman: —a fair share of the profit and one—

Interjections by hon. members.

Mr. Winkler: Mr. Speaker, inasmuch as the member has answered that question and has permitted another one, I would ask him to reconcile the second paragraph on page 136 of his book—something about making a million dollars:

> Alas, the obvious is not always the truth. The fact is that except in unusual circumstances, such as were earlier described, one is better advised to buy US securities. The reason is very simple, with U.S. securities one has more security.

Interjections by hon. members.

Mr. Speaker: Order! Does the hon. member care to answer that question?

Mr. Shulman: Mr. Speaker, I believe this question has already been answered.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Shulman: Mr. Speaker, that question was already answered by the member for Halton West, who pointed out that he bought shares in Texas Gulf. The only person clever enough to do so. This is the reason why it is better to buy shares in American companies because you do not get rooked, and the reason you do not get rooked is because the United States has proper securities legislation. Here in Ontario we have an incompetent Minister of Commercial and Financial Affairs (Mr. Rowntree) who has not brought in proper legislation. That, I say, is the reason why it is better to buy American securities.

Mr. Lewis: We do wish you would buy the hard-cover edition—the royalties are larger.

Hon. Mr. Grossman: I know, but this way it comes in handy for other purposes.

Mr. Speaker: Order!

Mr. Shulman: Mr. Speaker, to get back to the subject—we were diverted somewhere—because of the developments and capital fears in the United States, there is going to be a tremendous amount of American capital pouring in here. We should take advantage, we should help them get started, but we should not give them *carte blanche*. The President of Consolidated Goldfields in South Africa, one of the largest companies in the world, is here in Toronto today—

An hon. member: How do you know that?

Mr. Shulman: Because I am one of the shareholders in one of his Canadian companies—

Interjections by hon. members.

Mr. Shulman: If the Minister of Correctional Services has a question, I would be pleased to answer it, otherwise I would like to continue on the subject.

The president of Consolidated Goldfields was here in Toronto today and he spoke on exactly the same subject. He said Canada is the safest place in the world to invest your money because of the political situation, because of the lack of expropriations. Send your money here from South Africa and that is what they are doing.

They are pouring millions of dollars into Canadian development. They are not going to stop doing that if we put in proper tax laws. It is going to come here anyway. The only difference is, the people of Ontario, the people of Timmins, will get a fair share of it. They are not getting a fair share of it now, even with your arm twisting which the Minister has done to force Texas Gulf to put the smelter into Timmins for which idea, I give full credit to the member for Timmins—

Mr. J. Renwick: Hear, hear!

Mr. Shulman: The Minister of Mines did not make a move until the member for Timmins got up in this House and forced him to do so. Even allowing for the fact that he only reacts when somebody sticks a needle in him, he did react and he did twist their arm, and he did force them to spend $50 million up near Timmins, which they are going to do. This will put another 200 or 300 people to work. All to the good, but we are still not getting a fair share because your laws are not properly drawn. You are not aware of the problem, and if you are aware of the problem you cannot get it through that neanderthal cabinet.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Shulman: Well, now I have concluded my comments, Mr. Speaker, except for two minor points in the bill.

Hon. A. F. Lawrence: Surely you can understand what is written.

Mr. Shulman: The bill itself was dissected in a remarkably succinct and clever way by the member for Lakeshore, and I do not wish to repeat what he has said. But there were two minor points which I find very disturbing in the bill. One of them I presume was a mistake and I presume the Minister will change it. This has been mentioned by the member for Timiskaming briefly, this matter of $50,000. Perhaps the Minister has not considered the problem.

As the bill now reads if a mine earns $50,000 it pays not a penny of tax. If it earns $51,000, it pays 15 per cent on the whole thing. Well now, the obvious abuse which is going to come into this Act is that once mines that are earning under $100,000 category reach the $50,000 level they are just going to stop producing for that year.

There is a very simple way the Minister can avoid this particular problem. It will bring in slightly less income, and although we in principle wish more income, we do not want mines shutting down for three or four or six months.

The taxation level should begin at whatever the cut-off point is. I think it should be less than $50,000 myself. I agree with the member for Timiskaming, I think it should be somewhere between $10,000 and $25,000. But whatever level it is, that amount should be exempt and your tax should begin immediately above that because otherwise you are going to run into abuses and evading of the tax, one way or the other.

I hope the Minister will agree with me on that point.

Now the other point, which he probably will not agree with me on is that the Lieutenant-Governor may accept any amount he thinks is fine; in case there is a dispute, and the company cannot pay. Well, of course, this is nonsense. The tax is on net profits, so there cannot be any question that the amount is not correct. And this particular exemption, which is worded in the bill, is an extremely dangerous one.

I am reasonably sure the present Minister would not be as subject to some of the pressures as some of his predecessors might have been—or as some of the people that follow him might be. What disturbs me, Mr. Speaker, as I look about the chamber opposite me is that this particular Minister will not always be there.

If, by some ghastly, horrible mischance, he were to be removed from our midst, and one of the other backbenchers were to take his place, I shudder to think, Mr. Speaker, of what might occur with this particular clause in the bill—of the abuses—of how Texas Gulf might be completely exempted from paying any taxes whatsoever.

This is an exemption which can only lead to trouble, Mr. Speaker; and, through you to the Minister, I would suggest that there is no reason for that exemption. There is no reasons why anyone should be exempted.

If the tax is so much on profit, it should be; if it is 15 per cent, everyone should pay it. It is like saying that, in income tax, we are supposed to pay 20 per cent or 30 per cent, but someone will pay and someone else will not pay, depending on what the Minister decides, or the Lieutenant-Governor decides.

There should be no exemptions. It is not a question of hardship. It is a tax on a profit, nothing more, and nothing less. It is a stupid exemption which is put in in case someone happens to give a very large donation to the Conservative Party before the next election. It should be taken out. This should not be negotiable. Thank you, Mr. Speaker.

Mr. Speaker: Does any other member wish to participate? If not, the hon. Minister of Mines. Does the hon. member for Fort William wish to participate in the debate?

Mr. Jessiman: Could I ask the hon. member for High Park a question?

Mr. Speaker: No, that would be out of order.

Interjections by hon. members.

Mr. Jessiman: If he agrees, and I quote from page 137—

Mr. Lewis: It has become a sort of biblical text for you.

Mr. Jessiman: It is wonderful. I quote: "It is with difficulty that I, as a Canadian—" this is your book. "—must recommend, other factors being equal, buy American."

Mr. Lewis: Mr. Speaker, on a point of order.

Mr. Speaker: On a point of order.

Mr. Lewis: On a point of order, are you permitting this as a discussion of the principle of the bill, Mr. Speaker?

Mr. Speaker: Well, I suggested to the hon. member for Fort William that if he wanted to enter the debate he could do so. But I have not noted his participating in the debate. So he would be out of order.

Mr. Shulman: On a point of order. Since the matter has been brought up, I thought you might find it of interest to know that I was called today by the department of consumers affairs in Ottawa who informed me that that particular book was now used as a reference book in matters referring to the stock market.

Mr. Speaker: The hon. Minister of Mines has the floor.

Hon. A. F. Lawrence: Mr. Speaker, it is very nice to come along and hear all of these complimentary remarks and complimentary words.

May I merely say to the hon. member for Riverdale that I too join in his welcome to the people who may be in the gallery

tonight from Lakeshore; and may I also say to the hon. member for Riverdale, that I too regret that they were not here this afternoon. Perhaps for completely different reasons. As these people can see tonight, the House is in a real jokester mood, obviously.

It may be fun—it may be ridiculous in the eyes of some people. But, at least, they are seeing what goes on in this House sometimes when the members are filled with conviviality, as they are tonight. But the greatest joke of all, of course, was when he indicated that their member, this afternon, made an incisive, fascinating speech. Really! It is really an indication to them of the type of humour that we understand so well in this House tonight.

I would like to speak, if I could and try to rebut some of the mellifluous phrases from the hon. member for Lakeshore this afternoon. For some strange reason, he accuses me of acting covertly in some of these matters. Somebody else from his own party, a little later on—and they did not use the same phrase at all—was indicating that nothing that I was ever involved in could be done in a delicate fashion.

This again, is a measure of the consistency, the organization, and the beautiful co-ordination that we are hearing tonight from all sides of that NDP group.

In all seriousness, I do want to congratulate the hon. member for Timiskaming. I have only been in this House for 12 years, and during that time, if there has been any single political group in this House that has been tightly knit, tightly organized, tightly disciplined, it has been the NDP group and their successor the CCF.

Mr. Shulman: Get his name right—

Hon. Mr. Lawrence: I am sorry, the member for Cochrane South, not Timiskaming. I just want to say to him that I am sure the decision he is making tonight is what he obviously believes is the right one for the people in his area—when he votes for this bill. I have never before seen a split in the NDP ranks when it comes down to a vote, and I can congratulate him for it. I really do.

Mr. Shulman: Point of order, Mr. Speaker.

Hon. Mr. Lawrence: Yesterday we—

Mr. Shulman: Point of order, Mr. Speaker—

An hon. member: Sit down—

Mr. Shulman: I am sure the hon. Minister Mr. Speaker, would not want to mislead the House. I personally am aware of at least two occasions when our party has voted as conscience required, in different directions. The member for Oshawa did so just last year on the matter of EMO.

Ken Bryden, when the Conservatives wanted to raise everyone's salary, got up on a matter of principle, and voted against that matter. Those are two occasions I know.

We know, Mr. Speaker, that the Minister of Mines has always been inaccurate. But this time he is completely wrong.

Hon. Mr. Lawrence: Well, Mr. Speaker, you can see how these rare, very rare, occurrences have been engraved in marble over there. When they can be—

Interjections by hon. members.

Hon. Mr. Lawrence: For the member for Riverdale, of all people of course, to come along and speak tonight in a manner that differs from the obvious words of conscience that we have heard from the member from Timmins. This is a pretty poor example, indeed, when yesterday we heard a little bit of his own mental outpourings. But he did not have the courage to stand by his convictions last night in the House.

But enough of this hooferah. Let us get down for a change to Bill 111.

Now, as for the member for Lakeshore, Mr. Speaker, I really do not know if he was trying to put in time this afternoon or not. But again fascinated by the flow of his own verbiage, he continued with a rehash, and rewarmed, four or five paragraphs in an outdated report that was presented to this government a couple of years ago—in respect to matter that even he, himself, rebutted and threw away, and paid no attention to, in respect to select committee deliberations a little while ago.

The hour and a half, or whatever it was, that he took up of the House's time this afternoon, was devoted really to a rehash of about four or five paragraphs from chapter 32 of the Smith Committee report. Except that the Smith Committtee report, and I use the words of the member for Riverdale, said it much more incisively because they compressed it down to about eight or nine lines —whereas the member for Lakesbore took about an hour to say it.

We have not accepted, sir, the suggestions and the paragraphs relating to this matter in the Smith Committee report, his is obvious. This is obvious to everybody.

One of the matters that he brought up, for instance, was when with great thundering

phrases, he said: "why is not the mining tax Act, why does it not come under the jurisdiction of the Minister of Revenue?"

"At great expense," his words were. "At great expense we have set up this new department with this new Minister. This is the taxing statute, why is it not under there?" Solely and simply because I have gone to great pains the government has gone to great pains, to indicate that we are not utilizing this particular statute as a revenue-producing statute.

Clearly, simply—I cannot put it any clearer than that—if it was a simple taxing revenue statute, we would put it under revenue. It is not.

I want to use this—and I welcome the words of the leader of the Opposition, because I think he has been reading my speeches lately. We want to use this statute and we want to use this department as one to help promote job potential, jobs in the north, development in the north and that is why—

Interjections by hon. members.

Hon. A. F. Lawrence: Perhaps the member for Lakeshore, knowing that his people were coming in tonight, was in the House this afternoon so that he could say he was here this afternoon. But on at least three occasions in this House in the last three weeks I have indicated that we want to utilize The Mining Tax Act as a vehicle for promotion of northern development, not for revenue. If he was not here to hear me, I repeat it again now.

Mr. Lawlor: A complete sell-out.

Hon. A. F. Lawrence: Another argument he came up with this afternoon, Mr. Speaker, related to the emergency gold mining assistance from the federal people. The EGMA—we have had a very good rebuttal of this, I think, from one of the member's own party.

But certainly, this government and this department and this Minister, are quite worried about the whole situation respecting gold. I do not want to get into the pros and cons of the gold standard as far as international finance is concerned, but obviously the gold mining aspect of the mineral industry in this province is not doing as well as it should.

It is not doing it because the men in the industry have not been working hard. It is not doing good solely because the management have not kept up with technological changes. It is not doing as well as it should because of a number of other reasons that have been mentioned, including the depletion of the gold. Obviously, there is still gold in those gold mines.

The reason why our gold industry is not as healthy as it should be is solely and simply one fact. I defy any member of this House to point out to me any other product—and we are one of the three main gold-producing nations in the world—if they can show me any other product that has had its price artificially pegged since 1938, at a time when labour costs have gone up, at a time when equipment costs have gone up. All costs have gone up and this is the main reason why Ontario's gold mining industry, as I have indicated to you, has not been going as well as it should. It is because we are tied to this artificial price of gold and if we could remove that, I think the gold mining areas of this province would be doing much, much better than they are.

Now one other argument that the hon. member for Lakeshore brought up was his continual reference to the special allowances given by our mines assessor in respect of nickel producers.

Mr. Speaker, there is no special allowance built into The Mining Tax Act for nickel producers. This, again, was another figment of Mr. Smith's imagination. This part of that report came up with false conclusions because it was built on false facts—something that I think Mr. Smith himself would be quite willing to admit. There is no special allowance for nickel producers in this province.

Mr. Lawlor: INCO never said so in their brief.

Hon. Mr. Grossman: The hon. member should never have brought his constituents tonight.

Hon. A. F. Lawrence: And by using the arguments and by using the phrases, and by using the statements he did, it was a dead giveaway that he was not even using his own material.

In any event—

Mr. Martel: He quoted from it.

Mr. Lawlor: He backed it up, too.

Hon. A. F. Lawrence: In any event, the member for Lakeshore—I wish, by the way, that he had turned the page of the Smith report as well, because one other argument that he used, of course, is an argument that the Smith committee itself knocks down and

attempts to disabuse the minds of some people.

The hon. member for Lakeshore said: "Why not soak the mines? Why not hit them right where it really hurts? All these foreigners coming in—why not really grind their nose down on the grindstone? Why not hit them for all their worth, because, after all, their expenses and their payments under The Mining Tax Act are deductible under the federal income tax as well—"

Mr. Lawlor: Mr. Speaker, on a point of order.

Mr. Speaker: Point of order.

Mr. Lawlor: The point of order is that the Minister is misleading the House. I said nothing of the kind. I am sure the other members can vouch for that. I simply said they should pay their fair share and that you are subsidizing them.

Mr. Stokes: Based on ability to pay.

Hon. A. F. Lawrence: The actual words, as I took them down, were that the expenditures that the mines would make under The Mining Tax Act and these were the words, "are readily deductible under the federal income tax." Those were the words he used.

Mr. Martel: He did not say—

Hon. A. F. Lawrence: All right. My point is, if he continued his great researches just two pages more he would have found that the next three recommendations of the Smith report actually ask us to go to Ottawa and say to them, "please make these expenses completely deductible under The Income Tax Act".

Mr. Lawlor: That is why Smith is with you and not with Carter.

Hon. Mr. Grossman: He did not want to be confused with the facts.

Hon. A. F. Lawrence: But in any event, Mr. Speaker, let me move on—I am glad to see I have him red in the face, in any event.

But the main point, Mr. Speaker, the main point recurring—and it is about the only point recurring through the main theme, recurring through the NDP argument that we have heard tonight—is that the mining operators and mine management people are a bunch of foreigners coming in here who are dragging out our God-given resources and we are getting nothing back.

Why are you giving more concessions, the plea goes up to the Minister of Mines? Why, why do you permit them to do this? Why do you not hit them for more taxes? Man, their research on this tonight is really something. Just let me tell you, sir, what we are doing in the way of the amounts of mining taxes, if I can find it.

In 1967, sir, the mining tax collected in this province was $14 million. Out of this, the government was paying a mining municipality grant to the municipality. In 1968, with this mining municipality grant which amounted, I think, at that point to about $8 million—this is just last year—the revenue from the mining tax increased to just over $19 million.

Now they come along and say, "Why are you continuing to give it away? Why is there not an increase in the mining tax?" Sir, from $19 millions last year, in this forthcoming year of 1969, not only will there be an increase to $26 million as far as expected revenue is concerned, but as well many of the mines will have to pay a municipal tax as well in relation to their processing.

So on the recurring theme—the only one that has been co-ordinated through any of their arguments today about putting the nose of the foreign mine owners to the dear old grindstone, why do we not get any more money out of them—I say, please, do more research next time, because these figures have been available and they have been indicated. We are increasing the tax.

Interjections by hon. members.

Hon. A. F. Lawrence: We are increasing the tax, sir. We cannot tax the processing profits. This is a factor that I think the hon. members have missed. But on top of this, if they want to come along and say our increase to $26 million is not enough—

Mr. Lewis: May I ask the Minister if he would permit a question?

Hon. A. F. Lawrence: No, just keep your coat on and ask me afterwards.

Mr. Lewis: My coat is fine. Will the Minister—

Hon. Mr. Grossman: He said no.

Mr. Speaker: Order, please!

Hon. A. F. Lawrence: Even if they do come along, sir—

Mr. Lewis: On a point of order—

Mr. Speaker: The hon. member has a point of order.

Mr. L. M. Reilly (Eglinton): There is no point of order.

Mr. Speaker: I will determine whether it is a point of order.

Mr. Lewis: On a point of order—

Mr. Speaker: Does the hon. member for Scarborough West have a point of order?

Mr. Lewis: I do not know whether I have a point of order until I put it.

Hon. A. F. Lawrence: Sir, may I suggest to you that I think the rules are really being bent drastically, if not being absolutely broken. If the hon. member has not the honesty to tell you, sir, then he knows it is not a point of order that he is rising on.

Interjections by hon. members.

Mr. Speaker: Order! With all respect to the hon. Minister and all members of the House, it is up to the Speaker to determine whether or not there is in fact a point of order. I believe any other hon. member has the right to rise on a point of order at any time. I will therefore hear the remarks of the hon. member for Scarborough West to determine whether, in fact, it is a point of order.

Mr. Lewis: Indeed, Mr. Speaker, I now have a point of personal privilege as well, my shining integrity having been impugned by the Minister.

Mr. Speaker: Will the hon. member proceed?

Mr. Lewis: My point of order, sir, is to ask you, as Mr. Speaker in the Chair, a question You permitted earlier this evening during the course of the members' remarks on second reading, a question of the member while he was speaking. I rise on a point of order to ask you whether that may be permitted, in this instance, of the Minister.

Mr. Speaker: I would say that it is not really a point of order although I think the question is fairly put. The Chair had permitted questions from certain members to others during the debate on this particular bill. If the hon. Minister wishes to reply to a question, it will be in order. I believe the hon. member for Scarborough West has stood in his place and asked the hon. Minister whether he would permit a question, and the Minister would not permit it.

Mr. Lewis: No, I did not—

Mr. Speaker: The Minister has said no.

Hon. A. F. Lawrence: If I have really tarnished the shining image of the hon. member for Scarborough West; my goodness, that shining image being tarnished—

Interjections by hon. members.

Mr. Speaker: Order!

Hon. A. F. Lawrence: It must be SO_2 fumes that are doing it, I am sure.

In any event, if the point that the member for the NDP was going to make—and it could well be a legitimate point, sir—was that $26 million even in the forthcoming taxation year of 1969 is not enough to get from the mining companies, this may be legitimate, sir, except for this fact: I believe the innuendo in his mind, and in the minds of the rest of the members, is that this is the only taxation levied against mining companies. I would point out to them, sir, that the mining tax is over and above all of the other corporation taxes, income taxes and what-not that are levied against every other industrial manufacturing or resource industry and company in this province and in this country.

Interjections by hon. members.

Mr. Speaker: Did the hon. member for Timiskaming have a point of order?

Mr. Jackson: It is this, Mr. Speaker: The Minister is misleading the House when he says it is an extra tax, because a producing manufacturer must buy raw materials and this tax—

Mr. Speaker: I think that is not a point of order; it is merely the member's opinion.

The hon. Minister has the floor.

Hon. A. F. Lawrence: Thank you, sir. In any event, I just merely want to point out that the mining—

Mr. Shulman: Mr. Speaker, will the Minister accept a question?

Hon. A. F. Lawrence: Mr. Speaker, could I point out to you that I will gladly accept questions at the end of my address rather than during it. You are not hearing me, sir? Let me repeat it: I will not accept any questions during the course of my remarks. All right?

Mr. Speaker: I might point out to the hon. Minister that the procedure in the House does

not permit questions to be asked after the Minister has completed his remarks.

Hon. A. F. Lawrence: Not at the end of my remarks, sir? If you so rule. Would these be admissible just before I sit down?

Mr. Nixon: Oh, make your speech, for heaven's sake.

Hon. A. F. Lawrence: The Opposition delayed things for weeks on end; give us a chance to delay.

Interjections by hon. members.

Hon. A. F. Lawrence: In any event, may I re-emphasize that the mining tax is a further additional tax levied on the mining industry in this province over and above all the other normal taxes levied against every other industry and every other process in our industrial complex. Certainly, it seemed to me that the impression was trying to be left that this was the only tax or the only revenue available to the province for the wasting of these irreplaceable assets, and the privilege that the mining companies do enjoy for taking this matter out—which does belong to the country as a whole, there is no question about it.

The member for Timiskaming, though, has been really trying to get into the act. May I merely point out to him and throw back to him a quote, when he said, and I am sure some of his constituents will be very interested to hear his attitude on this, "We get very little out of mining and can see no reason for its existence." He said that, and I am repeating it now for him in the hope that he is going to hear that statement a great deal more in northern Ontario in the years and months to come, and maybe he wants to correct the record now.

Mr. Jackson: Mr. Speaker, is that an invitation to correct—

Mr. Speaker: The hon. Minister has the floor.

Hon. A. F. Lawrence: I was rather amused, sir, at the picayune, petty little efforts of the leader of the Opposition to try to claim that big brother in Ottawa was the one responsible for getting the smelter in Timmins.

Mr. Nixon: That is the way they see it in Timmins, picayune as it may seem.

Hon. A. F. Lawrence: There is no question that the $6.5 million grant from ADA was of great assistance to this particular company in placing a smelter in any designated area in Canada. But to claim, sir, that this was of great assistance to the company in placing this smelter in the Timmins area and in the Timmins area alone, is not worthy of the hon. member.

Hon. Mr. Grossman: They should have brought it into my area.

Hon. A. F. Lawrence: And we turn then, sir, to the remarks of the hon. member for Thunder Bay, who indicated it was a great shame and probably a loss of dignity and prestige that the Minister of Mines would have to go cap in hand to those dreaded, foreign, nasty American interests to get them to build a smelter in Timmins and to provide incentives for them.

May I merely say, sir, that the incentives and the encouragement and the consultative advice that has gone to Texas Gulf Sulphur in respect not only of The Department of Mines, but other departments of this government—we have all been working on it as a team effort—were not to get them to build a smelter in Canada. They were told, and they were told in no uncertain terms, that they had to build a processing plant in Canada. The encouragement and the incentives that were provided by this government, sir, were provided to get them to build it in Timmins, and I defy any other member to say that this is something we should not have done.

Finally, sir, it is just not worth wasting the time of the House, but I really must refer to the words of the hon. member for High Park when he talks about this forthcoming book of his relating to Texas Gulf Sulphur. It sounds, sir, like a pre-release from a publisher, but nevertheless, we are not all that ignorant over here of what is going on, and of who writes what, and of the manuscript that the hon. member has purchased to use as a book in relation to this, and all I can say to the hon. member is simply this—

Mr. Shulman: On a point of order, Mr. Speaker.

Mr. Speaker: Point of order.

Mr. Shulman: The Minister has just lied. I demand a retraction. He suggests I have purchased a manuscript. I have never purchased a manuscript. I demand he retract.

An hon. member: Quack, quack, quack, quack.

Hon. Mr. Grossman: The Minister is spoiling his shining image.

Hon. A. F. Lawrence: I guess I am tarnishing another shining image, Mr. Speaker, but, let me merely say this, that certainly there has been information and writing in relation to this forthcoming book, and according to my information there was a manuscript purchased by the hon. member. If he says this is not true, of course I retract immediately and apologize to the hon. member. And I shall check my sources.

Mr. Shulman: Then I apologize for using the word I did in relation to the Minister.

Hon. A. F. Lawrence: All right. But I hope the figures in his book are going to be a little bit more reliable than the figures he gave to the House tonight.

Hon. Mr. Grossman: He will never sell it.

Hon. A. F. Lawrence: When he indicated that Texas Gulf, in their pre-production expenses in relation to exploration here is only $3 million, I can say to him that I know a man of his wealth—a million here a million there does not really matter very much—but he is out by approximately $3 millions.

It is not three millions. Our information is that it is double this. And, of course, the pre-production expenses, as far as the actual exploration is concerned, is a mere drop in the bucket. My information, and I may be wrong, is the total investment in pit and plants alone, excluding the exploration expenses, amounts to about $62 million.

Mr. Shulman: It came out of the profits.

Hon. A. F. Lawrence: Now, Mr. Speaker, this ain't hay. If the hon. members want to make extreme and harsh statements to scare off foreign capital in this country, this is their prerogative, and this is the place for them to do it. But I say that we ourselves have matured as far as our own economic potential and our own God-given good sense is concerned in relation to investment in this country.

I would invite the hon. member to look at Canadian investments because he has got the money. If they want to make these harsh statements and scare them off, fine and dandy.

But the fact of the matter is that we ourselves, in our own market, are not generating the mass of capital that is required to develop our own north. I deprecate this, and I am sure the hon. member does, but I just do not feel at the moment that government can look over everybody's shoulder, wave a big club at them and say, "We do not want your money here." We may have to if we are going to develop the north.

No Canadian shareholders in Texas Gulf? I am no apologist for Texas Gulf by any means, but again, if that is the type of information that is going to appear in this book, he had better check his facts. As a matter of fact, there is a wholly owned, very large Canadian corporation that is the second largest shareholder in Texas Gulf stock.

Mr. Speaker, I have not really gone into the general principle of the bill on second reading because, quite frankly, the purposes, the objectives and the way in which we are attempting to achieve our objective of northern development in the north, primarily for northerners, was covered at the time I made the statement at the first reading. And now if somebody wants to ask me a question, I would be glad to attempt to answer it.

Mr. Speaker: There will be no further debate. When the Minister resumes his chair it concludes the debate on second reading.

Hon. A. F. Lawrence: Well I had not quite sat down.

Mr. Shulman: Will the Minister accept two questions.

Hon. Mr. Lawrence: Yes.

Mr. Shulman: The first question is about the $26 million of mining tax. What percentage is that of the total profits brought in by the mining companies?

Hon. A. F. Lawrence: That is not, obviously, all the tax that goes to the tax revenues sections of either the province or the federal government. I cannot tell you what the total corporation taxes paid to the province by the mining companies are because I have nothing to do with that. I do not relate mining tax strictly and solely as a revenue-producing vehicle of this government. Instead, I look upon it as a means of promoting the public policy of this government, which is to promote—

Hon. Mr. Grossman: Helping the member for Timmins to get re-elected.

Hon. A. F. Lawrence: —to promote northern development in this province.

Mr. Speaker: No questions from that side.

Mr. Shulman: I said there were two questions. To put it in perspective, how much are the net profits of the mining companies in Ontario this year, or last year?

Mr. Kerr: What is the difference?

Hon. A. F. Lawrence: In relation to the total tax take, do you mean?

Mr. Shulman: I could not tell you. That is just what I am saying. What is the process? And the final question in relation to—

Mr. Speaker: I have ruled that the normal procedure on second readings is that when the Minister takes his seat this concludes the debate. I think there should be no further debate on this bill.

Mr. Lewis: On a point of order, Mr. Speaker. Lest the Minister have inadvertently misled the House, perhaps he could tell us what the wholly Canadian owned company is that is the second largest shareholder in Texas Gulf.

Mr. Speaker: There will be no further questioning or debate on this bill.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Lewis: On a point of order. I appeal to the Chair. The Minister has made a categorical statement during his debate on second reading. I am suggesting that he may have inadvertently misled the House and I would like to know the name of the company.

Hon. A. F. Lawrence: Is the claim that I have misled the House? If so, I would like—

Mr. Speaker: The debate has been concluded, and there should be no further questioning or cross talk about this particular bill.

Mr. Shulman: On a point of order, Mr. Speaker, while the Minister was still on his feet, I rose and asked if he would accept two questions. He said "yes", and I placed one of those questions which was on the amount of profit.

Mr. Speaker: Order! The hon. member placed two questions. There will be no further questions or debate. The motion is for second reading of Bill 111. Those in favour of the motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Interjections by hon. members.

Mr. Shulman: You cannot appeal a vote you have won.

Mr. Speaker: Order! I must point out to the hon. members that I declared the "ayes" had it in favour of the motion, therefore the motion is carried on second reading.

Mr. Ben: Mr. Speaker, I rise on a point of order.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: Mr. Speaker, over five members on the government side rose for a recorded vote.

Mr. Speaker, I point to you that in this House, I am recorded as being the only vote against the majority vote when the Prime Minister himself rose in this House to have a vote recorded. I was so incensed by that Act that although I was, in the first instance, of the opinion that I would support the government and did on a voice vote, I alone stood against the government.

I was the only member in this House that stood against that when the Prime Minister himself demanded a recorded vote when the House was unanimous. Here the House was not unanimous, and now I demand that you give cognizance to the members that stood on the other side, and take a recorded vote.

An hon. member: That is the rule.

Mr. Ben: That is the rule.

Mr. Speaker: Well, I might say that I had put the motion for second reading. I asked for a voice vote on those—

Mr. Ben: It carried, but six people rose.

Mr. Speaker: —on those members in favour of the motion. I expressed my opinion that the "ayes" had it, that the motion was carried.

Hon. Mr. Grossman: Mr. Speaker, with all due respect, if I may, those who want to ask for a recorded vote, stand after the Speaker declares how he heard the vote.

Mr. Singer: Mr. Speaker, could I address myself to this point?

Mr. Speaker: All right.

Mr. Singer: With the greatest respect, sir, I cannot quickly find it, but the rule says:

> That after the "ayes" and "nays" have been asked for by the Speaker, he gives his opinion as to who has won, and if five members then stand in their place, the members have to be called in and polled individually.

Mr. Speaker: I may say that I agree with the hon. member for Downsview. I do not recall in my experience that this has happened. It may have. In my thinking it was

merely a matter of challenging the vote when the Opposition or otherwise wanted to challenge the Speaker's opinion of the voice vote. If it is a matter of requiring a recorded motion, and the five members have risen, this indicates to me then, as pointed out by the hon. member for Downsview, and I appreciate his clarification, that it is a case of calling in the members, which I now do.

Call in the members.

The House divided on the motion by the Hon. A. F. Lawrence for second reading of Bill 111, which was agreed by the following vote:

Ayes	Nays
Allan	Burr
Apps	Davison
Auld	Deans
Bales	Gisborn
Ben	Jackson
Bernier	Lawlor
Boyer	Lewis
Brunelle	MacDonald
Bukator	Martel
Connell	Pilkey
Deacon	Pitman
Demers	Renwick (Riverdale)
De Monte	Shulman
Downer	Stokes
Dymond	Young—15.
Edighoffer	
Evans	
Farquhar	
Ferrier	
Gaunt	
Gilbertson	
Gomme	
Good	
Grossman	
Guindon	
Haggerty	
Hamilton	
Haskett	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Innes	
Jessiman	
Johnston (Parry Sound)	
Johnston (Carleton)	
Kerr	
Knight	
Lawrence (Carleton East)	
Lawrence (St. George)	
MacKenzie	
Meen	
Morningstar	
Morrow	
McNeil	
Newman (Windsor-Walkerville)	
Nixon	
Paterson	
Price	
Randall	
Reid (Scarborough East)	
Reilly	
Reuter	
Root	
Rowntree	
Ruston	
Sargent	
Simonett	
Singer	
Smith (Nipissing)	
Snow	
Spence	
Stewart	
Trotter	
Villeneuve	
Welch	
Wells	
Winkler	
Wishart	
Worton	
Yaremko—69.	

Clerk of the House: Mr. Speaker, the ayes are 69, the nays 15.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: The hon. member for High Park now has the floor on a point of order.

Mr. Shulman: My point of order, sir, is that prior to the bell being rung and this vote being called, I had risen on a point of order simultaneously with two other members. I was on my feet each time as the two other members made their points. They were both allowed to make their points on a point of order. It was in connection with the calling of the vote; they were both in agreement.

The point I wished to make was not in agreement. The Deputy Speaker was sitting in the Chair at the time and refused to hear

me. As such when he called the vote, I said he should not call it until having heard my submission on the point of order. He went ahead in any case, sir, and on that ground I say, sir, this vote was not properly taken.

Mr. Speaker: I will be most pleased to listen to the tape and hear the allegations from both sides of the House as to when the bell rang, and consult with the Deputy Speaker, who was in the Chair, and be glad to advise the House as to my findings tomorrow. At the moment there is nothing more that I can do about the matter.

Mr. Ben: On a point of order, Mr. Speaker, if I may. Mr. Speaker, I think it is irrelevant whether the hon. member was on his feet or was not on his feet when the bell started to ring. The rules and procedure of parliamentary debate are that the person must catch the Speaker's eye and not just be—

Mr. Speaker: Order. The hon. member may be quite right. But I think the hon. member for High Park is entitled to have Mr. Speaker look into this, and I have said that I would. I will consult with the Deputy Speaker and also the tapes, which will give the bell ringing, and I will be glad then to deal with the matter on the basis of the submissions by both the hon. member for High Park and the hon. member for Humber, both of whom have points.

If the hon. member for Humber wishes to add anything further he may, but what he has added is a well-known fact and that is why I wish to speak to the Deputy Speaker. A member must catch the Speaker's eye before he has the floor. Likewise, if the division bells have gone, there is no further debate and the matter is then ready for the vote.

If that covers the points of the hon. member for Humber, then I will be glad to hear him. It is obvious he has something else.

Mr. Ben: It does not, Mr. Speaker. I find myself in the embarrassing position of having to take issue with the Speaker to protect the dignity of the Speaker. The Speaker who was in the chair—

Mr. Speaker: Order! The hon. member will resume his seat while the Speaker is on his feet. I advise the hon. member that I am delighted to have the office of the Speaker and his dignity protected, and I shall do my best to look after that with the co-operation of all the members. Now, if the hon. member has a point of order without any preamble or additions, I will be glad to hear it. If, on the other hand, he merely wishes to protect the dignity of the Speaker, then I do not think it is a point of order.

Mr. Ben: Mr. Speaker, the hon. member for High Park rose on a point of order claiming that he had been on his feet before the division bells rang and, therefore, he was entitled to be heard before the division bells rang. The Speaker occupying the chair called for a division and the bells rang.

I suggest that on following the rules of practice, the Speaker in informing the hon. member for High Park that he would listen to the tapes to determine whether or not it could be decided whether he was on his feet before the bells rang, implies that it is being on one's feet that determines whether a person should be heard or not, and not catching the Speaker's eye.

My submission is this, that if the Speaker's eye was not caught by the hon. member, then it is not incumbent upon someone to overrule what has occurred simply because the Speaker turned a blind eye.

Now, Mr. Speaker was not in the chair at the time. The Deputy Speaker was acting as the Speaker and to give credence to what the hon. member for High Park is asking is to condemn the Deputy Speaker who is acting as Speaker for having failed to see a member

Mr. Speaker: It is quite obvious that the hon. member for Humber has no confidence in Mr. Speaker or the Clerk of the House who would review this matter, because I am sure that Mr. Speaker is quite capable of determining the matters which he has raised. I mentioned that I would determine and that I would hear the tapes and that I would speak to the Deputy Speaker. I shall do so and I shall report to the House.

THE MINING ACT

Hon. A. F. Lawrence moves second reading of Bill 112, An Act to amend The Mining Act.

Mr. Knight: Mr. Speaker, I rise to speak to this Bill 112 and to support the policy, the principle that is, of this bill, because in many ways it is the answer to the suffocation of many of the people I represent in the north. It certainly is an answer to the efforts of many a mining Opposition critic in this House in the past, especially my hon. colleague from Sudbury.

I think there are many speeches in the records of this House that indicate conclusively how hard he has battled for this ore which is removed from the province of Ontario, and that it be refined, that it reach its finished state here in the province of Ontario.

Mr. Speaker, the hon. member for High Park, in debate of the previous bill, indicated that I was no expert in mining. He was absolutely right, much as I resented the fact that once again he is attempting to pull himself up by pushing other people down.

I do not stand here as an expert on mining, but I do stand here as a person who has been with the views and the feelings of the people of northern Ontario for at least nine years; in a position to know what their feelings are. I am very proud and happy to convey those feelings to this House.

I would be remiss if I did not congratulate the Minister once again, even though he did not choose to acknowledge my congratulations in my words on the previous bill when he rose to make his comments. I still think he is entitled to some congratulations, as is this government, for moving ahead with new vigour and acting on suggestions that this party has made many times in the past.

There are a couple of loopholes though, Mr. Speaker. The bill suggests that these ores be refined in Canada. I, too, feel that they should be refined in Ontario and more specifically, in northern Ontario, because it should be pretty obvious where the jobs are needed, where industry is needed in this province. Certainly, northern Ontario is obviously underdeveloped, and now that the government, in the Minister's own words, is making an effort with these revisions in The Mining Act to enhance northern development, then it should go all the way.

I think that this bill should state specifically that these ores should be treated and refined at site, wherever they are obtained, to be fair to any mining developments which are not definitely in northern and northwestern Ontario.

The refinery operation, of course, being at mine site in northern Ontario, Mr. Speaker, means a multitude of jobs and that is what we need. This type of extended operation also means that there is going to be more development in northern Ontario, and so, Mr. Speaker, this is one part of this bill with which I would have to take some exception. I think that the Minister and the department should go all the way and state definitely, "Refine at the mining site or within a certain proximity of the mining site," with all due respect to the feelings of the people in northern Ontario.

The other loophole I see here, Mr. Speaker, is the fact that the Minister is given too much power. This bill makes allowances for certain exceptions to the rules that are indicated in the first section of this particular bill. Namely, that these ores or minerals raised or removed from the land here in Ontario be refined in Canada.

The section or whatever you call it after that, the next clause, states: "The Lieutenant-Governor-in-Council may accept any lands, claims or mining rights from the operation of this section for such period of time as seems proper".

Well, who has that power really? It falls back to the Minister I think and he can correct me if I am wrong. This seems like a weakness to me. It is putting power in somebody's hands, here the Minister or the Cabinet. But certainly exceptions to the rule can be made, and I am worried about these exceptions.

I would not like, for example, to see a fantastic nickel discovery and, following that development in northern Ontario, some decision for some reason of this government that it should be refined down here in southern Ontario, making an exception to this rule.

I am taking hope and encouragement on behalf of my people from this bill that this will ensure that finally, once and for all, the Lakehead area for example will get a smelter and refinery and all the jobs that go with that. People in the Lakehead have been talking about smelter for so long now it is not funny. I think they had some hope that my predecessor, the Mnister of Mines at the time, would be able to bring a smelter up to that area. I am sure at times he had hoped that he would be able to. I am sure in his own way he worked toward that end.

Well now, his successor, this hon. Minister, has taken definite steps so that we really have that hope. But I am wondering whether because of this loophole in this particular bill providing exceptions to that rule, if we may not be building our hopes up for nothing. I certainly hope the hon. Minister will allay my fears on this matter, and explain exactly to whom that power falls and under what conditions.

Mr. Speaker, we on this side support the principle and we are hoping—certainly I am hoping—that eventually we may change that part of the first section in this bill from "refined in Canada" to "refined at the site",

possibly even "northern Ontario", and that exception to this rule will not be too broad.

Mr. Speaker: The hon. member for Timiskaming.

Mr. Jackson: Mr. Speaker, I will be very brief. I remarked on this same clause in the previous bill, and I do not intend to waste the time of the House again in going through it.

I regret, the same as the hon. member for Port Arthur does, that it does not read "Ontario" instead of "Canada", and we will be at the Minister over the next few years to get it changed. I further regret, Mr. Speaker, that it took the Minister two years to bring in this bill, two years and much urging.

Hon. A. F. Lawrence: One.

Mr. Jackson: The Minister says, "one." I hesitate, because if he will think back when he was first put into office, he mentioned this. In my recollection, it was before I came to this House and that is two years ago.

Hon A. F. Lawrence: I wish the member would tell the Treasurer that, I would get paid for that. It just seems like two years.

Mr. Jackson: Anyway, we regret it took him as long as it did because it would have saved a lot of time in this House, when we as the Opposition were up here trying to urge him to put through the very same amendment. Congratulations, I believe, are in order to the Minister. I can only hope that he is enlightened a little further and changes that one word "Canada" to "Ontario", in the next session.

Mr. D. C. MacDonald (York South): Mr. Speaker, I put a question to the Minister this afternoon and he waived his opportunity to reply to it at that point in favour of second reading of the bill. So I raise it now.

I wonder in light of the development yesterday and today as to whether or not the government is not beating a fairly significant retreat from the objectives set forth in this bill. The objectives set forth in this bill state, in the explanatory note, that the purpose is to make certain that all ore mined in Ontario shall be processed in this country. Yesterday, the Minister, to cope with what appeared to be new circumstances that had been brought to his attention, indicated that he had dropped back to a 51 per cent figure; in short, before the bill had even gotten second reading, the objective was cut in half, from 100 down to 51, which if that speed is maintained we will have no bill left by the time we get to third reading. However, the specific point that interested me was a comment attributed to the Minister in the *Globe and Mail* this morning on page B-8, the business section, which states:

> Mr. Lawrence said outside the Legislature yesterday that 23 of 66 mining companies in the province would be forced out of business if the government insisted this requirement be met. Therefore, the government had decided 51 per cent would be an appropriate figure for existing operations.
>
> New mining companies, however, would have to meet the 100 per cent requirement.

That seems to raise a number of questions, some of which I put to the Minister this afternoon. But, an overriding question, before I return to those, is, how come the Minister learned only at this stage of the implementation of a bill, which presumably with a new and vigorous Minister who is on the ball, he would have known of the full effects of his bill. After he gets it introduced he discovers it is going to put 23 out of 66 companies out of business. Does the Minister confess that his assessment of the impact of this bill was so inadequate that he was not aware of the fact that he was going to put 23 out of 66 companies out of business? That is almost as bad as a Walter Gordon budget, which has to be reshaped three times inside of the next three months. In fact, if there are 23 companies of the 66 which in the Minister's view are now going to be put out of business, quite frankly I would be interested to know what those companies are, and what the other 43 are, that presumably can survive the 100 per cent imposition.

A second point I would like to raise is that it seems to me there is an unfairness in the proposition that those who now happen to be in mining operations in the province of Ontario, can revert back to 51 per cent, for how long is not yet clear. It was for that reason that I put to the Minister the question, "Is this retreat from the 100 per cent processing in Canada permanent or temporary?" and, "If only temporary, when will the 100 per cent processing in Canada become obligatory for companies now in operation?" It seems to me there is an element of unfairness in giving these companies any great length of time to accommodate themselves to the full objective of this bill as originally introduced in the House when any new company is going to have to meet the 100 per cent immediately.

So, my question to the Minister is, would he answer these various questions, but particularly why he had to beat such an early retreat on such a noble objective?

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: Just a few points, Mr. Speaker, it is nice to see the government finally, like so many other things, steal from this party, ideas, location and so on. I am glad they have seen the light after these number of years.

The two points I would like to raise are quite similar to those of the leader of the New Democratic Party. What criteria will be used in granting exemptions to this bill and what criteria will be used in trying to fix locations for smelting processes and so on? These are the only two points I would like answered. Other than that, I would like to compliment the government on advancing our policy.

Mr. Speaker: The hon. member for Cochrane South.

Mr. Ferrier: Thank you, Mr. Speaker. I am very happy to see the Minister introduce this bill because it is very much like the bill that I introduced about a year ago and it is nice to see that they sometimes take ideas from this side of the House.

This whole idea of processing in Canada and Ontario, has been one that has been discussed very thoroughly in my community in the last few months. You have people who believe that pressure, even force, should be brought to bear on companies to have them process their ore near the mine site. You have other people like the manager of one of the mines in Timmins, who believes that government should not say anything to mining companies, that they should sit around and do everything to help them out. Goodness knows, if you bring any pressure to bear, you are going to so disrupt this free enterprise system that it is going to collapse overnight. This man resigned from the Porcupine Development Commission on this issue.

Those of us who live in the north have seen our resources taken out in trainloads and other ways, to be processed elsewhere. The people of our communities have done the dangerous job, the hard jobs, the low-paying jobs, and then we see the resources go out to be processed elsewhere. These people get the higher paying jobs and the minerals are used for secondary industry and they are sold back to us at a much higher rate. Other people are benefiting and have benefited at our expense, and it is a good thing to see that a stand is now being taken.

We in the north have watched, as I say, our wealth go out and mining companies, in the main, have been rather remiss in putting very much back into the community. That seems to be free enterprise at its worst, as it has gone on, and this government has allowed it to persist. But, now with this bill to be enacted, it looks like things are looking up, although I share the opinion of other members who have spoken of the danger in this bill because of the exemptions which are granted under it. One wonders really whether it will make that much difference. I would think, however, that in view of this bill, that the Minister would now be in a position to start pushing for a steel complex up in the northwest. He has the ammunition to do some real hard pushing in negotiation, if he has the will so to do.

I remember last year when I introduced my bill to this effect, that the *Northern Miner* threw up its arms in horror that a member of the NDP would suggest that ores be processed in Ontario and Canada. It was an unheard of thing; it would ruin mining. They would not even lower themselves to mention my name or the mayor of Timmins at that time. Well, it was one of the lowest of the low kind of things to take this stand.

Now, they have sort of come around and they are making a few complimentary remarks about the Minister's policy, that he is plunking for home industry and with the exemptions he grants, and if he is not too hard, does not wield a big stick, why, they will go along with him.

Well, I suppose that free enterprise has got to try to adjust to changing circumstances and I hope the Minister is prepared to push companies in this way and do some real hard negotiating. I think that the north is just beginning to open up. I hope that there are more and more ore bodies found and that it will be feasible to build smelters and processing plants in the north.

I share the feelings of these others who have spoken who suggest that, where possible, the ore should be processed near the mine site and the communities that are there should not take dangerous, low-paying jobs, but should have the other benefits that go along with processing.

I also think secondary industry has a good chance of developing around processing facilities in a way that is not otherwise there. I know that it has not happened this way as much as the people in Sudbury would like,

but we hope that, with some real leadership in the community and from the government, that this will in fact develop in our area and in other areas where there are processing plants. We hope that secondary industry will come in and that there will be diversification and that a wide variety of jobs will be available. So that the people of the areas where the ore is taken out will be able to get more of the benefits that should rightly be theirs than has hitherto been the case.

I think this 1917 date has persisted far too long in this bill and it is still present in some of the Lands and Forests legislation and it would be a good thing if the Minister of that department went to his Acts and took this date out and made regulations that apply after—

Mr. Speaker: Perhaps the hon. member will stay with the principle of this bill, which is a mining bill, and not a Lands and Forests bill.

Mr. Ferrier: Thank you, Mr. Speaker. I have only one more thing to say. Some of the federal Liberals are sort of saying that this is a futile Act—that it really did not have much effect on the situation in our area, bringing the Texas Gulf smelter to that area. They said they had to jump in and do the work for the Minister.

I cannot quite share their views. I think that this kind of bill, when enacted, and if the Minister does not use his discretionary powers completely for the benefit of the mining industry but pushes for this province or this country, then it is going to be a real help to the north.

Mr. Speaker: Is there any other member who wishes to take part in this debate before the Minister? The hon. Minister.

Hon. A. F. Lawrence: Mr. Speaker, I welcome the calmer atmosphere of the debate on this particular bill than on the previous bill, because it certainly is indicative, I think, of the seriousness in which the members have approached this problem. They are both intertwined, at least, but I am glad to hear that, if perhaps a little grudgingly, the Opposition is ready and willing to at least give us on this side of the House at least an E for effort with respect to this particular issue, if nothing else.

Mr. MacDonald: It took us two generations to achieve it.

Hon. A. F. Lawrence. The hon. member for York South says that it took two generations for us to get it done and whatnot.

This is an old familiar refrain, you know. As I said, I have only been in the House here for 12 years and I have heard this suggestion to the economic growth of northern Ontario advanced from all sides of this House, among all parties.

There have, I feel, been very valid reasons in the past why this government and previous sets of governments have not gone ahead with this thing. We feel the time is right now to do it, but the old familiar refrain here, of course, echoed by the member for Cochrane South, is that, well, we—he means himself—we really thought of this first. It may be, but after all, actions speak louder than words. We are doing it. That is it.

As I understand it, sir, the argument—

Mr. MacDonald: Sounds like Paul Martin.

Hon. A. F. Lawrence: Holy smoke! As I understand it, sir—

Mr. MacDonald: I know that is below the belt, but—

Mr. Lewis: That is the unkindest cut of all.

Hon. A. F. Lawrence: —as I understand it, the argument from the hon. member—I promised myself that I would try to keep this within reasonable bounds and not get excited about it, although it is an exciting prospect to get involved in.

In any event, the hon. member for Port Arthur came along with the argument that the member for Timiskaming also made earlier and repeated here—the question about the wording of the Act respecting whether the processing should be done in Canada, or whether it should be done in Ontario.

Now I think it is indicative of something, sir, that the only member of the NDP that has picked up this particular argument is the member for Timiskaming. But I would like to draw to your attention, sir, that I believe the hon. member for Port Arthur was really speaking for his party on that. Because the weekend before last, there were a number of speeches made throughout northern Ontario by the official leader of Her Majesty's loyal Opposition on this particular subject.

If I can believe the press reports—and maybe they are wrong—but he was reported quite widely in Canadian Press wire stories to the effect that, while the government was coming along with legislation forcing these companies to do their processing and their

refining in Ontario, that what the Liberal Party of Ontario was really standing for was that this processing would be done in northern Ontario, rather than Ontario as a whole.

Mr. Nixon: Right, right! That is the way it should be done.

Hon. A. F. Lawrence: And he says "right". Well, sir, I really resent those misrepresentations, because at no time have we said that we would insist that it be done in Ontario. There is a real point here—

Mr. Knight: Well let us hear it.

Hon. A. F. Lawrence: We are not that parochial—

Mr. Knight: They are worse.

Hon. A. F. Lawrence: We do not want to set up interprovincial trade barriers. We do not want to set up any more customs agents than we now have across this country. We are not yet willing—

Mr. Singer: Customs? What power have you got to set up customs?

Hon. A. F. Lawrence: —are not yet willing to take part with any group of Ontario—

Mr. Singer: Section 91 of the BNA perhaps?

Hon. A. F. Lawrence: —separatists, sir, who would want to set up this type of barrier between our provinces. We are Canadians first; we are Ontarians second, and there is no question about this.

Mr. Nixon: Oh ho! The Minister should talk to the Treasurer about that.

Mr. Pilkey: That is good for the record.

Hon. A. F. Lawrence: As I say, sir, we are not willing to take—because we do feel, again, that the big brother in government can look over everybody's shoulder. But nevertheless, there is no sense in forcing any particular corporation or any particular aspect of any industry—a resource industry or not—into an area where that particular function in the long run is going to be uneconomical. It will only land back on the taxpayers as a whole, in years to come, if it is an uneconomic operation. It will do more harm than good as far as potential development in that particular area is concerned.

So what we have said, sir, and what we have insisted upon, is that the processing plant in general—and it is a long-range objective—be located in Canada. They meet our requirement if they are located in Canada.

Now, the Texas Gulf situation is a prime point. We indicated to the Texas Gulf company that while we felt we could not insist that they build in Timmins, nevertheless we were willing to hang out certain carrots, certain incentives, certain encouragements in front of them in order to have them do it, and to make them realize that they had a duty and a responsibility to the people in that particular area. This we welcomed. This we worked for. But we are not yet willing to hold a club over any group, to insist to that group, or that corporation, that they will locate anywhere else other than in Canada. We have not yet reached that stage of parochialism.

Now the question of exemptions comes up. And, if I may, in my general remarks here, I would refer to the honest worry of the member for Port Arthur, the member for York South and the member for Sudbury East, because they are all tied in together.

The hon. member for York South really put it most cogently and succintly. He says, "Why are you retreating from your proposition that all processing must be done in Canada?" Even though it is part of the preamble of the bill, we have never yet indicated that this is possible of attainment.

In the original statement that I made in this House on first reading, I indicated that this is a long-range objective—that I am worried about the potential investors. Putting the rules of the game right on the table, so that there can be no crying later about these rules, we are saying to people, as they now come into Canada and as they now come into Ontario: "If you are going to invest in northern Ontario and in our mining areas, then you should know what the rules of the game are from now on." They are embodied in this statute and that is our long-range objective and with this, obviously, there is no argument anywhere.

Mr. MacDonald: Surely, the explanatory note should have been a little clearer?

Hon. A. F. Lawrence: No, sir. I have been emphasizing this all over the lot as much as I can.

Now, sir, if we took the harsh attitude and if we took the rigid inflexible position that, as of January 1, 1970, there should be no exemption to this—this is why we have got the exemptions in. I have indicated to the press that there are at least 23 out of the 66 mining corporations who are producing in Ontario that would be affected. If we took the harsh point of view they would not be

affected, they could be forced out of business.

Now this would do the hon. member for York South, it would do his members from northern Ontario, no good at all. It would do none of us any good. We are taking the long-range objective that as far as—

Mr. MacDonald: How long?

Hon. A. F. Lawrence:—as far as new proposals are concerned, people should know that this is our long-range objective, but that as I indicated on first reading, under the standards that we would be using for granting exemptions, there can be exemptions. We may never completely reach the objective of 100 per cent processing in this country of the ores produced here, because in some cases it would be undesirable. In some cases it would be completely uneconomic, and in some cases it would be dangerous, quite frankly, in respect of radioactive things and such like.

In some matters, especially in relation to corrosive substances, it would be quite ridiculous to insist upon processing in Canada, for these corrosive substances are going to be utilized in another country completely. It would be far better, from all points of view, having looked at the benefit that is going to come to the people in this country, if in those cases processing be done in another country, and we would be quite willing and ready and able to ship some of these things out of the country, and these are not academic subjects. These are matters that come before us every day, and a matter already before us—on which I will have to make a recommendation when the Act becomes effective—will be in relation to a corrosive substance.

The main objective here, as I have said, is to provide jobs. It is to provide potential for development. We are dealing here with an international market—not a provincial, not a local, not a national, but an international market. We are dealing with international matters, and the market condition, the smelting capacity, the processing location can have a lot to do with this. But the main thing, of course, is the type of ore itself that we produce or can produce as distinct from what can be produced in other countries. I am no metallurgical expert. I am sure the House would not expect me to give it a long dissertation, even if I could, on metallurgical problems. However—

Mr. MacDonald: The Minister is not Robert Macaulay.

Hon. A. F. Lawrence: However, these matters are all factors which we have to look at when exemptions are applied for. What we want to look at when exemptions are applied for. What we want to do is shift the onus over to these companies and over to management of these companies to prove to us that it is essentially uneconomic, or that there is no market—which really is saying the same thing—or that the substance itself is such that, economic or not, it should not be done here. There are examples of this which I could detail to the House if the members want, but I do not really believe they want it.

When hon. members take this position that there should be no exemptions, it is a measure to me that perhaps some of them do not know the particulars of what is going on in their own ridings. This may not be their own fault. But the hon. member for York South would like a list of some of these companies. Let me give them to him. In the riding of Cochrane South, Timmins, Canadian Jamieson Mines Limited, ships its copper out to the U.S. and to Sweden.

Mr. MacDonald: Are these the people who have asked for exemption?

Hon. A. F. Lawrence: No sir, no one yet has asked for an exemption.

Mr. MacDonald: Who would be put out of business—

Hon. A. F. Lawrence: These are corporations who are exporting at the moment. These are the corporations who, we expect, will have to apply to us for exemption. In a lot of cases the knowledge of what they do and how they do it and where they ship their concentrate is unknown to us, quite frankly, and we are using this as a means of getting the information. We are going to have very detailed accounts of all sorts of matters that they have to prove to us make it uneconomic to do this. Really, the matter has to be handled in a moderate, sensible way; otherwise, we are going to do far more harm to the north and to the mining industry than anything else.

Does the member really want a list of the 23? I will give them to him: Canadian Jamieson Mines Limited in Timmins; Copperfield Mining Corporation in Timagami—the member for Nipissing, is he here?—it ships out copper; Ecstall, of course, which is the big one, is the wholly owned subsidiary of Texas Gulf, and lead, zinc and silver at the moment go out; Kam-Kotia Mines in Timmins ships

its copper and zinc out; the Geco Mines of Noranda Mines at Manitouwadge, the riding of Thunder Bay, ships lead and zinc out of the country—I am sorry, no, they just ship their lead out—North Canadian Enterprises in the Algoma riding, that is a copper corporation—

Mr. Ferrier: I wonder, Mr. Speaker, if the Minister would accept a question. Does Kam-Kotia Mines not have its ores smelted in Canada in Noranda rather than out of the country?

Hon. A. F. Lawrence: The information that I have is that they do ship their zinc; their copper certainly goes to Noranda, this I know. My understanding is that part of their zinc comes down here in Ontario but part of it does get shipped out of the country as well. The member is right. The information that I have there may be quite wrong. Maybe I am damning the company for something that it should not be damned for.

Geco of Noranda ships some out. North Canadian Enterprises, that is in Algoma, ships copper to Europe and Japan. Will-Echo in Manitouwadge, Willroy in Manitouwadge, ship out of the country. Zenmac in the riding of Thunder Bay ships out. Falconbridge, of course, does ship nickel matte out. International Nickel ships matte out of the country.

Mr. Martel: No problem with that one.

Mr. A. F. Lawrence: I would like to speak now about the iron ore situation, because this again is one of the factors that have to be brought into the consideration. I will say quite frankly to the House that we are dealing here in gray areas and we are groping for policies and the type of information that we want from these companies. We are coming up with suggestions. If the members of the House in committee have suggestions as to the information that we require and any other standards that we should impose on these things, I would be glad to hear them, because this is a different approach than we have had in this province before.

But I personally feel—and I cannot commit the government yet because my recommendation has not gone to the government yet in respect to the iron ore and steel business—that over the last ten or 15 years in this province, a very viable, worthwhile and effective steel industry has been built up, partly due to the administration of The Mining Tax Act in this province, in respect of the remission of taxes where pig iron is produced from our own blast furnaces. The iron ore and steel business in this province is a very worthwhile, effective, economic industry right now. The economic study that we have commissioned would lead us to believe that over the next ten years we are going to need twice as much of our own Canadian iron ore as we now produce in this province. Therefore, I am very loath to interfere and inject, in some ways, the deadening hand of government, into an industry which, at the moment, is proving itself to be a very viable one.

I mentioned these iron ore producers here now in saying that my feeling is that, under the laws, they will certainly have to apply for exemption. But also, I must admit, in all candour to the House, that my present feeling would be that because of the situation of the iron ore producers in this province, and the steel industry, we would be a very foolhardy government indeed, right now, at this stage of the game, especially with some major developments right on the cliff, so to speak, to get in and interfere with the economic laws at the moment.

Caland Ore, in Atikokan, ships its iron ore out of the province. Jones and Lockman, the Adams mine in Kirkland Lake ships out. Marmoraton and Mining Company Limited, Marmora, in the riding of my friend from Hastings (Mr. Rollins), ships across Lake Ontario. National Steel Corporation, in the riding of my friend from Nickel Belt (Mr. Demers), at Capreol, ships out of the province. Steep Rock is an oddity, sir, in the iron and steel business in this hemisphere, in that Steep Rock is an independent producer of iron ore, and this is quite unusual, because the tendency in this industry has been a complete vertical integration.

The steel company owns the iron ore production facilities. Steep Rock is an oddity in this in that they are an independent iron ore producer. But even so, they have taken extraordinary steps over the last few years, so that 90 per cent of their production there now goes to Canadian steel mills. So they will be obliged to apply to us for an exemption because of the 10 per cent that they still mine, but ship out of the country.

Of course, the final one again is International Nickel. Perhaps this sounds strange to some of us who come from the south, but International Nickel is quite an iron producer as well, and they produce pellets, a large percentage of which get shipped out of the country.

So there we are. I think, if you total them up, you will find that with the three uranium

mines now in production—Rio-Algom, Stanrock and Dennison, all of which, of course, ship yellow cake out of the country—with these three added and Siscoe Metals in Cobalt, again the riding of my friend from Timiskaming—they ship silver concentrate out of the country, do not ask me why but this is something we want to look at—those total, I believe, the grand sum of 23 producing mining companies.

Now, I draw this distinction to the attention of the hon. member. I am talking here about producing mining companies. I am not talking about mines. There are 66 producing mining companies in this province, and 23 of those companies now export out of the province. I talk about mining companies because some of these companies have more than one mine, obviously. Falconbridge has seven. International Nickel has nine or ten. But I am talking here about producing mining companies and not mines.

But that is the story. We feel it is straightforward, but again, as I emphasized in my initial statement, we have not backtracked from anything. We knew which of these mines were the ones that were going to be affected long before we brought the legislation in, long before it went to Cabinet. Obviously, it is a long-term objective that we set. It is not going to be an objective that is going to be met overnight.

Indeed, due to some of these special circumstances that we have to look to, which is why we have written in the very wide exemption powers in the Act, it is an objective that may never be reached. But certainly, our objective is there, our intention is there, even though it is long term.

Mr. MacDonald: Mr. Speaker, I wonder if the Minister would answer a question before he concludes. The statement attributed to him in the *Globe and Mail* this morning, "New mining companies, however, would have to meet the 100 per cent requirement."

My query to him is simply this. I recognize the validity of his contention with regard to a degree of flexibility, but my worry is loopholes in the law. I know of no industry which has exploited loopholes in the law more effectively than the mining industry, to the effect that the law was honoured in the breach.

Mr. Speaker: The hon. member has asked the permission of the House, because this is not normal, and of the Minister to ask a question. The member has not yet come to the question. Would he please place his question?

Mr. MacDonald: It is a two-fold question. Would the Minister give us assurance that the flexibility is not going to permit an exploitation of loopholes in the law in the future to the same extent as has been the general practice in the past; and secondly, does this statement attributed to him mean that he is not going to have the same flexibility with regard to newcomers?

Hon. A. F. Lawrence: I am glad the hon. member drew this to my attention. Certainly it is our intention that there will be no loopholes in the law, or of the administration of it, old company, new company, or anything. I can see how the conversation I had with that particular reporter last night could have been misinterpreted. I did not say those words.

However, my explanation of it may not be favourably received by the hon. member when I tell him what my explanation was. My purpose in mentioning new projects as distinct from existing, established firms in this province, and in this country, was simply to point out to the reporter involved, that we again wanted the rules of the game right out on the table, so that the people coming in would know what those rules are. However, there may well be new developments to take place in this country, where we will not be able to say to them, due again to some of these factors—the provision of sulphuric acid from pyrite alone, for instance—we will not be able to say to them, " You are coming in here, you have to have 100 per cent process.'

The same standards that we hope to apply to the existing establishments may have to be applied to new companies as well. That may not be the explanation the hon. member was looking for, but again I do not like to see discretionary powers given to any single Minister, or for that matter, this wide type of discretion written into any Act, even to the Lieutenant-Governor in Council. I do not like to see it.

I have been convinced, however, that when you are dealing with the 1001 different variables that can come along in these applications, each one of them may have to be looked at in view of the individual circumstances that do apply in respect of that particular mine, in that particular locality, with that particular type of ore, and also that particular product.

There can be a by-product from one mining development that may not affect it at all. On

the other hand, just two miles down the railroad there may be another development that, as its main product, there may be an attempt to produce what the other plant is producing as a product. We may have to look at this from completely different circumstances, solely and simply because of what it is we are trying to promote.

I just reiterate to the House that the overall objective here is to promote northern development, and to promote job potential in the north, and in any individual circumstance it is made evident to us that a harsh application, or harsh administration of this overall objective, would defeat those purposes. Then obviously we are not going to go for it.

I hate to sound facetious, but I would like to use this time in the House merely to say that these days I feel like a used car dealer. The message I am trying to get across to people who want to invest in Ontario is that "we make deals".

Mr. Speaker: The motion is for second reading of Bill 112. Is the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Hon. R. S. Welch (Provincial Secretary): Tomorrow, Mr. Speaker, we will continue with the order paper and consider the legislation noted thereon.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.20 o'clock, p.m.

No. 101



ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Wednesday, April 30, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Wednesday, April 30, 1969

Metropolitan Toronto council, question to Mr. Robarts, Mr. Nixon 3762
Miss Alice Murphy of Cayuga, questions to Mr. Wishart, Mr. Nixon 3762
Hallucinogenic drugs, question to Mr. Dymond, Mr. Nixon 3763
Expropriation Act, questions to Mr. Wishart, Mr. MacDonald 3764
Health and medical insurance, questions to Mr. Robarts, Mr. Trotter 3765
INCO refinery, questions to Mr. A. F. Lawrence, Mr. Martel 3766
Hanes Company in Rexdale, questions to Mr. Bales, Mr. Pilkey 3767
Export of beech trees, question to Mr. Brunelle, Mr. Stokes 3767
Summer employment in Algonquin park, question to Mr. Brunelle, Mr. Stokes 3767
Use of roads in Grand Lake area, question to Mr. Brunelle, Mr. Stokes 3769
Police radio calls, questions to Mr. Wishart, Mr. Ben 3768
Privacy of citizens from computers, questions to Mr. Wishart, Mr. Ben 3768
Fog conditions at Copper Cliff creek, questions to Mr. Simonett, Mr. Martel 3769
Stocking of fish in Great Lakes, question to Mr. Brunelle, Mr. Paterson 3769
Grey County health units, questions to Mr. Dymond, Mr. Trotter 3769
Hospital bed shortage in Hamilton, questions to Mr. Dymond, Mr. Trotter 3770
Joseph Viner, questions to Mr. Wishart, Mr. Makarchuk 3770
Betting shops, questions to Mr. Wishart, Mr. Haggerty 3770
Radiation from colour TV, questions to Mr. Dymond, Mr. Makarchuk 3770
Fire safety in high-rise buildings, question to Mr. Wishart, Mr. Ruston 3771
Registry Act, bill to amend, Mr. Wishart, second reading 3771
Land Titles Act, bill to amend, Mr. Wishart, second reading 3780
Division Courts Act, bill to amend, Mr. Wishart, second reading 3786
Legal Aid Act, 1966, bill to amend, Mr. Wishart, second reading 3792
Regulations Act, bill to amend, Mr. Wishart, on second reading 3796
Motion to adjourn debate, Mr. Lawlor, agreed to 3800
Motion to adjourn, Mr. Robarts, agreed to 3800

LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 30, 1969

The House met today at 2 o'clock p.m.

Prayers.

Mr. Speaker: Today as our guests, in the east gallery, we have students from the Herman E. Fawcett Secondary School in Brantford; and in the west gallery from McKay Senior Public School in Port Colborne; and in both galleries we have members of the High Park Branch of the Second Mile Club in Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Mr. Speaker: Last evening, while a vote was being taken on a division with respect to the second reading of Bill 111, the hon. member for High Park (Mr. Shulman), being in his seat, declined to vote, and, by way of explanation, stated that when the division had been called and the division bells started to ring he had been on his feet on a point of order and that he was not recognized by Mr. Speaker and therefore that the entire voting procedure was not in accordance with the rules and, therefore, he was not required to vote.

I directed that the vote be continued by the Assistant Clerk of the House and that the hon. member for High Park, declining to vote, be recorded as voting against the motion before the House.

Upon the conclusion of the vote and the announcement of the result by the Assistant Clerk of the House, which was in the affirmative and the second reading of the bill, the hon. member for High Park then explained his position and put forth his point of order, namely that Mr. Speaker had not given him the opportunity to be heard on his point of order before the division was called. Since the hon. member for Waterloo South (Mr. Reuter), chairman of the committee of the whole House, was in Mr. Speaker's chair at the time the division bell started and the division was called, I stated that I would be glad to and would, in fact, hear the tape of the part of the evening's proceedings in question and consult the rules and precedents of the House and deal with the matter the following day. At this point, the hon. member for Humber (Mr. Ben), rose in his place on the point of order and pointed out to me that there was no need for such procedure on the part of Mr. Speaker since no member can be heard in the House unless he catches the eyes of Mr. Speaker, is recognized, and given the floor. This obviously had not occurred so far as the hon. member for High Park at the time in question was concerned and therefore the hon. member had no point of order and Mr. Speaker had nothing to investigate and report upon. I felt that under the circumstances, since I had not been in the House at the time the division was called and the bells started ringing, I should investigate the matter as I previously mentioned and report to the House.

I have now listened to the tape of that part of the proceedings last evening which was brought into question by the hon. member for High Park and I must confess that it does not give me much assistance because there apparently was a very considerable amount of confusion and noise in the House at that particular time.

However, I would point out to the members, as was mentioned by the hon. member for Humber last evening, that a member of the House gains the floor of the House only by recognition by Mr. Speaker and this, I believe, is known by every hon. member in this House, including those to whom I have referred. The contention that the failure of the Chair to recognize the hon. member somehow invalidates the voting procedure is not tenable.

I have discussed the matter with the hon. member for Waterloo South and he confirms that the hon. member for High Park did not catch his eye nor was he recognized or given the floor by the hon. member for Waterloo South, then in Mr. Speaker's Chair, prior to the division being called and the division bells started ringing.

As a consequence, therefore, the hon. member for High Park's point of order is not well taken and is itself out of order.

Mr. V. M. Singer (Downsview): Mr. Speaker, I want to address myself to a point of privilege not related to your ruling.

Earlier today in the television room in this building a press conference took place at which were present, a certain Mr. Eagleson, who I understand is the president of a political organization closely aligned to the government, and the hon. member for York-Forest Hill (Mr. Dunlop), in his capacity as chairman of the selection committee on election law.

During the course of that press conference, and the sole purpose of it insofar as I have been able to ascertain, Mr. Eagleson handed over to the chairman of that select committee a brief expressing the opinions of Mr. Eagleson's group about certain laws that this committee is investigating. Sir, this committee has, by decision of the committee and at its session, called for the presentation of reports. The reports have been transmitted to the secretary of the committee and have been dalt with by the committee. Never before, either on this committee or on any other select committee in which I have had the privilege to serve, has there been a vehicle available where an individual has been able to present, in press conference form, his report to the chairman of the select committee, receiving it by himself and entering into a joint discussion as to the merits or lack of merits of the suggestions contained therein.

It is my submission, sir, that a press conference being called in this manner, and the actions taken, were a breach of the privileges of all the members of the committee; and by the same token a breach of the privileges of the House, because the House appointed the committee.

If there are any briefs to be submitted, I would think that they should be submitted in the ordinary way, they should be received by the committee in the ordinary way; and at the proper time. All those concerned should have the privilege and opportunity of commenting on them.

In addition, sir, there is a second point as to the use of that room by the heads of political parties or the organizational heads which we discussed before, but much more serious is this unusual procedure that was embarked upon today, apparently to favour as publicly as possible, views of a particular political organization in contempt of the position of that select committee appointed by this Legislature.

Mr. Speaker: If I may speak first to the second part of the hon. member's submission. That particular matter, I think, was well discussed in the House in the not too recent past and the views of the leaders of the two Opposition parties and the Prime Minister (Mr. Robarts), as I recall it, were given and undoubtedly will be found recorded in *Hansard*. I would think that the proceedings referred to by the hon. member would be in line with the expression of opinion, as I remember it, by the Prime Minister.

With respect to the first submission, it would be my view that this is a matter that the members of the committee, if they felt that their rights were being in some way infringed or impinged upon, should take up, and I would receive from the chairman of the committee of this House, the select committee, the appropriate report and request that either action be taken, or that it be brought to the notice of the House so far as the committee members are concerned.

With respect to the situation of the member of the House—not a member of the committee or a member of the committee to which the hon. member has also referred—I must say that I do not share his concern with respect to this. It is a well known fact in this day and age that on every side of the House politically, everyone takes their problems to the people in the best way to get the widest possible dissemination.

Now whether or not this is the proper way from the committee viewpoint, I do not think it is up to me, at this moment, to decide or to rule upon, but I certainly will be pleased if the committee itself wishes to report to this House, through Mr. Speaker, to have the matter dealt with at that time.

Mr. Singer: Mr. Speaker, if I may add just a word. The difficulty is that the committee was not made aware of this in advance of this event and my point of privilege is addressed to the actions of the chairman of the committee. I took the first opportunity, which was today, to bring it to the attention of the House because I believe seriously that the privileges of that committee were infringed upon, and that it was being used—or the chairman's good office were being used—for political purpose, and in this case, the political purpose of the government party.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I am wondering if the statement which has just been made by you means that any member of the committee may then bring in a delegation who wishes to present a brief to

him and, to highlight a certain point of view, may use the facilities of that room.

I would take that this follows. Certainly what happened this morning—and it just came to my attention this moment—would indicate that the chairman of this committee has used his position—misused his position, if I can pick up the phrase just handed to me by my friend—misused his position in order to highlight a particular point of view inimitable to many members of this House and to many members of this province.

Mr. Speaker, it seems to me that the chairman has not only abused and misused, but he has perhaps betrayed a trust, if that is not too strong a phrase, as chairman of this committee to use this position.

I would like to know, Mr. Speaker, if this means now that any other member of this committee can use that room for the purpose of highlighting any point of view in connection with election law which he may wish to do.

Mr. D. C. MacDonald (York South): If I may speak to these points, Mr. Speaker, and in the reverse order. I hope that whatever may be the reaction to this particular use of this room, we follow the guidelines that were laid down by the Prime Minister earlier, and not lay restrictions on the use of the room. It has been built for the purpose of TV and matters that deal with Ontario provincial politics. Anybody can guess where I stand with regard to this issue. But I am not going to complain about that room being used for issues that are relevant to Ontario politics. So much for that.

The second point and the basic one; I think the hon. member for Downsview has raised a very pertinent point, and the hon. member for Yorkview I think has drawn attention to some corollaries. Can everybody now engage in the same pursuit? But the question I want to put to you, Mr. Speaker, is, does that committee, in fact, exist? Am I not correct that a select committee, particularly after it has presented its report—we all know that sometimes select committees do not complete their work and work unofficially, so to speak, concurrently with the session until they have completed their work—but once they have completed their work and put in a report or an interim report, does not a select committee in effect die?

So there is no committee, and if it is re-established, it will be re-established with or without the same chairman? You see, I do not object to the Tory party dramatizing their fearfulness of the New Democratic Party at the next election.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would like to speak to this point of order.

I do not know about the last point raised by the hon. member for York South—whether the committee in fact exists—that is a technical question. Certainly the report was an interim report.

But as far as the submission of points of view to any select committee of this House are concerned, I can only say that, of course, all kinds of points of view will be submitted. These may be agreed with, or disagreed with, by the government. That is the whole point of a select committee, Mr. Speaker—that we have a wide variety.

I am quite certain, if I choose to investigate how that room has been used, I cannot believe that there have not been press conferences held there countering submissions made by all kinds of people to select committees. Now, I do not happen to have one at the tip of my fingers, but I am sure it has been.

This is where the member for York South and I find ourselves in agreement, where we very seldom are. Anything which restricts the use of that room I would want to examine pretty carefully.

In this particular instance, I would only say this. Just because it was presented by this particular group does not mean that the government has put an endorsement on whatever recommendations the group may make. Now I realize there is one recommendation there that my hon. friends opposite might feel a little sensitive about; there are a great many others.

Interjections by hon. members.

Hon. Mr. Robarts: In any event, the point I make, Mr. Speaker, is that in the functioning of a select committee, there will be presented to that committee a great many varying views and the committee then will have to take these views and do with them as it sees fit. It then will report to this House, Mr. Speaker. This House will do as it sees fit with the report of the select committee and then Mr. Speaker, the government will have to do as it sees fit with whatever recommendations there are in the report.

So, I think it is a tempest in a teapot, Mr. Speaker.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, on the point of order that has been spoken to by several hon. members.

Surely, we are not concerned with the use of the television room. We are not concerned

that the Progressive Conservative Party has seen fit to offer a brief, which is certainly within their powers and responsibilities. But we are concerned that the chairman of the select committee established by all of the members of this Legislature has lent the dignity of his office to a particular point of view in this way and I believe he should be reprimanded for it.

Interjections by hon. members.

Mr. Speaker: Order! Again, as with the member for York South, I would like to speak to the matters in reverse order. Certainly I am of the opinion that the use of this particular facility, which is a well-equipped and expensive one, should be made available to, not only members of the House, but others who have important matters to be discussed with and for the people of Ontario. I think that by and large we are all in agreement with respect to that.

With respect to the other matter raised by the member for York South, offhand I would think that an interim report would not discharge the committee. If I find that I am incorrect in that view I will advise him. I will advise the House if I am incorrect that the committee is still in existence. I will find out from the appropriate sources of information which are available to Mr. Speaker and the House.

With respect to the other point raised originally by the member for Downsview and spoken to by the other members. I again remain firm in the opinion that, if the committee is existing, it is a matter for the committee first to deal with. If I find that this committee is not in existence, then if the hon. members wish at that time for me to take action, after I have reported, I will be glad to put the matter to the House in the manner that I feel it should be, bearing in mind the representations by the hon. members to my left.

I would hope that, for the moment at least, would deal with the point raised by the hon. member for Downsview. I do not think, at the moment, there is any different way of dealing with it to be fair and to know where we do actually stand in accordance with the rules and precedents of the House and the existence of the committee.

Mr. Nixon: Mr. Speaker, I have a question for the Premier.

I wonder if the Premier can tell the House if he is going to meet with Metropolitan Toronto council to discuss increases in school costs submitted in the metro school board budget?

I might just mention that I understand that they have requested such a meeting.

Hon. Mr. Robarts: Well, the understanding is wrong—at least it has not reached my desk as yet. I have had no request nor can I find, in looking through the various sources through which requests come to my desk, that it is in the mill any place. So I can only say I have not been asked for such a meeting.

I read the press report and it might be interpreted that a request had been made, but, in fact, it has not.

Mr. Nixon: Mr. Speaker, a question to the Attorney General further to the matter that I raised yesterday.

Has Mrs. Alice Murphy, of Cayuga, an employee in a provincial court, received payment for services in addition to the amount reported yesterday, this payment having been received since the difficulties were brought to the Attorney General's attention last week?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, the hon. member asked a question previously, on April 28, to which I replied in part yesterday; and I undertoook to reply further as soon as I could get the facts. So I should like to reply to the previous question and the question today and hope to clear the whole matter up at this time.

The previous question was:

> Can the Attorney General explain the circumstances that resulted in Alice Murphy, of Cayuga, formerly clerk of the provincial and family and juvenile court, presently acting sheriff, registrar of supreme and surrogate court, and clerk of the county court, going without pay since January 1, 1968?

I said yesterday that that was completely wrong, as the woman had received over $7,000 to 1968 in the regular and usual way by bi-monthly cheques, or whatever basis we are all paid upon.

The question today said: has she received anything since for services, in addition to the amount reported yesterday?

The facts, Mr. Speaker, are that prior to the assumption by the province of the costs of the administration of justice on January 1, 1968, Miss Alice Murphy was receiving the following remuneration:

As deputy sheriff, deputy local registrar, SCO, deputy county court clerk and deputy surrogate registrar—$6,548 per year.

Then as magistrate's court clerk, on a part-time basis she was paid $120 per month, from the proceeds of fines and receipts in the magistrate's court—$1,440 per year.

Then as juvenile and family court clerk, paid by the municipality on the basis of $75 per month—$900 per year.

Total as of January 1, 1968—$8,888.

In addition to that Miss Murphy received fees as justice of the peace, for work which was performed outside of regular office hours. Those fees, I might say, in 1968, amounted to $1,482.62.

After the assumption by the province of the costs of the administration of justice, all the above positions were combined and The Department of the Civil Service assessed the position at the level of a Clerk 5 General.

For this position Miss Murphy was paid during 1968 the maximum of that category, namely $7,266 per annum. And on January 1, 1969, that rate was increased to $7,553 per annum. That would be the ordinary increment. So as of the first of this year, her pay was $7,553 per annum. But I wish to stress that that amount, $7,266 was paid to her regularly in the usual way. So the story that she went without pay for a year and a half is complete nonsense.

Further, Mr. Speaker, attempts were made to have the position reclassified as Clerk 6 General—

An hon. member: Does that matter?

Hon. Mr. Wishart: —a higher rate. That was an attempt on the part of our department to have her standing increased. That did not succeed on our first presentation. We made a recommendation, then, to The Department of Civil Service that she be paid on what we call a red circle rate, which is the combined amount which she had been receiving from the government, and from the municipality, and from the magistrate's court.

That was approved. Last week, an order-in-council was passed setting her salary at $8,888 as of January 1, 1968, and that carried through to February 28, 1969. A cheque was forwarded to her for those arrears of what she had received, the amount being $1,391.59.

Mr. Nixon: When was that sent?

Hon. Mr. Wishart: I do not have the exact date, but the order-in-council was passed last week.

Mr. Nixon: She had just got the money after the matter was raised.

Hon. Mr. Wishart: No—well perhaps she has got it since she raised the matter. But the story that she was not paid for a year and a half is just nonsense. It will hardly bear notice. The fact is, efforts were being made on behalf of this woman to increase her standing; and it was through the Civil Service that this was done, not through The Department of the Attorney General. I would like to make that clear, although we extended efforts on her behalf to show the amount of work she was doing. I should point out further, Mr. Speaker, that at the present time, due to the illness of the present sheriff, Miss Murphy has been acting sheriff since March 1969, and she is being paid at the rate of $9,157 since that date, since she has performed that extra service. Perhaps that will set the matter completely at rest.

Mr. Nixon: Just one further thing. With all her titles, does the Minister of Justice mean to say that the assumption of the administration of justice of the province is relegated there to simply Clerk 5?

Hon. Mr. Wishart: I said the classification. That is just a civil service classification. I do not know but the civil service, as far as I am aware, does not give a person his official title; he is a driver, or a file clerk or whatever the classification may be. There is Engineer 1, Engineer 2—these are just classifications. I would just correct the hon. member by pointing out she is now Clerk 6; that is the top, I think.

Mr. Singer: Could the Minister see if he could borrow the services of the Minister of Health (Mr. Dymond) and the fellow who invented the title for the stuffed animals Act —give her that name?

Hon. Mr. Wishart: Mr. Speaker, if I could just add this: in fairness to Miss Murphy, she herself never complained of the treatment she was receiving.

Mr. Nixon: Was it the provincial judge who complained on her behalf?

Hon. Mr. Wishart: I did not receive any complaints, although a newspaper article indicates that he had brought the matter to the attention of the Attorney General. Nothing of that sort came in, and Miss Murphy did not complain.

Mr. Nixon: Mr. Speaker, I have a question for the Minister of Health. Is the quality analysis of hallucinogenic drugs made by the Alcoholism and Drug Addiction Research

Foundation of a confidential nature? If so, does the Minister know how it has received widespread distribution?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the foundation is not conducting a quality analysis of hallucinogens, but it has been analyzing various substances to determine the content. The question that they have been attempting to research has been the kind of substances that drug users in Ontario are consuming. The material is sent to the foundation by individuals or by groups, organizations, schools, social agencies, hospitals and sometimes parents, and since the reports are considered of a confidential nature, they are returned to the person.

However, we have learned that for some unknown reason a number of these reports have fallen into the hands of some person or persons at Rochdale College and this is how we believe they have got circulation. But they were not sent there by the foundation, unless someone from Rochdale asked that an analysis or a determination be done.

Mr. MacDonald: Mr. Speaker, I have a question for the Attorney General.

For expropriation cases which were not settled before the new Expropriation Act came into effect last December, have property owners the right to avail themselves of a board of negotiation, as per section 27 and the land compensation board, as per section 28 of the new Act, rather than the board of arbitration under the old Act?

Hon. Mr. Wishart: Mr. Speaker, I just got this question before I came into the House. I was inclined to take it as notice, but perhaps I could help the hon. member to some extent. I brought The Expropriation Act in with me, and I would direct his attention to section 46 and would like to read it and comment upon it. Section 46, subsection 1:

> This Act applies in respect of expropriations for which a plan has not been registered under section 4 of The Expropriation Procedures Act, 1962-1963, before this Act comes into force, and an expropriation for which a plan has been registered under section 4 of the said Act before this Act comes into force shall be continued in accordance with The Expropriation Procedures Act, 1962-1963, except that where the compensation—

I think this is perhaps the crux of the matter:

> —where the compensation has not been agreed upon between the parties and no evidence has been heard by a tribunal under The Expropriation Procedures Act, 1962-1963, other than the board of negotiation, sections 13 to 21, 23, 24, 29, 33, 34, 35 and 42 apply thereto.

What that means with respect to compensation is this, that although the proceedings may have started under the former Act, if compensation has not been determined by some tribunal, or at least if evidence has not been heard before the court, it would not necessarily have to be a judgment. The board of negotiation does not count. Evidence before the kitchen table does not count. If the compensation has not been either before the court for determination and evidence heard or determined, then you get your compensation under the procedures laid down in this Act. You go before the land compensation board. This Act was proclaimed on December 20, 1968.

So that in short, if evidence was not given before a court on the matter of compensation, or compensation was not awarded by the court, then the persons may proceed to get the compensation determined under the principles of this Act and the agencies created by this Act, including the land compensation board.

I should perhaps note, subsection 2 of the section 46 that I read and which says:

> Until section 28 is proclaimed in force,—

That is the section which sets up the land compensation board,

> —in force, the Ontario Municipal Board shall be deemed to be the Land Compensation Board.

We have not yet established the new land compensation board, but we are moving to that, and I would hope that before too long the board would be established. But I think that that perhaps answers the question very fully.

Mr. MacDonald: Mr. Speaker, if you will just permit me a brief comment.

I want to thank the Attorney General. I do not know whether he is aware of the fact which I discovered last night that no fewer than five reputable lawyers involved in expropriation cases were genuinely puzzled and in conflict as to whether or not they could proceed under this Act on cases for which evidence had not been heard by a tribunal and for which, final settlement had not been reached. I think the problem is that sections 27 and 28 are not listed in that section 46 as being available to unsettled cases, and that creates the uncertainty. Having clarified it now, the Attorney General may well have

resolved an awful lot of doubts and perhaps saved expropriating authorities a lot of money with lawyers squabbling over the issue.

Hon. Mr. Wishart: I must say I think the procedure is pretty clear here. If you have not got the compensation determined, or have not given evidence before a court, you get it under this Act.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Speaker, I have a question for the Premier in two parts.

In light of the current dispute at Forest Hill Collegiate Institute as reported in the *Globe and Mail* today:

(a) Does the publication of a mimeographed newspaper by a group of high school students constitute grounds for suspension of some of those students by the school principal?

(b) Does the free association of a number of individuals into a student group constitute grounds for suspension of some of those students by the school principal?

Second, in light of the point of view attributed to school trustee Mr. Ying Hope in the *Globe and Mail* this morning, that he thinks it unlikely that the school board will intervene on behalf of the suspended students of Forest Hill Collegiate Institute, can the school board legally refuse to hear an appeal from the students? If the board cannot refuse, does not the point of view attributed to Mr. Hope prejudice the "due process" of such an appeal?

Hon. Mr. Robarts: Mr. Speaker, I have referred this question to the Minister of Education (Mr. Davis) under whose jurisdiction the many technical matters in the question come.

Mr. T. Reid: Mr. Speaker, could I ask the Prime Minister when the Minister of Education is going to come to this Legislature?

Hon. Mr. Robarts: Well, Mr. Speaker, I can only say that he is not the least busy man in this House. I will find out where he is at the present time and what he is doing. He answers a host of questions posed by this particular member and I am quite certain he will be here. Why he is not here at the moment I do not know, but I am afraid I cannot undertake to answer questions involving technicalities in all the departments of this government.

Mr. Speaker: The hon. member for Parkdale.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I have a question for the Premier. It is a three part question.

When did the Minister of Health meet with the representatives of the insurance industry to discuss the insurance industry's part in health administration when Ontario joins the federal medical insurance scheme?

Second part is, has the government invited the private insurance industry to form a consortium to administer either all, or part, of the health insurance in Ontario when Ontario joins the federal medical insurance scheme?

The third part is, did the government offer the same terms as offered to the private insurance industry, to Physicians and Surgeons Incorporated, permitting PSI to administer either all or in part, health insurance in Ontario?

Hon. Mr. Robarts: Mr. Speaker, there have been many meetings between the Minister of Health and representatives of the insurance industry. There are some very close negotiations going on at the present time. I think this is obvious. There are times when the public interest is not served by the government revealing everything being said or done or we are saying or doing in negotiations of this type. Therefore, at this time, I do not propose to give the particulars that are asked for in this question.

Of course, I will immediately be accused of keeping information from this House, but there are some areas where in government activity where it is just not possible to put the entire position at all times in front of the public. This is one of those situations. In due course, when the government has worked its way through the many very complexed questions that are involved in this whole matter, we will make a report to the House. At that time, we will be prepared to answer questions as to what we have done, and we will accept the responsibility for any decisions we might make.

In the meantime, I do not think that the public interest will be served by attempting to provide answers to the details of negotiations that are presently taking place.

Mr. Trotter: Mr. Speaker, I wonder if the Prime Minister would accept a supplementary question.

Does he think the public interest of the people of Ontario is served when the government contemplates selling out to the private insurance industry?

Hon. Mr. Robarts: Mr. Speaker, that is the kind of, I would say, completely stupid supplementary question to which we are subjected in this House. We have one interest in what we are doing—

Mr. Trotter: Yes, private insurance companies, that is the Premier's only interest.

Hon. Mr. Robarts: I remember another member of this man's party who criticized and cast false imputations on the motives of the insurance companies. He lost his seat and with it, lost the leadership of the party. I remember that incident very well.

Mr. Trotter: It just shows the power of pressure, and the government has not got guts to stand up to them—

Hon. Mr. Robarts: I do not think the member can come in here—

Mr. Speaker: Order!

Hon. Mr. Robarts: I do not think that any member of this House should come in here and impute motives, and generally ulterior motives, to—

Mr. Trotter: It is justified in that the Premier cannot give a straight answer to that question.

Hon. Mr. Robarts: Well, the member can give them to me, if he likes. I will stand up to anyone I wish, and anyone I think I should, including the federal government, if it is in the interest of the people of this province.

Mr. Trotter: The Premier is contemplating a sell out.

An hon. member: There were a lot more when the hon. member's party was in.

Mr. Trotter: The Premier is afraid to answer the question.

Hon. Mr. Robarts: Mr. Speaker, we went through this same rigamarole and a long series of accusations when we had to deal with the Canada Pension Plan. We were accused then of protecting the vested interests of the insurance companies.

Mr. Trotter: The government would have stopped it if it could have. They tried to.

Hon. Mr. Robarts: If the hon. member would listen, perhaps he might learn something, I realize—

Mr. Trotter: We observe too!

Hon. Mr. Robarts: I realize he approaches the whole subject with a closed mind. We are not buying anything particularly from anybody until we see what we can achieve for the people of this province and what might be best. I refer to the Canada Pension Plan, because in that regard we had the same accusations hurled at us. I think as far as the people of this province are concerned, it was a better plan for them when we finished than when we started, and at this time we were involved in a somewhat similar dispute to this.

We will do what we think is right for the people of this province. When we have completed what we are doing, we will lay it before this Legislature and we will lay it before the people of this province. If we have done wrong, I suppose we will suffer as inevitably people in our position will. If we have done right, it may be we will continue in the position we have held for 25 years.

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, a question submitted several days ago, one to the Minister of Health:

Because the construction of a new stack by INCO at Copper Cliff will not reduce the amount of emission of sulphur dioxide in the air, and because—

Mr. Speaker: May I point out to the hon. member that that question was asked and was answered. In my recollection—the hon. Minister supports me in that—perhaps he might check *Hansard* and find the answer and go on to his question of the Minister of Mines.

The hon. member has a question of the Minister of Mines which has not been asked.

Mr. Martel: A question of the Minister of Mines:

When was the waste heater boiler section of the INCO refinery last inspected by The Department of Mines? And what recommendations were made to INCO with respect to cleaning up the many hazardous conditions which exist there which have been discussed with management and which management refuses to correct? And what action does the Minister recommend the men follow when management refuses to correct the hazardous condition, after the channels now available to them have been exhausted, to result in corrective measures being taken?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, this matter is still under very active investigation by the officials of The Department of Mines in Sudbury with the company men involved.

Mr. Martel: Mr. Speaker, I also asked a six-part question of the Minister of Energy and Resources Management on April 17. He answered the last three parts and indicated he would answer the first three later on. I wonder if he has the answers.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, was that question 1194?

Mr. Martel: I do not have the original question; I have it in *Hansard*. The first question is: "Was it concluded by the committee of representaives of OWRC" and so on.

Hon. Mr. Simonett: I am sorry, I have not that question, or I have not an answer for it. I thought I had cleaned up all the member's questions.

Mr. Speaker: Mr. Speaker's records indicate that there are no questions outstanding from the member, and if he would wish to check with the Minister, then with Mr. Speaker's office, we will try and get our records altogether.

The hon. member for Oshawa was on his feet a minute ago.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, a question of the Minister of Labour:

Has the Minister made any effort to bring the parties to the bargaining table in the dispute with the Hanes Company in Rexdale? Can the Minister tell the House what the issues are that remain unsolved and whether this is a first agreement? And how long has this company been located in Rexdale and is this a wholly owned American subsidiary?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question of the hon. member: Efforts have been made by my conciliation branch to bring the parties together and as recently as this morning further discussions took place.

The second part: This is the first agreement, and I am sure the hon. member appreciates that the issues between the parties are matters between the management, the union and those mediating the dispute.

And the third: Our files do not indicate how long this company has been in Rexdale, or the answer to the other matter.

Mr. G. Ben (Humber): I have two questions of the Attorney General.

Mr. Speaker: The hon. member will note that the Attorney General is not in his seat at the moment. When he returns to his seat, the hon. member may ask his questions.

Mr. Nixon: He is finding out what is going on in Haldimand county.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): I have two question of the Minister of Lands and Forests.

The first one is in four parts: Does the company exporting beech trees from Algonquin Park to Tennessee have an export permit? What volume of this species has been exported for the past two years? To what use are these tree-length logs being put? Is it not possible to process them in Ontario?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member:

1. No beech trees are exported unprocessed from Ontario Crown land. 2. None have been exported in an unprocessed state from Crown land. 3. Not applicable. 4. Yes, it is possible to process them in Ontario.

Mr. Stokes: Another question, Mr. Speaker: How many university students were hired for summer employment in Algonquin Park for the years 1968 and 1969? Is the Minister aware that American owners of trailers have been allowed the use of roads in the Grand Lake area—that should read "of the park"—which is a portion of the park reserved for canoe routes? Is there any explanation for this?

Hon. Mr. Brunelle: Mr. Speaker, in reply to question No. 1: at Algonquin Park in 1958 there were 50 positions on seasonal staff filled by students during the summer season. This year we will be hiring between 70 and 80 students. The increase this year will be in large measure due to the strengthened programme planned for the guidance of those using the park interior and also for improving the cleanliness of the park.

Question No. 2: Since 1959, access by government constructed roads to the Grand Lake area has been available to the general public. Camping by tent or tailer is permitted at that lake under a camping permit. This area has not been reserved entirely for canoe access only, although, like other camping

areas, it may be reached by canoe as well as by road.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: These are question, Mr. Speaker, 1299 and 1314, of April 28.

The first question is: Are the Ontario Provincial Police testing scramblers to frustrate criminals listening in on police radio calls?

Hon. Mr. Wishart: Not as far as I know, and they advise me they are not, Mr. Speaker.

Mr. Ben: May I ask a supplementary question? Will the Attorney General give consideration to having the OPP do just that?

Hon. Mr. Wishart: I will discuss it with them. I will go that far.

Mr. Ben: Mr. Speaker, I have another question:

Are representations being made to the federal Department of Justice for the passage of a law to protect the privacy of citizens from invasion by snoopy computers, because of recent statements made by Kenneth Cheng, director of the Ontario statistical centre in an article in the recent issue of *Chitty's Law Journal* that there is no guarantee that all the information on people stored in data banks around the country will not be brought together to create complete dossiers for sale on a profit basis?

Hon. Mr. Wishart: Mr. Speaker, we are not making any further representations at the present time, but from the remarks I previously made in the House I think the hon. member is aware we have had communication and representation with the federal committee on justice, which is a parliamentary committee. We sent forward to that committee the report of the Ontario Law Reform Commission on protection of privacy, and that matter is being studied at the federal level. I have had discussions with the federal Minister of Justice about this whole matter, but for the moment that is where it stands—it is being studied by the federal parliamentary committee.

Mr. Ben: May I ask a supplementary question of the Attorney General? Will the Minister make enquiries to find out how the studies are progressing and let this House know?

Hon. Mr. Wishart: I talked with the federal Minister of Justice Friday last on a number of subjects in Sault Ste. Marie when we had an opportunity, and he informs me that this is a very exhaustive study that is going forward. I am kept pretty well informed. I do not think there is any point of making an enquiry of that committee, perhaps, until it reports.

Mr. Speaker: The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I have a question of the Minister of Energy and Resources Management—No. 1357.

1. Is the Ontario Water Resources Commission aware that the U.S. Army Corps of Engineers is proposing to deposit materials in the area of the Amherstburg Channel of the Detroit River?

2. Will the Minister's staff enter into discussion to determine whether these materials will be industrial waste or materials dredged from seaway shipping channels?

3. Will the Minister assure the people of our province that this operation, if allowed, will not pollute the Detroit River and that while the site is being filled, landscaping and conservation practices will be enforced?

Hon. Mr. Simonett: Mr. Speaker, the staff of OWRC were appearing before the committee on commissions today, therefore I was unable to get the answer, so I will take the question as notice.

Mr. Paterson: A question to the same Minister.

In view of the Ontario Water Resources Commission's announcement of April 28 that a study is being done by the International Joint Commission concerning nutrient removal from municipal waste discharges and the increase of the eutrophic level in the Great Lakes: 1. Would the Minister indicate the increase on the phosphorus levels in Lake Erie? 2. Can this increased level of phosphorus be directly related to primary waste treatment plants being built by municipalities under the orders of the Ontario Water Resources Commission? 3. In the Minister's opinion, will the Ontario Water Resources Commission now consider ordering municipalities to build secondary treatment plants to alleviate this situation?

Hon. Mr. Simonett: Mr. Speaker, I will also take that question as notice.

Mr. Speaker: Before the hon. member goes on with his questions, I wonder if the hon. Minister has located—I think he sent me a note he had located something to do with the questions from the member for Sudbury

East, which means his records are better than mine. Perhaps he would deal with it now.

Hon. Mr. Simonett: Mr. Speaker, I do have the answer to question No. 1194.

The answer to the first part: the committee formed to study the fog situation has not yet submitted its final report. Work done by the OWRC in 1968 suggested that topography of the area and warm water discharges to the creek could be factors affecting the formation of fog.

The International Nickel Company Limited is carrying out a programme to eliminate the direct discharge of warm water to the creek.

The answer to the second part: the OWRC is not aware of any unusual discharge of hot water to Copper Cliff Creek at 11 p.m. on April 2, 1969.

The answer to the third part: the OWRC has received information that a fog condition existed in the area around Highway 17 and Copper Cliff Creek on April 2, 1969.

Mr. Martel: May I ask the Minister a supplementary question?

Would the Minister inquire of International Nickel if they did, in fact, discharge their boiler water on the date in question and time in question?

Hon. Mr. Simonett: Mr. Speaker, I think I answered that in the second part. I think employees of OWRC have tried to establish whether there was water discharge at Copper Cliff Creek at 11 o'clock on April 2, and I said that they are not aware of any unusual discharge.

Mr. Speaker: The hon. member for Essex South might now please complete his questions.

Mr. Paterson: Yes, I have a question of the Minister of Lands and Forests.

Are there any international agreements respecting the stocking of coho salmon, or any other fish, in the Great Lakes?

Hon. Mr. Brunelle: Mr. Speaker, in replying to the hon. member, there are no formal international agreements respecting the stocking of coho or any other fish in the Great Lakes.

There is, however, a general understanding that the United States and Ontario will consult each other through the offices of the Great Lakes Fishery Commission prior to the release of any new species. Ontario provided a prospectus to the commission and to the United States and received agreement prior to releasing kokanee salmon four years ago.

There has been agreement since before 1960 on the lake trout releases in Lake Superior where Ontario plants half a million yearlings and the three states and the United States federal agencies plant between one and four million trout annually.

There was general agreement between Ontario, Michigan and the commission, that splake, developed by Ontario, would be used in 1969 and afterwards to rehabilitate Lake Huron. We supplied Michigan with 2,500 breeding stock splake some time ago and the United States Fish and Wild Life Service with 100,000 splake fry this year, for culture and release in Michigan waters.

We in our department question the planting of coho in international waters and especially in Lake Huron, where there is a possibility of interference with our splake, our kokanee and rainbow trout programmes. As the hon. member knows, the coho has made a dramatic appearance in the Great Lakes, but before my department commits any large sums of money to their management, the species' long term contribution needs to be fully attested.

Mr. Speaker: The hon. member for Parkdale was on his feet.

Mr. Trotter: Mr. Speaker, two questions for the Minister of Health.

1. Is the government of Ontario paying grants to the county council of the county of Grey for health units on the basis of the county budget as approved for the present fiscal year? If so, does the government realize that the county of Grey budget provides for increased salaries for public health nurses, but that at present the county council refuses to pay the increased salaries?

Hon. Mr. Dymond: Mr. Speaker, we are not paying grants as the hon. member suggests, yet; we are paying interim grants based on the audited statement of last year and will continue to do that until the new budget has been fixed and then there will be adjustments.

We do know that there is some difference of opinion between the county council and the board of health, but all our grants go to the board of health, which is the duly appointed body responsible for the setting of its own budget and the expenditure of it. We do not send our money to the county council.

Mr. Trotter: Just a point of clarification, if I may, to be sure of that answer, Mr. Speaker. As I understand it, the grants you

send to the board of health are based on the audited statement of last year?

Hon. Mr. Dymond: That is the interim measure until the budget is finally set.

Mr. Trotter: Right, thank you. I have a second question for the Minister of Health.

What action is the Minister taking to ease the apparent shortage of hospital beds in Hamilton, as reported in today's Toronto *Globe and Mail*?

Hon. Mr. Dymond: Mr. Speaker, I would like to take this question as notice, because I would like to get to the root of this.

Just a few days ago I was discussing this matter of bed space with the OHSC staff and I was told that there is actually a statistical shortage of nine chronic care beds in Hamilton, more than made up by a surplus of convalescent care beds. But I would like to get the facts underlying this report appearing in today's paper and I will report back to the hon. member.

Mr. Trotter: If the Minister is checking into it he may, for his information, pass on that the social planning and research council of Hamilton says in some cases it takes as long as a year to get a chronic bed in Hamilton.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the Minister of Justice and Attorney General.

In view of the Minister's reply yesterday—that should read a few days ago—if Mr. Joseph Viner wishes to appeal his case, will the Minister's department underwrite the cost of that appeal, so that Mr. Viner has an opportunity to have his case heard in court?

Hon. Mr. Wishart: The answer, Mr. Speaker, is no; we would not be paying the cost of any appeal.

Mr. Speaker: The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Mr. Speaker, a question to the Attorney General.

When does the Minister plan to introduce legislation to prohibit the operation of betting shops, or to provide the licensing, regulating and governing of the owners or operators of the betting shops by the province of Ontario, or by the board of commissioners of police, as requested by a resolution of the city of Niagara Falls?

Hon. Mr. Wishart: Mr. Speaker, I must say I have no plans at the moment for introducing such legislation. We are watching the situation, getting all the information we can as to how these shops are operating, the number of them and where they are located, and how they conduct their affairs.

Apart from that, I think the hon. member is aware, that, after the supreme court case which made legal the operation of what is known as the messenger service, I urged that the Minister of Justice at Ottawa take action—look at the law, and possibly amend it. In that I was supported by the Attorneys General of three of the other provinces. This was at the time of the dominion provincial conference in February.

I have spoken with the Minister of Justice on a number of occasions since then, the latest time Friday last. The federal Department of Justice is looking at the matter of amending the Criminal Code, which covers gaming and betting. They have not, so far as I am aware, reached a firm decision yet.

If the situation became such that we became concerned about it here, then I would find it necessary to discuss the matter with my colleague and see if some policy could be developed.

Hon. Mr. Dymond: Mr. Speaker, before the orders of the day. The hon. member for Brantford put a question to the hon. Minister of Labour, part of which was referred to me:

Has the department investigated the possibility of TV repair technicians, and possibly TV factory workers, receiving harmful doses of radiation?

The answer, Mr. Speaker, is yes we have. We have visited the assembly lines of four maufacturers and four very large service shops. In none of the cases have we found any evidence of chronic damage, or damage growing from chronic exposure. We are, however, keeping the matter under constant check and making periodic reviews of these situations.

Mr. Makarchuk: Would the Minister accept a supplementary to that?

I was wondering if the department has done any checking in, not necessarily the better-equipped shops, but the shops that operate in basements, where the technicians do not have the proper equipment to measure the voltages and as a result they can bring on larger radiation?

Hon. Mr. Dymond: I cannot answer that definitively, Mr. Speaker, but I can assure the

member we will check the different relations of shops.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, last week I believe, I answered a question put by the member for Cochrane South (Mr. Ferrier) in which I referred to the number of lakes in Ontario, and I believe I said 750,000. I am very enthusiastic about our province, but I was just three times out on that. There are 250,000 lakes in our province, not 750,000, and I would not like to mislead the members of the House, so I will make that correction.

An hon. member: It is still a lot of lakes.

Hon. Mr. Wishart: Mr. Speaker, before the orders of the day, a question was asked on April 22, by the hon. member for Essex-Kent (Mr. Ruston). The question was:

> Is the Attorney General making any recommendations to the fire marshal's office to prevent the hazards of living in 15- to 25-storey buildings without the adequate facilities to rescue residents in case of fire?

The only answer I can give, Mr. Speaker, is that at the present time studies are being made by the National Research Council and the Dominion Fire Commissioner, to consider the ramifications in the problems created by fire in high-rise buildings such as are mentioned by the hon. member. When these studies are completed, the results will be reflected in amendments to the various building codes. At the present time, the fire marshal advises all fire departments in Ontario, by such publications as the *Fire Marshal's Quarterly Review*, so that fire protection agencies are aware of the current thinking and the results of study on this subject.

Mr. Speaker: Orders of the day.

THE REGISTRY ACT

Hon. A. A. Wishart (Minister of Justice) moves second reading of Bill 102, An Act to amend The Registry Act.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, in connection with this legislation it is difficult to speak to a matter of principle because I think my friend the Attorney General will agree that really there are no great principles enunciated in this particular bill. So I just want to comment on one principle, or one aspect of the bill.

Basically, as I read the bill, it really is of a technical nature involving changes in the procedures available to the public in connection with registrations of various types of documents, and the necessary and concurrent proofs of, and forms of, registration. However, there is one thing that I want to mention in connection with this bill that has struck me as it relates to Bill 103, and that is the transference of jurisdiction regarding registration matters from the office of the inspector of legal offices, to the office now called the director of land registration. Perhaps it would be more germane, when we get to Bill 103, to mention that basically I invite the attention of the Attorney General to the fact that here, under section 4 of the bill it says:

> The office of the director of land registration must be occupied by a person qualified as a barrister or solicitor.

And happily so, because frankly, with the new techniques in connection with planning and zoning—and for that matter, financing relating to building—it is becoming more and more technical every day to deal with. At one time was a simple matter of registration.

When we go to Bill 103, Mr. Speaker, we will find that the master of titles does not have to be a barrister, and we will discuss this further. Basically, I can be short in this connection because, as I say, there is really no thrust of any great principle relative to the legislation as I see it. I am not going to talk about, by way of example, the necessity to prove age for a guarantor in a mortgage, and this is really what the statute deals with —matters of that nature.

Mr. P. D. Lawlor (Lakeshore): I agree with my learned friend that the bill contains no matters of great substance. At the same time there are two or three points of principle that perhaps should be brought to the attention of the House. With the creation of the new office of land registration, there is an integration procedure taking place between the land titles office, and the registry office, which is also spelled out in the next subsequent bill to come before us, and I think all my remarks will be directed to that point at this time.

As I see the situation, a new office has been created, the position that has thus far been assumed by the inspector of legal offices being derogated from. I do not quite know what the range of powers of the inspector of legal offices is, but he certainly carried out the functions of looking after registry offices and land titles offices throughout this province to this time. If they are going to integrate

the two registry systems, it is anticipated that masters of titles will be superseded, that they will be integrated in the fullest sense, that only one individual, perhaps called the director of titles or what you will, will exercise in any particular county the full powers of that office? Or is it anticipated, since many people have been appointed and enjoy tenure at this time, that perhaps what I suggest in the long run will take place, namely that one individual will handle both procedures? Or is it to happen that there will be two individuals within a single office, conducting various aspects of the integration?

I think the Attorney General will agree with me that in the long run it will be highly desirable that every registry office in this province be closed in the sense of being integrated into the land titles system. That is the ultimate objective. I would be most interested in learning of that, because as everyone knows, at least within the legal profession, this is a far more expeditious procedure, and should be less costly, since the titles and land titles are guaranteed titles, and there is no necessity for solicitors to go beyond the fact of the title. There is an insurance fund to back the title, and certainly the registry office system going back on a 40-year basis, as we do at the present, is an increasingly outmoded, and archaic and unnecessarily involved system for the legal profession to have to contend with as it comes into the next decade. I would trust that this would be the overall objective of this new bill.

I would point out to the Attorney General that there may be a misprint in section 1 of his bill, where he refers to section 3 of the bill. I suggest that that probably should be section 4 of the bill; that is where the appointment for the director comes into being, through the Lieutenant-Governor.

Apart from that there are one or two points. I think the bringing of affidavits into being, where guarantors or sureties for mortgages are for the first time being required to give an affidavit of age, is all to the good. Some people under age, acting as sureties, then cannot be held responsible unless certain rather basic conditions are met, and to have this disclosure made most of the time, would mean their signatures as sureties would not be worth the paper they are written on.

There is a further point I would like to bring to The Attorney General's Department, and that is with respect to affidavits not to bar dower in mortgages or in deeds of common law wives. I take the case of the joint tenancy situation where two people have taken property as joint tenants. They have comported themselves as husband and wife to all intents and purposes. Truly it is a common law relationship. They represent to all and sundry that they live in matrimonial bliss, but the fact of the matter is that they do not happen to be married. I wonder if it is necessary—I do not think it is under the present sections, and it could be called perjury —for people to swear that they are married.

In the legislation that the Attorney General is bringing before us here, he does require them to make it quite clear that they are married to one another, period. I wonder if it is not unnecessarily embarrassing to the individuals concerned, to enforce that restriction upon them. We have managed for many years to get along without it. Most people who come into legal offices call the women "my wife" and the documents are written up that way. They do not make any particular disclosure, nor are they under any grave obligation to do so. But, under this new section, it would be mandatory of them to make the disclosure with all the ensuing embarrassment that might result.

On the other hand, there may be good reasons with respect to the validity of titles, why this regulation is being changed. I know of no cases that have risen recently which have called a title into question because of a basic misrepresentation, if this would be called such. If that is the basis for the Attorney General's reasoning, for introducing this measure, very well and good. It would then obviate the difficulty.

The only final remark I have to make is that I was pleased to see the exclusion of memorials of all kinds dating back to before certain dates. So that hidden documents dating back to ancient times and kept in hope chests around the province, or in musty dormitories, do not get themselves registered —throwing titles into grave question.

He has extended the provisions with respect to leases, and notices of leases, back in those days; but as for claims to title, apart from very specifically designated ones, they have been excluded from now on.

Mr. Speaker: The hon. member for Downsview was first on his feet.

Mr. V. M. Singer (Downsview) Mr. Speaker, I do not know whether to make my annual speech about the uselessness of our system of dealing with titles under this bill, or under the next bill. But, since it was introduced by the member for Lakeshore under this bill, perhaps I could pick it up again. I have said for I think as many years as I have

been here, that we must surely have enough intelligence in this province to evolve a system of land registry which will not necessitate the useless procedures that we go through today.

I have criticized the legal profession in this regard because I have more than a sneaking hunch that this system is being perpetuated, in order to allow the charging of fees for comparitively mechanical jobs that really bear no real relationship to the work involved.

It continues to appall me, Mr. Speaker, when I see, on one real estate transaction, four different lawyers attending a closing—all having done the same work, all charging a fee related to the total value of the transaction under the guise that they are certifying title.

All four of them are doing the same kind of work and, all four of them are taking a percentage of the total fee. And all four of them are purporting to guarantee a title that probably has very little wrong with it.

This brings me back to my old friend, Sam Dodds, and I have talked about him in this House before. He was the deputy registrar in the city of Toronto when I was a student, and he was a kindly gentleman who knew more about titles than probably anybody who has been in the registary office.

He came up the hard way. He came up as an office boy and worked his way through until, eventually, he got to be the assistant registrar of titles. That meant he ran the office, because in those days—and I do not put the blame on any particular political party—the registrar was a political appointee. If he happened to have seen a registry office before he was appointed, then that was a happy coincidence. But it really did not matter. He just arrived in that office—and the running of the office was done by his deputy or by the assistant.

That is what Mr. Dodds was, and, as a student, Mr. Dodds was very helpful to me, and to all the students at that time. In fact, my father used to talk about how helpful Mr. Dodds had been to him, in his earlier days, when he practiced law. And that goes back a long time.

But Mr. Dodds once told me that if he was given $2 to certify every title in the city of Toronto's registry office, he would gladly accept it and certify them just by writing out one certificate. Then he would end up a millionaire. He would not have to look at any of the titles. He said there are so few bad titles that he would have enough money left over to pay off any damages suffered. Because enough of these titles are so good, and have been so thoroughly searched over the years, that there is just no question of them being inaccurate.

Now, as I say, Mr. Speaker, that goes back over a long, long period of time. But we continue, unfortunately, to go through this farce of having titles searched, again, and again, and again. And these fees charged, in relation to the price of the total transaction, are not in relation to any real responsibility.

Now, hopefully, as we see these blanket amendments to this Act, and to Bill 103, we are moving in the direction of having a system of land registry in the province of Ontario, along the lines of The Land Titles Act, or the Torrens system; and, hopefully, some day, sometime, we are going to have a system whereby anyone can go in and search a title if they want to—and the assurance fund will be there in case anybody has made a mistake.

But, as so often happens in the actions of this government, the progress that we make is so slow even under the new procedures for dealing with the registration of plans. We have the situation where now, when you register a new plan of subdivision in the registry office, you still have a procedure somewhat similar to bringing it within The Lands Titles Act. I do not know why.

I urged at the time this legislation was brought forward—I do not know why those new plans are not put under The Land Titles Act. But you still have your choice. You can still put new plans under the registry office.

Now, even if we are waiting for the passage of time to make everything uniform—and certain steps have been taken in this regard—why we could not make new plans registerable only under land titles, so that they are there, and the system of certification would carry on, I do not know.

I was interested in the point the hon. member for Lakeshore raised in connection with the affidavits about marriage. This really goes back to the whole question of dower. The affidavit would be quite meaningless if we would get up to date, and do away with this dower right.

There is really no point in it; and with all the study and all the research that our law reform commission is doing, why we have to perpetuate this anachronistic and historically out of date idea that there must be dower, I cannot understand.

You have to satisfy yourself as to whether or not the dower right has been barred. We have all sorts of other remedies in our courts to protect women, in relation to their marital status, and their claims for support against their husband or against the person with whom they are living.

Undoubtedly those statutes do not go far enough. But trying to deal with it, in relation only to land, is an anachronistic system in this day and age. This is another one of those carry-overs from the day when the only wealth in the community lay in real estate, lay in property. That is no longer the case, and has not been the case in this province for a long, long time. Why then, do we continue with the dower right? It is almost impossible to calculate it.

I do not know how many hon. members of this House, and who are lawyers, have ever had to calculate what a dower interest is where a reluctant spouse refuses to sign, and you can go to court, and you can get an order paying into court a certain amount, on the basis of some tables prepared by an actuary. How many years ago those tables were prepared, nobody knows. And the learned judge looks down and says, "Well, you have the right tables, and you figured out the right figure to pay in. It is absolutely right."

Nobody could figure them out, and I defy any member of this House who has any real understanding of the problem, that when he offers to pay in $324.33—and that is the way it seems to work out—to say whether this is some sort of compensation for the wife in lieu of her dower.

Why not be done with all this outdated, old-fashioned and ridiculous procedure? Let us bring our property laws up to date and in so doing, we will provide a service for all the people of Ontario, and to some extent we will lower the cost of housing. Because the cost of housing reflects very seriously the legal charges that are attendant on the exchange of property from a buyer to a seller —when mortgages are involved and so on. So, to quite a marked extent, if we made our procedures more viable, made them more simple, we would reduce the whole cost of housing. In addition we would modernize our procedure and make it somewhat meaningful in the light of the circumstances under which we live.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, briefly on this bill. It is, of course, difficult to speak to the principle because of the various items which are involved. However, I would call to the attention of the Attorney General simply three areas:

The first of them is the one dealing with the appointment of the director of land registration and insuring that this person is qualified as a barrister and solicitor. I would commend this approach to the Attorney General because I feel, as my colleague, the member for Sarnia, has mentioned, that with the difficulties on titles that can arise and with the problems of zoning with redevelopment of downtown areas, and the dealing with very old planning bylaws in some cases, or rights-of-way and various other problems, that a person who has a training as a barrister or solicitor is a useful kind of person to have in this kind of office. I think this goes to the general upgrading of the method by which we deal with some of these problems and the Attorney General is to be commended for this approach.

Secondly, I would also commend him for the approach which is taken concerning the lien which can arise through The Estate Tax Act of Canada. Heretofore, of course, as the hon. members of this House are aware, these liens, as well as certain others, have had to have been searched and a negative reply be received in the same manner that we search for corporate tax now. I commend the Attorney General in bringing in this provision that, if there is a claim, it must be registered. If the registration is not extant, then of course the claim is deemed not to be a claim on the title. I think this kind of an approach is a reasonable one and one which is long overdue.

I would thirdly ask just one question with respect to the general provision that has been made in this amending Act with respect to leases. My understanding from the reading of the section here, is that a notice of lease is able to be registered in place of the whole lease document. I am wondering if the Attorney General, in his comments on the bill, might just give the House some provision and reason as to why it is felt that the registration of the notice of lease is perhaps sufficient?

It would seem to me that if the lease for a property is registered on title—this is under section 5, Mr. Speaker—if the lease is registered on title then certain knowledge, of course, is available for anyone who is involved in the searching of that title. However, if we have only the notice of lease as a permissive item, then it may be somewhat more

involved, somewhat more costly and more wasteful of time, to have to track down the lease, wherever it may be. I am just wondering if the Minister might give us his opinion as to the reason for the amendment for the registration of the notice of lease provisions that he has made in the Act.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, as the hon. deputy leader has mentioned, I too have risen every year that I have been in this House and tried to persuade the Attorney General to bring forth legislation which would combine all registry systems under the Torrens or land title system. Even before I came to this House, when I was on the city and Metro councils in this city, I was doing the same in those two jurisdictions. I have been pointing out year after year that in the city of Toronto we have, not one, not two, but, in fact, three registry systems. We have the city of Toronto proper system; we have the county system, and we have the land titles or Torrens system.

Very frequently one finds, in searching titles, that the lands in question are to be found in two registry offices, the city registry office and the land titles office or the city registry office and the county registry office. I had one occasion where in fact they were in three. I think this is simply nonsense. Surely there should be one system whereby a person can know whether in fact he holds the title and knows what the encumbrances are against his property.

I also pointed out last year and the year before, if my memory serves me correctly, Mr. Speaker, that under one system, the land titles system, it would be possible to computerize the whole procedure. I think at that time I mentioned having spoken with A. J. B. Gray, who was then the assessment commissioner for the municipality of Metropolitan Toronto. He had indicated to me, as had Douglas Ford, who is now the city surveyor, that a system could be worked out, of description, whereby a computer could record not only the ownership of property, not only its dimensions, but the encumbrances against it; the zoning of this property; the density that applied when it came to constructing apartments or the like; how much the taxes were; whether the person was a public or a separate school supporter; whether the taxes were paid; how much were paid; how much interest was owing on any arrears of payment; all this could be done with a computer and it could apply for the whole of the province of Ontario.

In other words, one would only require one centralized computer with all this information being fed into it. This computer could also record if there were any work orders outstanding against the property by a municipality. In the city of Toronto, as this House knows, there are minimum standards of housing by-laws, whereby they can issue work order and register these work orders against the property. A computer would also be able to record this.

A purchaser, buying property, could conceivably even dispense with a lawyer completely. By paying a prescribed fee to the proper official at a new land titles office, he could obtain a complete history of his property in a manner of minutes or at the most, hours or a day. No steps evidently are being taken to do this.

I suggested, as the hon. member for Downsview has suggested, in the meantime—and this was back in 1966, I believe—every new plan that came up for registration should be registered under the land titles system so that eventually by working back over from the newest plan to the oldest, one eventually would have all the land under the Torrens system.

In subsequent bills, there are new areas that are being brought within the scope of The Land Titles Act and I regret extremely that all new plans that are submitted for registration are not brought under the land titles system. I, too, Mr. Speaker, would like to comment on the remarks made by the hon. member for Lakeshore with reference to the clause in the bill which requires that parties that are described as, "man and wife in the instrument," take affidavits to that effect.

I thought, Mr. Speaker, that we had established, from what occurred in the federal field, that most people were of the opinion that government ought not to stick its nose into people's bedrooms. This section, I do not know if I will get into trouble mentioning it, but this section does just that. In section 8 the government sticks its nose into bedrooms. I can understand why an affidavit may be required if a man and a woman hold land as tenants in common, and dower rights might attach, but I see absolutely no reason why this should be so general and compel everybody who is recited as man and wife in an instrument to take affidavits if they are, in fact, not man and wife.

Mr. Speaker, it is true that the laws of divorce have been loosened, and it is now

easier to get a divorce. However, there are many people who could obtain a divorce on the grounds of permanent breakdown of marriage because of separation, who choose not to because that would be an admission to their offsprings that they are not, in fact, husband and wife. There are many like that. They would rather live with their secret locked in their breast until their dying day, than go through the form of a divorce, and divulge that they had been living the last 25, 30, 40 or 50 years in what is now called a common-law union.

I cannot for the world see why it should be necessary to make this so broad. If the section required that if a man and a woman hold land as tenants in common and the woman is recited as being the wife of the man, then perhaps I could see the reasoning behind the Attorney General wanting to make such an amendment. But, to make it so broad that even those who hold land as joint tenants and not as tenants in common have to make such an affidavit, is beyond my comprehension.

I agree completely with the hon. member for Downsview about dower. It is silly and an anachronism, and in most cases, an absolute nonsense, because dower these days attaches to so little land, mortgages being so common.

For the benefit of those who are not quite so familiar with the system of dower, originally it was the right for a woman to reside in the main house of her husband, I think for a period of 40 days, before she could be thrown out. Dower was important in the days when a Methuselah married a young maiden, and there was a great gap between their ages. But this does not apply any more.

The table to which my friend from Downsview referred is called "Cameron's table on dower." Dower amounts to what one-third of the net value of the property women earn at five per cent per annum during the time between the husband's death and her death.

Mr. Singer: Based on the mortality tables of about 100 years ago.

Mr. Ben: Based on mortality tables of, I think, 1800 and something, if not earlier than that.

So, as I said, Mr. Speaker, when an old Methuselah of 99 married a maiden of 17, that dower could amount to something. But nowadays, when the age gap between a man and a woman is not that great, how much is the interest at five per cent going to amount to on an equity of three or four thousand dollars?

You know, today if you buy a house and get a mortgage on it for 30 or 40 years, the chances of a husband passing on a clear house, or dying with his house paid to the full, are very slim, and it is only the equity that counts.

So the difference, first of all, in ages, is small. Second, men are not living so much less than women these days, although there is still a gap. But five per cent is so little that it is nothing but a nuisance and the sooner it is disposed of the better. So, as I say, I cannot agree with that. There was a principle enunciated there and I cannot understand what principle is involved that would induce the Attorney General to submit such a section.

I trust, Mr. Speaker, you will forgive us. We are discussing two bills, but I think one ties in with the other.

I am still beseeching the Attorney General to give strong consideration to start now to bring all the land into the land titles system, beginning with the most recent plans, and to set up a central computer land titles system, which would give a complete history of any piece of land.

My colleague, to the right of me, the hon. member for Oxford, asked, "Do you mean that if property changed hands ten times in six months, ten different lawyers search the title?" I said, "If ten lawyers handle the property in six months, it is all the more reason for searching that title more thoroughly, because there is all the more chance of them making a mistake."

Mr. Bullbrook: This speech is from knowledge.

Mr. Ben: I think that the fewer cooks there are, the less chance there is of spoiling the broth. But I think we would be better off to have one party in charge of these titles, and I think it should be the director of land titles.

Mr. Speaker: Does any other member wish to participate in the debate? If not, the hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, when this discussion first started, both the member for Scarborough Centre (Mrs. M. Renwick) and the member for Hamilton West (Mrs. Pritchard) were in the House. I thought they might wish to get into the discussion on dower, but they both left.

An hon. member: They are safe enough.

Hon. Mr. Wishart: So I presume the matter of dower does not interest them very much.

Mr. Bullbrook: When you are married to a member, there is no dower left.

Hon. Mr. Wishart: I shall speak of dower later, but I think I shall deal with the remarks in order of the speakers who made them.

The appointment of an official known as the director of land registration, which is provided for in this legislation, is really something that has been in existence for some little time, or we have been moving towards it. That official will assume all the duties, both with respect to the registry office under The Registry Act, and with respect to the land titles office under The Land Titles Act, which are now carried out by the inspector of legal offices.

There are a number of considerations for this appointment. Actually, the assistant inspector of legal offices has been doing the duties which the director of land registration will assume. There will be no new appointment; there will be no change in salary; the official is there. We will perhaps have an assistant director of land registration, but this is an office which has been going on for some time. We have been working towards the integration of the two areas, land titles and registry, bringing them together. So that another thing is that it will divorce from the inspector of legal offices, who has the field of all the court administration, the land titles, land registration, and real property feature.

We are now required to budget on a functional basis, so we will be separating the court and this function of land registration. Actually we are really putting into legislation something which has been in effect, and I think that it will be much more effective.

With respect to the whole matter of integrating, or bringing together, these two systems of land registration, we are aiming at that. We have done a good deal to accomplish it. A good many of the areas throughout the province have been brought under the land titles office. Not all new plans are required to be filed in land titles, but a great many of them are and we encourage that.

There is a good deal of expense involved if you are to certify an area of title where, over the past years, a great many transactions have taken place. It is quite an expensive thing to make the re-surveys, which are often necessary to check those titles back for the required period of time and to certify them so that they may qualify for registration in the land titles office where the titles are guaranteed.

Mr. Singer: The Minister is doing that with all the new plans commencing?

Hon. Mr. Wishart: Well, with new plans we are doing generally practically all that, but not all. People can put on the new subdivision plans that do not have to go into land titles.

Mr. Singer: No, but even to put them into the registry office you still have to go back, and in effect they are certified in the registry office, but the same results do not grow from them.

Hon. Mr. Wishart: Well, I point that out. I say we are striving very hard to accomplish this and doing a great deal towards it. All new titles from the Crown, we ask to go into land titles.

Now, I heard the hon. member for Downsview say, "Get it all into land titles so that" —these were his words—"so anyone can go in and search the title." I have yet to see any really simple procedures, I must be frank to say—perhaps shorter—but perhaps the procedures are much more simple in land titles than in the registry office. But I do not see the man on the street going into land titles to search his title.

In the area where I practised law, prior to coming into government, a great deal of the country was under land titles, but it was still the lawyers who were in there searching title and, frankly, I did not see much difference in the fee either.

Mr. Bullbrook: I wondered about that. Is the tariff the same up there?

Hon. Mr. Wishart: So let me be frank and say I did not see much difference in the fee. I think the hon. member for Sarnia used to be in North Bay—I do not know whether he practised his profession there or not and I do not know how much land titles is there—but land titles has great advantages, I agree.

However, I would point out that while a title is certified—guaranteed, as it were, by the government—and an assurance fund was set up, curiously enough, until very recently they kept still augmenting that fund by a deduction from the first registration until the fund had grown into a tremendous amount. We do not insist upon that any longer, but the curious thing is—and I will be discussing this more in the next bill—there have been very few claims against the assurance fund and very few of them were successful.

Mr. Singer: And when there is one you really have to have some to spare, because the money—

Hon. Mr. Wishart: Yes. I did not want to pass over the remarks without saying that I think the appointment of the director of land registration will be effective in helping the integration of these two systems.

I wanted to say, with respect to that integration also, that I think you are aware that the law reform commission was asked do to a study on the whole field of property law, and the landlord and tenant study came out of that.

There will be remarks on dower I am sure in that study, and there will be something, I am certain, on the system of land registration which will come out of that report and which we should have before too long. In the meantime, we are doing what we can to bring as much of our property under land titles as possible.

The notice of the lease—a point which was raised by the hon. member for Kitchener—it is simply a matter of convenience. Some of the leases now which are presented for registration are documents of many pages with very complicated clauses, particularly as to rent where they are on a percentage basis, where they are in shopping centres and that sort of thing. Sometimes there is a reluctance actually to reveal all the detailed clauses that are in these documents. I think we have had a number of complaints when we have insisted upon the registration of the whole document. They were very long, they were very cumbersome, they were very complicated, and while we have in most registry offices the ability to photograph and to compress or minimize, still they make a complicated business if you have to register the whole document. The notice would require the essential elements—the parties, the property, the term—and there will be available the ability to find out where to go to get further particulars. It is a convenience generally.

As to dower, I would like to say seriously that first of all in the Act—and I say this particularly to the member for Lakeshore—in the Act at present in section 5, which I think is referred to in the proposed bill as section 8, that subsection 5 of section 52 is repealed and the following substituted therefor.

The substitution which you have before you is exactly the same as the subsection being repealed, with the difference of three words which are added after the word "married" in the second last line. The words "to one another" are added, so that you have always had, or at least for a long time have had, the requirement at the affidavit that the parties were married.

I guess somebody was cute enough to get away and say: "Yes I am married." These two people were perhaps married to two different persons, but they qualified under the present language of the Act.

Mr. Bullbrook: Did it not usually say, "and that the person joining therein to bar her dower as my wife"? I thought that is what it said.

Hon. Mr. Wishart: No, the sub-section now simply says,

> That is made by a man in which a woman joins as his wife, to bar her dower shall not be registered unless there is made thereon, or attached securely to, an affidavit by such a man or a woman deposing that they were married at the time of execution of the instrument.

We have simply added, "married to one another". I presume apparently that some people were beating it, they were two separate families, and we have had that in dower.

I agree to a considerable extent with some of the remarks that have been made about doing away with dower. Perhaps this will come, but let me say that dower has protected a great many women from being defeated of their property rights.

Mr. Bullbrook: Yes, but in this century?

Hon. Mr. Wishart: In this century, in very recent time, yes. I do not like to talk about my own experience, but I know cases which have come to my own attention where the woman would have been beaten out of property, deprived of the value of it had there not been the requirement that she sign the conveyance which was disposing of the property.

Mr. Bullbrook: Oh I see.

Hon. Mr. Wishart: So that a right of dower gave her protection and she did not have to go to court.

Mr. Singer: That gets her a little, but the tables are so outdated she does not get what she is entitled to.

Hon. Mr. Wishart: I am not talking about getting into the tables—the dower tables—that the woman whose signature was required

was able to stand up and say, "I will not sign" and hold up the transaction until she got a fair shake.

Mr. Bullbrook: Will the Attorney General permit a question?

Mr. Singer: Well, if the lawyer on the other side has any sense at all he will look up the dower tables and say, "Well you are entitled to X dollars and that is the best I can do." The tables are outdated.

Mr. Bullbrook: Is that right?

Mr. J. Renwick (Riverdale): Mr. Speaker, perhaps you will permit me to interject. The dower tables are of no assistance if you are dealing with the dower of a married woman in the case of, for example, an oil and gas lease where there is a royalty payable. They are of no assistance whatsoever, and very substantial amounts of money are payable in that kind of a case.

Mr. Speaker: I believe that questions of this type at this time are out of order. Nevertheless, the hon. member for Sarnia was on his feet before either of the previous speakers. Perhaps he would be permitted to direct a question now.

Mr. Bullbrook: I am wondering if the Attorney General will agree? In connection with the burden of his argument is it not the fact that she has to sign an instrument, not that she has dower, that is very effective? It is not the *quantum* of the dower, it is the fact that she has to sign the instrument.

Hon. Mr. Wishart: She has to sign the instrument, but she has to sign the instrument because she has the dower right which the husband cannot do away with. As I was about to say, the dower tables do not come into play at all in a good many transactions.

Mr. Lawlor: I wonder if the Attorney General would accept a question.

That can easily be avoided, I think you will agree, by simply paying the money into court and having the judge give an order dispensing with dower. Usually it is such a negligible sum if the people are young.

Hon. Mr. Wishart: Do not mistake me. I am not arguing that there are not other remedies that could be provided, but if the parties have property I simply say that the existence of that dower right has a value to the wife. It has protected her in many, many cases.

True, you can provide other means, other court actions, but again you are still going to have some other means to replace it. It is not a case of getting into the bedrooms of the parties at all.

If the hon. member for Humber were buying the property he would want to know that there was not an outstanding interest. It is not a case of getting into the bedrooms at all, it is simply a case of making sure that the title is good, whether you are certifying it for your client or for somebody else.

Mr. Ben: If the Minister will permit. I think he is well aware that all instruments now recite that "I am married, widower, divorced", and in the next paragraph—at least in the forms we use in Toronto—it says, "I am married to so and so, who is my wife or husband herein". So this has been taken care of long ago. You now have to recite who you are married to.

Hon. Mr. Wishart: I appreciate that and I think perhaps we are getting into what is really a detail in this legislation. As I pointed out, the requirement has been there for a long time to give this affidavit. We have simply added "to one another," three words.

Just one final remark, the suggestion that we could bring all our system under a computer is perhaps meritorious and we are moving to that—as I am sure the hon. member for Humber knows—in the personal property field. But even there, there are great difficulties. It takes time. These machines are expensive.

It is not so much the machine, it is the programming for it. It is all very well to say you could find out if the taxes are paid, what the encumbrances are against the property, whether there is a work programme going on, or what is planned for. Someone has to tell the computer originally what it is to produce. I am not sophisticated enough to understand these great machines, but my experience has been that in some departments where I find them—it seems to take a lot of people to run them and they sometimes make errors—

Mr. Ben: And cause delay!

Hon. Mr. Wishart: —make errors or have a tendency to be guilty of delay. I am not altogether enamoured of them yet. Perhaps they will improve their character, We are moving toward them in the personal property field. At the moment we are not planning it in the real property field.

I think that is all, Mr. Speaker, I would have to say on this legislation.

Motion agreed to; second reading of the bill.

THE LAND TITLES ACT

Hon. Mr. Wishart moves second reading of Bill 103, An Act to amend The Land Titles Act.

Mr. Speaker: The hon. member for Sarnia.

Mr. Bullbrook: Mr. Speaker, in connection with this legislation, frankly, I find myself in this position that my colleagues have entirely discussed the principles of 103 already, under 102.

Mr. Speaker: I trust there will be no repetition, then.

Mr. Bullbrook: Mr. Speaker, there will not be on my part, because I have not opened my mouth in connection with 103 yet.

In any event, I am sorry I did bring to the Attorney General's attention section 6, This is something that I do not think, frankly, we on this side, should accept. That is that the Attorney General is establishing, I suppose by way of principle, that the master of titles at Toronto does not have to be a barrister and solicitor. I really think here that some reconsideration should be given to it. He had the obligation under the other statute—and this is the focal point of my argument—albeit that the director of land registration, really, if he is going to take over from the inspector of legal offices, is filling an essentially administrative function. I would think he would agree, really.

This is the function that Mr. Russell now undertakes, and it is an administrative function. But when you get down to the office of master of titles at Toronto, when you get down to the office of registrar of the county of Lambton, then you are dealing day in and day out with the titles. We need someone of professional capacity more so under this system where we are guaranteeing titles and we are providing some assurance to the public as to the adequacy of their titles. I mentioned before, in connection with 102, the evolution in connection with real property law, the layering of mortgages, the planning requirements, the zoning requirements, the fantastic application of needed economic and social strictures on dealing with real property, and so I suggest to the Attorney General most respectfully that he reconsider that section—at least, perhaps he can persuade me, as one individual, that the master of titles at Toronto does not need that knowledge.

I am not saying he need only be a barrister and solicitor. It might be that he would be well qualified also as an Ontario land surveyor or have some other professional background. But I do think he should have the fundamental background in the law that is required, and the same applies to section 7. I fail to see frankly why he is deleting the requirement that the assistant examiners of surveys be Ontario land surveyors. It seems to me that it is eminently reasonable that they should be Ontario land surveyors. Perhaps the Attorney General can convince us otherwise.

As far as the principle is concerned, and I do want, for a moment, with the members' indulgence, perhaps to repeat what has been said particularly by, I think, the hon. member for Downsview and the hon. member for Humber in connection with the land titles system. I say in fairness to myself, sir, I did not have the opportunity, because I thought it would be appropriate under this bill, to discuss this question of land title. Perhaps I am unfair to the Attorney General, because in countering the discussion perviously under 102, he has gone into land titles. But really as one provincial lawyer, I find that dealing day in and day out with the registry system, which we do, we have a considerable real property practice.

There are two things that come to my attention, and perhaps the Attorney General will clarify this for me. The first thing is that I have not run across too many titles that cannot be rectified. As a matter of fact in 16 years, I guess it is now—no, 14 years—I have not yet encountered a title that I have not been able to rectify through an error on my own part or an error on the part of some solicitor acting previously. I think it was my friend from Downsview who mentioned to me that some person of some considerable activity in this field in the city of Toronto said that he wished he had a dollar for every title in the city of Toronto or county of York which could be rectified. I think he said he might be nearly a millionaire or something of that nature.

So I think that we in the profession recognize this—from the Prime Minister of the province down—that really titles are not that difficult to rectify. We have available to us the instruments, declarations of possession and necessary applications to the court. The Quieting Titles Act. Nobody wants to go under

that, but it is available to you if necessary, and so is The Vendors and Purchasers Act. What I want to say, therefore, is this: On the premise that there are too many titles, just what gamble is being taken by the province of Ontario if they say, "From now on I think we will put an end to this charade of solicitors certifying titles all the time." I speak against my own livelihood to a certain extent, but really in the public and common weal, because when you see the duplication of certificates, at significant charge to the public, it is something that is not unconscionable, but really it is wasteful of money.

So the Attorney General, in response, in talking about the application of the Torrens system throughout the province, says in effect, "We have this in mind." Perhaps I have not given this sufficient consideration, but I suggest this to the Minister, having regard to the quality of titles *per se,* to the remedies available to us to rectify titles, what gamble would there be in considering the implementation of the guarantee system throughout the province? Perhaps we could get into a technological implementation such as my friend from Humber discusses. I do not want to get into that, but I want to speak to the Attorney General about the principle that is shown here, and that is the principle of elasticizing this system. He says he is going to do it some time, but he speaks of expense in connection with it. Really, I think it will be well worthwhile that the Minister in charge of the administration of justice for this province would consider that expense forthwith, because I think really he would be transmitting to the people of Ontario an eventual great saving through the government of Ontario.

That is basically my feeling, that certainly, as a matter of principle, we support wholeheartedly this bill. There are certain sections in it, to which when the time comes, unless the Attorney General can persuade us otherwise, I think we will invite his consideration and the consideration of the members of this House about an amendment. But on the matter of principle, we say yes, it is good legislation. We say he should have gone further, and we say that really substantially there is no reason why it cannot go more quickly.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I would just add some comments concerning the portions of the bill which deal with the changes in the background requirements and qualifications of the master of titles at Toronto. And then as well, some comments with respect to assistant examiners of surveys being no longer required to have the qualification of an Ontario land surveyor.

I think, Mr. Speaker, that in the previous bill we have spoken with respect to the general upgrading of the methods and qualifications of the persons who are dealing with these various items of legislation. You will recall in the previous bill we referred, and with approval, to the good approach to upgrade the qualifications and the title of the gentleman to be called the director of land registration. The Attorney General has mentioned to us, Mr. Speaker, that we have had this gentleman in fact in operation within the department for some time. I agree that for a position of this type, with the various problems that come before him, the qualification of being a barrister and solicitor is well worthwhile. But as the member for Sarnia has pointed out, the functions which will be greatly covered by the director of land registrations will by necessity be of some administrative purpose.

The kind of man who is on the actual firing line of approving changes in various registered plans, or of developing certain projects, is going to be the master of titles. I put it to the Attorney General that the master of titles at Toronto is probably going to be the man who is called upon to make the most serious decisions with respect to land titles of anyone in the province. This is the man who is going to be closing all the little lanes and the old rights-of-way in the downtown portion of the city of Toronto as some great new project is put together that may cover half a block.

It is certainly this kind of a person who has to have a great knowledge and depth of view of these ancient rights or whatever they might be; of easement or whatever are going to be cleaned out in preparation for a new Toronto-Dominion Centre or something like this.

I suggest to the Attorney General that it would be well worthwhile for this person, who has this ultimate responsibility of certification of cleaning out all these old cobwebs of title that have existed perhaps a century or so in Toronto in various guises or forms; it is essential, I think, that the province be served in this post by someone who is qualified as a barrister or solicitor, and perhaps may have other qualifications as well. In this way the entire ramification of the problems which are cleaned out by his decision, are known to him.

I think if we have a person who does not have this qualification, then we are not properly guarding ourselves against the necessity for insuring that this job is well done.

I invite the comments of the Attorney General, as well, with respect to the other point that is made in the bill dealing with the decision for assistant examiners of surveys not to have the Ontario land surveyor qualification. Again, we are called more and more into the development of projects for urban renewal; more and more called into new large projects in downtown areas. As the land title system becomes more and more with us, we must have persons who are qualified to deal with it. Surveys have to be more and more tied together as the whole jigsaw puzzle of land titles and surveying covers this province and all these loose ends and corners are tied in.

I think it is not too much to ask that the persons who are sitting in authority and who are making decisions have certain basic qualifications. And while, of course, certain experience is well worth while in any of these areas, the basic qualification in this case is for the master of titles to be a barrister and solicitor, or for these assistant examiners of surveys to be Ontario land surveyors. There are two areas of upgrading which I think we should develop further. We should encourage this and not discourage it as, unfortunately, this bill does.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, it is with some timidity that I rise to take part in the lawyers' hour in the Legislature this week, but I would like to just bring a point to the attention of the Attorney General.

Mr. Lawlor: The member is in good company.

Mr. T. P. Reid: Yes, well sometimes one cannot choose one's friends, you know.

I would like to bring to the attention of the Attorney General section 7 of his bill in which he seeks to repeal subsections 2 and 3 of section 11 of The Land Titles Act. Now, the principle has been enunciated already by my colleague, the member for Kitchener, but I would like to read into the record, and I am sure the Attorney General may have received a copy of this telegram from the chairman of the northwestern group of Ontario land surveyors at Atikokan. I quote from the telegram:

> The northwestern group of Ontario land surveyors feel most strongly that a person appointed as assistant examiner of surveys should be qualified in the survey of land, plans and descriptions, and that such person can only be an Ontario land surveyor as now required by subsection 2, section 11, of The Land Titles Act.

It would seem to me that this is a perfectly reasonable request. I have the land titles bill in front of me. I would like to know why the Attorney General feels that this subsection 2 and 3 of section 11 should be repealed, and I would ask him that he give further consideration to this bill, and section 7 of this bill, and make it mandatory that assistant examiners do, in fact, be Ontario land surveyors with a minimum of three years experience, as set out in subsection 2 of section 11 of The Land Titles Act.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, sometimes I feel like Senator McCairn. Maybe it is ill-fitting that people of this party should be so cost-conscious like myself.

In setting up this new office, it seems to me like a proliferation of the already existing kind of thing. I would trust that the inspector of legal offices staff will be reduced, and the cost potential will be decreased on the whole, and that there is a sufficiency, I would trust, of staff in the inspector's office.

Hon. Mr. Wishart: If the hon. member would permit me to say, while I realize the bill might well mislead in using the title, "The director of land registration," that is not really a new office.

That is actually the title which the assistant inspector of legal offices bears under the civil service. They call him a director of land registration. We are not doing anything other than giving him that title now in the Act, and he carries on the duty, or he is the assistant inspector, of legal offices.

Mr. Allan Russell, Deputy Assistant Attorney General, is the inspector of legal offices, who does the work of inspection of the court functions and the administration on that side. Mr. Richard Priddle—I am going to use these names—is presently the assistant inspector of legal offices and the civil service call him director of land registration.

We are just giving him that title in the Act. We are not setting up a new office, and as I mentioned in connection with the previous bill, no difference in salaries, no new

proliferation. I thought I might nip that in the bud right there.

Mr. Lawlor: My *nostrums* on economy are not lost. I would trust there would be other instances.

I will come back to the remarks I made. In this bill there are two levels, there is the director up here and there is the interrelationship between the registrars of deeds and the masters of title. In this bill it says every land titles office shall be combined with the registry office, or the registry division in which the Act has been extended.

It is interesting to contrast that, Mr. Speaker, with the Act as it is set forth in the year 1966, section 5(a) (1). I read:

> Subject to subsection 2 of section 4, and except as provided by subsections 2 and 3, every land titles office shall be operated as a part of the registry office.

So this is an advance, this is a step in the right direction. While I feel there is justification for having an overseer in the form of the director for both types of offices, I still question in the long run the intent of integrating one type of registrar and a master with the other.

Is that the intent at lower echelon at the registry office as the years go on? I would trust that it would be the intention, and while in a sense it must be the intention because it is being indicated in the registry system, the intention is to phase it out. Whether it is envisaged possible to wholly phase it out would be another question due to certain technical difficulties on titles. But I would trust that in due time there would be simply one registrar and again economy would rule the day.

Mr. Speaker, I wish to join in with other members of this House who have taken exception to the appointment of master of titles at Toronto, particularly to the fact that he does not have to be a barrister or solicitor. Possibly the basis of this is because the director who is given official status under this bill has to be a barrister solicitor. I suppose under the Attorney General he may well be a lower echelon individual now, and has been for some time past, but he can exercise these functions quite adroitly with the kinds of skills he has acquired by simply being associated with the office.

I suggest not for the many reasons given—particularly in the land titles office. It is curious, Mr. Speaker, that the same suggestion is not being made, as far as I can see, with respect to the registrar of deeds. He retains his status as a barrister and solicitor.

Under The Land Titles Act, section 9, subsection 2 reads:

> The Lieutenant-Governor-in-Council may appoint a person, being a barrister or solicitor of not less than five years standing, to be the senior deputy of the master of titles.

That, too, is being deleted in the course of this, so that both the master and senior deputy will require to be barristers and solicitors. It was, I am sure, devised in those days that this was requisite to the carrying out of the functions.

I suggest, irrespective of the director, that it is equally requisite and no more so than in the office of lands titles because the titles are guaranteed, and to guarantee a title very often being transcribed from the registry system to the land titles system requires very close and nice investigation. The delicacy of points and conveyancing law are at issue, and a person must be trained in this particular area.

Hon. Mr. Wishart: Do I understand the hon. member to say that the registrar of deeds in his opinion had to be a barrister or solicitor? Is that so? I did not think it was so?

Mr. Lawlor: Well, you may have caught me out. It may not be so. I assumed it was so. I think that you are right that George Bark, of the registry office in Toronto, is not a lawyer, as it strikes me. That takes away nothing from my point of course. It sticks. It just may reinforce my point in some instances, but I wish to say nothing against that gentleman with whom I have splendid relations.

However, in land titles I suggest that lawyers are needed. What does he do in the registry office, but simply accept documents according to form. If they comply with the form he is obliged to register them, but that is not so in land titles; quite a different situation pertains. He must guarantee that title; he must scrutinize that title; he must go through it with a fine tooth comb; he must expose the land titles system to insurance claims. I think it is a retrograde step, it is a mistaken move on the part of the Attorney General to seek to take a barrister or solicitor out of that particular area.

Similar remarks should be directed to the business of surveyors. Section 11 is the present section under chapter 204, having to do with surveyors, and it requires "the

Lieutenant-Governor-in-Council may appoint an Ontario land surveyor of not less than five years standing to be the examiner of surveys, who should perform such duties if the director of titles requires"—and it goes on. The subsection 2 of that says,

> The Lieutenant-Governor-in-Council may appoint one or more Ontario land surveyors of not less than three years standing to be assistant examiner of surveys who should assist the examiner of surveys in the performance of his duties.

As the hon. Attorney General well knows Mr. Speaker, he has before us another bill that may very well come on this afternoon, The Surveyors Act, a reaffirmation of that statute which places very tight and very jealous conditions upon those who may or may not, exercise the functions of a surveyor in this province. That has been somewhat tightened up, and they are, as I say, extremely jealous about their role and the functions that surveyors may perform. It comes down to this, that somebody who is relatively unqualified in the survey business is placed in the position of authority over those who are thoroughly qualified within the fairly tight and restrictive conditions that are being imposed under this other bill that we have before us, and it is due substantially at the same time under the present Surveyors' Act in any event.

If I may read a letter that has come into my hand, I will not mention the firm—it is a surveying firm from Port Arthur, they take some exception to this bill on these grounds:

> That Section 7, subsection 2 of Bill 103 repeals section 11, subsection 2 and 3 of The Land Titles Act, which in subsection 2 gives the Lieutenant-Governor-in-Council power to appoint one or more Ontario land surveyors of not less than three years' standing to be assistant examiners of survey, who shall assist the Examiner of Surveys in the performance of his duties.

And then it goes on:

> The new Act in section 7, subsection 2 gives the Lieutenant-Governor-in-Council power to appoint special examiners of survey to assist the examiner, but does not spell out just what the qualifications of such assistant should be. As a firm of Ontario land surveyors we feel really strongly that these assistant examiners, whose main duty is to examine and approve the plans we prepare under The Land Titles Act, can only do this adequately if they are also Ontario land surveyors trained in the survey of land plans and description of land. This legislation, if passed, would mean that the submissions of the Ontario land surveyors who are all members of a professional body incorporated in 1892 would be judged and approved by clerks or draughtsmen who might have been working for said land surveyors a short time before.

And then they ask for any assistance that may be given.

I think those marks have weight and bearing on this issue, again with your unqualified titles, with your absolute title, and in the land titles office and the guarantee that effects it. Nothing could be more crucial than the survey, and nothing could be more excruciating than trying to get a survey passed, if one has been through that particular procedure. Dante in all the levels of the inferno knew nothing like the pain suffered by a solicitor seeking to pass—maybe if you do not make them surveyors they will pass them through, you know, with a great amount of cavalier or blasé, maybe it is all to the good for the practicing profession, but in any event I think not. We must have the designated descriptions which are all important, an inch may mean vast sums of money and a layout that is improper could traduce the law of titles for many years to come.

With that in mind, I would ask the Attorney General to reconsider, if he will, the move on restriction. I think it is a move in the direction of economy, and all to the good if such is the case, on the other hand, I suggest that this is a false economy.

I want to say a word, before sitting down, about certain remarks which are not really in order, but have been made in this House. I suppose we all have the liberty of the day. The remarks about searching titles and lawyers featherbedding. Of course, they featherbed, Mr. Speaker, but I would be the last one in the world to bring this to public notice. The whole range of work which lawyers do, most of the litigation with respect to highway traffic and the litigation in the civil area; could the great involvement, all the song and dance that go into it and the munificent maintenance of lawyers that it involves in this day and age be necessary? Professional people ought not to blame, point their accusing finger at their solicitors. My own profession is a very grievous offender, but I would not do anything to cut it out Mr. Speaker, because they use title companies in the states and in British Columbia and elsewhere. They pay a terrible price for the elimination of the featherbedding,

the terrible price being that champerty and maintenance and various forms of contingency fees are allowable. The second condition of the man is far worse than the first if we want a 10 per cent or a 50 per cent cut as the American lawyers have. Is there a way of making money in substitution for their searching of titles?

Hon. Mr. Wishart: Mr. Speaker, I do not think these remarks are in order at all. They should have been made on the previous bill. If there is any featherbedding, it might be in the registry office. I do not think it is a principle of this bill. I enjoy very much listening to the hon. member, but I have more legislation. I am sure he is as anxious as I am to get that forward. I do not want him to get off on champerty, maintenance, featherbedding and away from the principle of this bill.

Hon. J. P. Robarts (Prime Minister): I see the non-lawyers are out of the House.

Mr. Speaker: Has the hon. member for Lakeshore concluded his remarks? Is there any other member who wishes to speak to the bill before the Minister?

Hon. Mr. Wishart: Mr. Speaker, I am indebted to the members for their comments with respect to this bill. I must say at once that with respect to the section which requires or provides that the master of titles at Toronto need no longer be a lawyer, I am not of a hard and fast attitude with respect to that. I think there is no need now that he need be so qualified, although he probably will continue to be qualified in that way. The need is removed by the fact that we have now, the director of land registration, who will be of course, a lawyer and who is presently a lawyer with some 14 years' experience in this very work.

I have not heard, I may say, a single complaint from any member of the bar, although this bill has been introduced here for some weeks—

Mr. Lawlor: The Minister will!

Hon. Mr. Wishart: No, I think I will not except those in this House, and in the Opposition side.

Curiously enough, when we examine the other sections, 7 and 13, which remove the requirement for the assistant examiners to be surveyors, I have had, as hon. members are aware, some considerable complaint; and I met with the executive of the Ontario Land Surveyors' Association on the 23rd and had quite a long discussion with them.

There is good reason also for that proposal. But again, I am not of a hard and fast attitude. If it were established, to my satisfaction, that damage would be done by such a measure, as this bill proposes—I would be quite prepared to reconsider it. But I will point out this, in the land titles system over the years, the system of examination of surveyors was not introduced until late in 1957, and I think, became effective in 1958.

From the inception of the Torrens system, there was always the feature of a certified title, guaranteed as it were by the Crown. There, I think, you could count, certainly on the fingers of one hand, all the cases where a title was ever found to be wrong, or where compensation needed to be paid, or where the insurance fund was ever called upon to pay. And there was no examination of surveys in that system until 1957, beginning in 1958.

Now, we are not dispensing altogether, in this proposal, with examiners of surveys or with Ontario land surveyors. There are now, I believe, some 12 or 15 in the land title system, nine of them here in Toronto, I believe, with the master of titles. They are also located elsewhere in the province—and they are presently land surveyors—at Sault Ste. Marie, Kenora, Sudbury and Bracebridge. In addition, the master of titles at North Bay is a surveyor, and he serves as the assistant examiner there.

But surveyors are highly qualified professional people. They do their work in the field. These gentlemen sit in the offices and look at the plans. The work which they do could very well be done by persons trained and with technological qualifications to check plans, to check angles, to measure distances, to observe that the bearings run in such a way that they will meet, and surround the area described. In addition to this most of the survey plans now submitted all across the province are placed in a computer system to see that they are correct. So, we do not need these specialist surveyors. They are very expensive.

At the present time, there is some economy involved. The master of titles office resulted last year, I may say to you, in a deficit of some $300,000. To require all the examiners of titles to be Ontario land surveyors would probably increase that deficit to $500,000. They are not needed. I would be prepared, if it could be established to me that titles would suffer as a result of reducing this requirement, to retract, or to amend the bill.

But I see no need of that, and I have not been convinced of its need. I think the policy

is correct. So it would take a good deal more than what has been said to me today, or by the Ontario land surveyors, to change my opinion in this regard.

Mr. Singer: I thought the Minister was such an enlightened person.

Hon. Mr. Wishart: Well, perhaps I am a little bit more enlightened than some of those who speak out of darkness.

I think those are the points that were mainly brought forward. I would like to say this, the member for Sarnia spoke up and put in a good word for the registry office system, as I understood him. He said: I find few titles that are difficult to rectify, that I could not rectify in a hurry. I think when I spoke—

Mr. Bullbrook: That is the quality of the profession.

Hon. Mr. Wishart: Right. Pardon? How is this?

Mr. Bullbrook: I say that is the quality of the profession.

Hon. Mr. Wishart: Right!

Mr. Singer: Not a system—

Hon. Mr. Wishart: Well, I distinguish that, and see that difference. But I would point out that when I spoke to the previous bill, The Registry Act, I pointed out that I found the registry system a fairly effective system too, that not much more time was spent there than in land titles, and that there was not much difference in the fee charged by the profession in certifying a title in one place or the other. At least, this was my experience.

I would, however, point out this: that in the running of a land titles office there is quite a difference in the staff required, and there is quite a difference in the time that it takes to check a title. One can go into land titles—and the parcel there is recorded in one page, or perhaps at the most, two pages of the registry book, or land titles record.

That is about all you require to look at, because it says: so and so is the owner, with a guaranteed or certified title, and there is this mortgage or that encumbrance charged. That is all.

Mr. Singer: It would save the public more money by having the government—

Hon. Mr. Wishart: Well, I am pointing out this advantage of land titles. That there is a great saving of time and there is a considerable saving in the amount of staff required to run the land titles office. So it has certain advantages—only to mention those two—and that is all, Mr. Speaker, I would have to offer with respect to this legislation.

Motion agreed to; second reading of the bill.

THE DIVISION COURTS ACT

Hon. Mr. Wishart moves second reading of Bill 123, An Act to amend The Division Courts Act.

Mr. Bullbrook: Mr. Speaker, as I see it, there are really only two principles that flow from this Act. One is the principle set out in the explanatory notes in relative sections 1, 2, 3, 9, 10, and 11. And that is the amendment to abolish juries in division court actions. I do not think that much needs to be said.

In my limited experience at the Bar, I have never had a jury trial at division court. I do not know if any of my colleagues in this House have. I really think this is an appropriate attitude for the hon. Attorney General and his department to take—this abolition.

I would be interested in having his comments as to whether he himself has ever had a jury trial in division court.

Mr. D. M. De Monte (Dovercourt): I had one.

Mr. Bullbrook: My friend from Dovercourt says that he has had one, but really I think it is hardly ever used.

I wonder if I might compliment the Attorney General in connection with sections 4, 5, 6, 7 and 8. That really concerns the abolition of the committal of judgment debtors to prison for wilful default in making the payments ordered by the judge.

The theory behind the committal of a judge of a judgment debtor is basically, that he was in contempt of the order of the court. To perhaps exaggerate, you tell a man who perhaps owes another man $100: pay him $10 a week; but what you in effect say to him is: whether you have got the $10 a week or not, you will pay him it.

Now, I must say, in fairness to the judiciary, there usually is a proper and appropriate examination. But we do have, frankly, at times—and I think perhaps your honour might have experienced it in his practice—judges who do not always equate income and expenditure with the concurrent expenditure and lack of income of some of the public.

I, for one, have seen some orders made on judgment summonses where, really, the persons could not meet the responsibility.

So, technically, when they do not meet the responsibilities, Mr. Speaker, they are in contempt of that court. Now we are doing away with this really archaic principle that, where they cannot meet that responsibility, they be thrust into jail. This, of course, is something that we wholeheartedly support.

Collaterally to this, perhaps—and if you will just permit a slight digression, I think, from the principle of the bill—we might have, in the position of incarcerating people, a tightening of credit.

Because if there is something that has bothered me, sir, is listening to the radio as I shave in the morning and listening to these advertisements—I realize I digress, but—

Mr. Speaker: I do not wish to cut the hon. member off, but it is an invitation to all other members to digress on the line of credit, and really, that is not the principle of this bill.

Mr. Bullbrook: Your honour, I agree with that. The only thing I must say, and I say in deference to myself, is that so many times I sit here and hear digressions much worse than that. Really, I do not in any way mean to be disrespectful to your ruling, but I would just record this in *Hansard* for the moment. Let us hope, then, that, as I say, there will be a new economic attitude, and a lack of invitation to the public by some of these finance corporations to commit economic disaster every morning. If you are in trouble—

Mr. Speaker: Now that the hon. member has made his point, I believe, perhaps he will come back to the principle of the bill.

Mr. Bullbrook: Thank you, Your honour. I think those are the only remarks I wish to make.

Mr. Singer: Mr. Speaker, I share the opinions of my colleague from Sarnia in his comments on this bill, but I wanted to approach it from a somewhat different aspect. Looking at the bill as carefully as I have been able to examine it, I see nothing in this bill that is going to help the deplorable situation that I think exists in the county of York. There really, Mr. Speaker, is not a more frustrating place for anyone in the profession to try to appear, or for any citizen of the public who wants to handle his own case, than in those division courts in the county of York. The dockets are so long—

Mr. Speaker: Might I enquire how the hon. member is going to relate this to the principle either of doing away with jury trials or of the section of the bill repealing incarceration for debt sections, because in my opinion he is nowhere near either of those two principles?

Mr. Singer: Mr. Speaker, this is a bill that my colleague from Sarnia and I have said makes substantial improvements in The Division Courts Act.

Hon. Mr. Wishart: Perhaps the hon. member wants jury trials?

Mr. Singer: Oh no, no, no! That is not what I want to say at all, and I was commending the Attorney General for taking these steps, which are substantially advanced and in keeping with what has gone before. But I would have thought that while he brought in the substantial revisions to this Act, he would have wrestled with one of the more serious problems as to who is going to hear the cases, how long the dockets are, and the handling of the staff in these courts. I am suggesting, Mr. Speaker, that the Act would have been a much better Act, which we would have been able to commend much more thoroughly, if it had dealt with some of those things, and it is with much regret that we have to say that we cannot find those things in this Act. I recognize the validity of the point, Mr. Speaker, that you suggest to me, and we will deal with these questions under sections.

We need more judges in the division courts in Toronto. We need to take the staffs off the fee system where that still exists. There is a certain prolific letter writer who addresses himself to the Attorney General and to myself and to several other members of the House on frequent occasions, and while he does it in an unusual and occasionally objectionable way, once in a while he has a point. It would seem to me that the public could be well served by a much more thorough analysis of what goes on in the division courts, particularly in the county of York, with a view to enabling the citizens and the members of the profession who deal with these courts, to be able to deal with their business more expeditiously and more efficiently.

Mr. Lawlor: Mr. Speaker, I shall just briefly comment on this. I shall leave to my hon. colleague, the member for Riverdale, the remarks with respect to the jury, and will simply advert to the expunging, at long last, from this province, and from the exercise of

jurisdiction within the division courts, of the committal orders—but with particular relevance, since no remarks have been made up until now, to the contempt proceedings under section 132. There was a wide range of matters which could be called contemptuous and which involved a penalization of up to 40 days. I will not run through what has been expunged or is being expunged at this time except simply to mention the general headings.

If there was evidence before a division court judge that someone obtained credit from a judgment debtor or incurred debt or liability under false pretenses, or by means of a fraud or a breach of trust, that was sufficient. And it takes us back to Bleak House, you know, and the days of Dickens and the debtors' prisons, and the whole of 19th century literature—Thackeray comes back to me. We have it retained until this afternoon in this province; it was possible to do it, and in some instances, under more vindictive judges, it was actually done. It has become rarer and rarer, and the whole practice has become suspect and otiose, which is all to the good, and I commend the Attorney General on abolishing the whole wretched procedure.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, again infringing on the lawyers' hour, I just wanted to make one observation. The hon. member for Sarnia said that juries are never, or very seldom used, and I want to say that the comments on section 2 relative to page 3 indicated to me that juries are used, because the provision is made that abolishing juries does not apply when the jury notice has been served before the Act comes into effect. In essence, juries are used. It is all right for the lawyers to abolish them; it appears to me that the lawyers would like to get the juries to one side, so that they do not have to appear in front of a jury. But I think that the democratic process ought to give the individual the option to determine whether he should be tried by a judge or by jury, and—

Mr. Bullbrook: He is not being tried.

Mr. Pilkey: Well, or to appear, I am sorry; but at least to appear before a jury or judge. I just happen to think, as a layman, that this is part of the democratic process and should be maintained. It might be more expedient for the profession to eliminate juries.

Mr. G. A. Kerr (Halton West): We have to make the profession expeditious.

Mr. Pilkey: Maybe so, but not at the expense of infringing upon the democratic process of the individual and his rights.

Mr. Bullbrook: Nobody is interested in the profession's point of view.

Mr. Pilkey: I maintain that this should prevail, that the jury should be maintained and not eliminated at any point where a jury could prevail. That is the only point that I make.

Mr. J. Renwick: Mr. Speaker, I would just like to comment very briefly on the question of the jury. I think it is true that within the legal profession as such, certainly there has been substantial pressure against the jury system at all levels at which it is used—perhaps not so much in the case of criminal cases, but certainly in civil actions. I simply say to the Attorney General that really the problem in the division court is not caused by having the jury system in the division court, and it certainly is not going to make the profession any more efficient or the court system any better by abolishing the option where the option exists for the person to have a civil dispute decided in the division court by a jury.

There is some general impression around that because there are only relatively minor numbers of dollars and problems involved, that is from the point of view of the legal profession, these are insignificant to the people who in fact are participants in disputes in the division court. I do not think there should be any distinction drawn between the type of matter which is put in issue, because of limitations of jurisdiction in the division court, as distinct from the decision of matters that are put in issue which are of larger monetary value or in someone's judgment of more serious import that are put in issue in the county court, or in the supreme court.

I do not think that that is the test. I think any citizen who is before a division court should certainly have the same right to a trial by jury as the person before a county court or before the supreme court. Because, with the jurisdiction of the division court as it presently stands, matters are decided in the division court for people who come, for example, from my riding of Riverdale—matters of great import to the people who are affected by it.

The first point that I would like to make is that I do not understand the qualitative distinction between issues which may be in dispute in the division court and those in

the county court and those in the supreme court.

Mr. Bullbrook: I wonder if the member would permit a question?

My question is: Do you analogize in the criminal field too?

In other words, is a person entitled to a jury trial on a careless driving charge, as he is in connection with an indictable offence?

Certainly if there is logic to what you say, does it not apply in the criminal field as well as the civil field? Is there not a qualitative analysis to be made there too?

Mr. J. Renwick: Of course, there is a very obvious distinction between criminal matters and civil matters. I did really want to address my remarks mainly to the question of the pressure within the profession—which is year in and year out—that, somehow or other, the jury should be either emasculated and limited in its scope in civil actions in the civil courts of this province. It is constant and it is continuing.

I cannot answer the question of the member for Sarnia just off hand. I do not think it is germane to the topic. But the matters in my riding which go before the division court are just as important to the people concerned in those disputes as any matter that is in the county court, or in the supreme court, although the number of dollars involved may be somewhat less in the case.

The second point I want to make is that, by and large, there used to be some form of equity through the equity part of the development of our legal system, as distinct from the common law part. That historic distinction which all of us were taught at school was that the common law was rigid and inflexible, and that equity introduced some form of equity into various parts of it.

The fact of the matter is today that, again, by and large, the only equity which is available in most of our courts is the kind of judgment which can often be rendered by peers of the person who has the issue before the court, peers who can in a sense—if you want to use the term—introduce a little common sense into some of the absurdities which for very good reason and with legal precedents the courts get involved in.

I happen to be one who feels that what is wrong with the division court—for example, I forget the number of the court, but the division court which is held in the Scarborough courthouse. What is wrong with that court has nothing whatsoever to do with the jury system.

I do not think that the number of trials which take place because the option exists for the jury trial in division court throughout the province of Ontario affects in any way the efficiency of the administration of justice. If that is the point—if there is something to be said for more efficient operation of the courts—then I would put the counter argument that law is not necessarily being efficient. There are other vast areas in which the efficiencies of the court procedures could be improved, without eliminating this option, this sense of choice, this ability, at some point or other, in cases where the individual often is not represented by a number of the profession; where, in many cases, the person for one reason or another cannot either afford a lawyer, or because the person is not prepared to go into the division court at a fee which the lawyer considers to be reasonable.

Whatever the development is going to be to improve the division court system, I will follow it with a great deal of interest. But I am concerned to see that a bill comes through for the purposes of abolishing the jury system in the division court as if it is a matter of small concern and has a minor relevance to the system of the administration of justice with which we are concerned.

I think it is probably true that most of the lawyers in the House would likely agree to abolish the jury system in division court cases. I think there is a point of view which the member for Oshawa has put and which I am, perhaps, trying to put in a slightly different sense—why the Attorney General should not proceed with this particular portion of that bill.

I think for that reason, Mr. Speaker, that we would, in the absence of very cogent and reasoned explanation by the Attorney General of why he selected this particular amendment to The Division Courts Act, why he is putting this forward, that we would be under considerable compulsion to oppose the bill.

Mr. Speaker: Is there any other member who wishes to speak before the Minister? The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I might just add a word to comments raised by the hon. member for Riverdale.

As the most junior solicitor in this distinguished House I perhaps cannot speak with the greatest amount of authority on matters learned in the law. However, I would

say that in the seven brief years of my practice in Kitchener there was only one occasion, of which I am aware, on which a jury notice was served within the division court. It got the court officials so upset, because they did not know what to do with it, or how to handle it, that finally the solicitor who had served it was talked out of going ahead with it. Of course, the matter fell there.

I think that the situation now, with respect to the availability of legal aid to persons who are requiring certain assistance, withdraws from the reasons put forward by the member for Riverdale concerning the ability of the individual to deal with a decision and with problems by treating with his peers at the division court level.

While the amounts of money involved are not the important criterion, it is the principle of justice that is the more important, of course. I think that in this situation the jury at this level does not, any longer, perform the useful function that it may once have done. I think that the simple fact that it is not being called into use shows that it is somewhat anachronistic. As a result, Mr. Speaker, I feel that the government in this instance with respect to this item should be supported.

Mr. Kerr: Just a few short remarks, Mr. Speaker. These are as a result of the remarks of the hon. member for Riverdale.

I think that the fact is that there would be delays in hearing matters if jury trials were used frequently in division courts. At the present time, as has been indicated by some members, there is a shortage of judges serving our division courts and for one to sit all day, for example, to hear a matter that may involve a $50 or $75 claim, does not make it worthwhile for the plaintiff to press that claim.

Now I do not think it is a matter of minor importance or relevance. I think that all claims in division court, whether they are small or large, up to $300 or $400, are dealt with quite adequately by our county court judges and I do not believe a defendant's democratic rights are being affected in any way by the sections in this bill.

As the hon. member for Kitchener has indicated, there could be a great deal of confusion and a delay in processing or in empanelling a jury and I think that delay would be unnecessary.

I can assure the hon. member for Oshawa that certainly in most of our division courts the judges are quite patient, quite considerate, because in many cases the defendants do not have legal counsel. I think that justice is dispensed in that forum as well as in other courts in this province.

Mr. Speaker: Is there any further debate before the Minister?

The Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I must first point out that I deserve little credit, although someone attempted to pay a compliment to this bill.

These provisions are simply picking up the recommendations of the Hon. Mr. McRuer in his study into civil rights. All that we have done is perhaps to note those recommendations, and to attempt to implement them into legislation.

Listening to the hon. member for Downsview, I felt like a lawyer sitting in court knowing that my opponent was asking leading questions, but taking no objection to them. I felt that what he did have to say on the difficulties of getting some of the cases forward, while they are not related perhaps to the principle of this bill, they are there, particularly in York.

I do think they relate to the administrative process of that court which has been brought to our attention and of which we are aware. I think, if you will permit, Mr. Speaker, I would just like to say that perhaps this will certainly come in my estimates and I do not want to usurp that ground now.

We are asking judges of the county court to do what I think they should be doing, and that is spending some time in the division court, as they do outside of Toronto and do very effectively.

I am not going to talk about the section which does away with committal for wilful default. I think everyone agrees that is sensible and proper in this day and age. As the member for Lakeshore pointed out, there is still lots of room for the use of the committal for contempt. Perhaps some day we may address ourselves to some of those matters, too.

With respect to the jury and the use of the jury in the division court, I would like to spend just a moment on that. Particularly, since the member for Oshawa and member for Riverdale have spoken so strongly in this matter. I do not mind a vote on this issue, but I really think—at least I really hope—I can persuade them that is not necessary. Mr. McRuer, in his report number one, at page

634, in dealing with jury trials in the division court, and it is interesting to note, says:

> Where the amount sought to be recovered exceeds $50, either party to the action, upon notice to the Clerk in payment of fees to the expenses of summoning a jury, may require the act to be tried by a jury.

First of all, there is no right for a jury trial if the claim is under $50, and the division court, as all members know, is the small claims court where civil matters only are tried. So the rights of individuals are not involved as to their liberty as they would be in criminal cases. I point that out.

Mr. McRuer went on to say that there are many instances where the judge may still dispense with the jury, even in division court, and each juror, even in these small claims, is entitled to a fee of $6 for every day or part of a day in which he is required to attend the court, plus an allowance of 10 cents a mile for his transportation. These fees are paid by the clerk of the court, and he is, in turn, reimbursed by the treasurer of the county, and this in turn is a charge of the court which eventually is carried on to the debtor, the small debtor, or the parties at least, either the plaintiff or the defendant in the case.

So it becomes a pretty substantial tax on the parties who engage in their small claims for collection.

So, Mr. McRuer went on to say:

> The treasurer of each county maintains an account under the head of division court jury fund. This fund is maintained for special surcharge imposed on plaintiffs, in addition to all costs and jury fees payable, and this fund builds up into a very substantial amount of money although the jury is hardly ever, ever used, even without the law that I am bringing forward here. Out of $182,970 claims—nearly 183,000 claims filed in division court in the year 1966—fewer than 15 were tried by a jury.

Then he shows the considerable sum of money collected under this jury fund, charged to the parties, so that really an injustice was being done to everybody who came before the court. Mr. McRuer finally ended up by saying:

> The whole process of trial by jury in division court actions is a relic of pioneer days. Those using the division court appear to be almost unanimous in the opinion that jury trials are unnecessary. Fifteen jury trials out of 182,970 claims leaves little room for argument. Jury trial in division court should be abolished.

Those are the words of Mr. McRuer. Now I hasten to say that I do not take everything which the hon. gentleman said in his report as being inspired, but I think there is great merit when he supports it with such cogent argument as this. It was to pick up that recommendation that I brought forward that portion of this bill which removes jury trials. They are not used. They are an expense. They are truly an anachronism.

Mr. Singer: At least the Minister read the whole of his. His colleague is remiss on that point.

Hon. Mr. Wishart: I am sorry to hear that one of my colleagues would do that.

Mr. Singer: The Minister will hear about that.

Mr. J. Renwick: Mr. Speaker, will the Attorney General permit a very brief comment in view of the remarks made by the member for Kitchener? I quite appreciate that there can be certification under the legal aid system for the division court. But it is true that it requires, in the exceptional circumstance, the approval of the area director which makes it quite a different proposition. It is not a matter of right.

Mr. Breithaupt: Quite so!

Hon. Mr. Wishart: I am not sure I get the point. Is there suggestion that legal aid should not be applicable to division court? I do not follow.

Mr. J. Renwick: No, I do not mean that, Mr. Speaker. I just make the point that it falls within that category of discretion conferred on the area director as to whether or not a certificate for legal aid will be issued in a division court matter. I was drawing attention to it because there are many people who go before the division court without the benefit of a lawyer, and it is not necessarily true that legal aid would be available in all cases.

Hon. Mr. Wishart: There is a discretion, but the general principle is, I think, that if they need council they get it. I would hope, Mr. Speaker, that we would be able to accept this legislation without the necessity of division. I trust I may have persuaded my friends across the way that it is good legislation.

Motion agreed to; second reading of the bill.

THE LEGAL AID ACT, 1966

Hon. Mr. Wishart moves second reading of Bill 124, an Act to amend The Legal Aid Act, 1966.

Mr. Singer: Mr. Speaker, this is a bill to amend The Legal Aid Act of 1966, and to correct certain defects in that plan. I think one of the things that we in this Legislature can be most proud of is the fact that we have a legal aid system, and that in such a short period of time it has been working so well.

In previous years, before we had a legal aid system established, we urged upon the government, with all the force at our command, that we should have such a system. While it took an awful long time for the government to move in this regard, they did move, and I think we have one of the best systems which exists in the common law system throughout North America at least.

There are faults in it, and some of these faults are now being corrected as we read the various reports submitted in connection with this. We listened to the discussions at the various meetings of the bar association, and others. We recognize that they are all our faults and that they have to be corrected. Certainly no one can have any sympathy for those members of the legal profession who have abused the legal aid system, and certain abuses have come to light.

It seems to me that some lawyers have made a business only out of serving as legal aid solicitors and extracting out of that a kind of service fees, totalling large amounts.

I would think that some of the suggestions we have heard to limit the number of cases that can be handled by any one lawyer make good sense. And the actions of the law society in examining very carefully accusations that some lawyers have been soliciting business under The Legal Aid Act.

Mr. J. Renwick: Mr. Speaker, on a point of order. I question whether these matters may not properly fall within the Attorney General's estimates when we deal with the legal aid plan, and that we should deal with the principles of the changes which are involved. My reading of the bill bears no relationship to what the member for Downsview is speaking about.

Mr. Singer: Well, with great respect for my friend from Riverdale, if he will notice what these provisions are, and the remarks of the Attorney General that accompanied them originally, they are directed to the ability to tighten up certain loose provisions in the Act as originally drafted; to give larger regulatory powers to enable discipline of those people who have abused the Act. I think these remarks are most pertinent in connection with this second reading.

Mr. Speaker: Well, it would be my view that the hon. member for Downsview is laying the foundation for what he wishes to say with respect to the principles of the bill.

Mr. Singer: As I say, Mr. Speaker, there have been these abuses, and, therefore, in line with the comments of these bodies relating to these abuses, we have these new provisions.

It would seem to me that there are a couple of things in connection with this bill, and in connection with something else that we have been talking about in this House, that we should have another careful look at. There is a reference in here to a percentage of the tariff that lawyers can charge, and that is three-quarters of the tariff.

Now, certain comments were made in connection with a certain other bill that was here about the ability of a professional association to determine what its own fees are. The theory was annunciated by my colleagues, by my leader, that where there is a collection of public money and the distribution of it by a government of the province of Ontario on behalf of the people of Ontario to a specific professional group, that the amount that that professional group, or individual members of that professional group, receive is the concern of the Legislature.

I am concerned that as we deal with the tariff that lawyers are going to be able to charge under this, and as we assess it at three-quarters of the tariff as fixed, that the Legislature has nothing to say about what that tariff is.

It would seem to me that as we mention the tariff in this Act that it should be encumbent upon the government to say that when the tariff is first determined—and it did not say that in the bill of 1966—but in this reference here, when the tariff is being reviewed and from time to time changed, the ability to change it should lie only after some sort of approval coming from this Legislature, or on the recommendation of a committee of this Legislature.

Hon. Mr. Wishart: Mr. Speaker, I would interject at this moment that in very definite contrast to the bill, the other bill to which the hon. member has referred, when the tariffs under the legal aid was prepared, it

was brought before the Lieutenant-Governor-in-Council and the Treasury Board, and there reviewed and passed upon. It was not passed by the profession alone. It was cleared before government.

Mr. Singer: All right Mr. Speaker, the difference is obvious to the extent that I apparently indicated, and I was indicating that it was only prepared by the profession alone. I withdraw those remarks.

However, it was not considered by the Legislature, nor by a committee of it, and there is a substantial difference between the Lieutenant-Governor-in-Council and the Treasury Board, and the Legislature. It would seem to me that we, as members of the Legislature, should have a say in that regard.

This bill, even though it does again refer to the tariff, makes no such provision. I think it should, and draw the parallel to the argument that we put forward in relation to a certain other bill which was the responsibility of the hon. Minister of Health (Mr. Dymond).

There is one particular reference towards the end of the bill, Mr. Speaker, about regulations, and the Attorney General here introduces a suggestion that a regulation may be limited in its scope. That seems all right, but may be retroactive in its operation, and this, of course, brings to mind the fear that many of us have about the inequities and dangers of retroactive legislation.

There is no indication, either in the explanatory notes or in the introductory remarks of the Minister, as to why he wants this unusual power about retroactivity to be included. There are very serious dangers about retroactive legislation, and unless it is particularly directed to specific instances which should be corrected, and the retroactivity be limited in its scope to steal a phrase from that subsection, then I think that there has to be very serious objection to it.

It is bad enough to extend large powers under the regulatory procedures of particular statutes, and we view these with concern frequently, because more and more of our legislation seems to give to the Minister concerned, powers to regulate matters that are not specifically dealt with in the specific statute.

Those regulatory powers, seem to me over the years, to get broader and broader in their scope. Bad as that may be, this is worse, because what we are saying here is, that in an Act which gives very broad regulatory powers—and we view those with some reserve and some concern—now we are going to be able to pass regulations that are retroactive in their operation.

There is no rhyme, no reason, no colour of necessity in regard to this, and I am very, very concerned about this kind of a phrase being included in legislation. It is beginning perhaps to form some sort of a pattern as we see more. But this is the first sample of a new type of legislative draftsmanship.

We might just as well not be here, because if we continue to extend powers to pass regulations, powers to broaden the meaning of an Act by regulation, and then we go on to say these regulations may be retroactive in their operation, there is little point really, Mr. Speaker, in having the Legislature sit and consider these matters at all.

Subject to those two specific comments, and subject to our concern about the effective working of the legal aid scheme, I can say we are going to support it. We are not going to support subsection 5 of section 10 when it comes to committee of the whole House, but we will deal with that at that time. I would hope that the Attorney General would be moved, before we got to that stage, to remove that subsection.

Mr. Lawlor: Mr. Speaker, I notice that under this new bill, although it has been mooted very much in the press and in the meetings of the law society having to do with legal aid, it was in the cards that a statutory declaration would be extracted from people touching their assets and their ability to pay. That it is not embodied in the bill as it presently stands.

What is embodied in the bill—I am not pleased that it is not embodied but I suppose it may have to come to that in due course although the Attorney General being a cautious man has not yet reached that stage—what has been embodied is a new clause under 6(3), that the assessment officer to whom an application is referred shall consider the income, disposable capital, indebtedness, requirements of persons dependent on the applicant, and such other circumstances he deems to be relevant, that are disclosed in the application, or that he ascertains after investigation.

The hon. Attorney General knows there was a recent discussion by some of the four panelists—part of this has been reported in the current law journal, or the one just before this one—in which John Arnup particularly felt that the family circumstances, the overall family circumstances, of an applicant ought to be given a good deal of scrutiny.

He also felt that the investigation should range beyond the present ambit, which presently affects the applicant only, in his direct and personal circumstances.

In other words, the group felt that a wealthy wife could very well support an impecunious husband in a criminal action, particularly if he had written a cheque on her account.

This sort of thing may be the intent of the rather vague amorphous wording—but what I am really doing is asking if this is the range envisaged for this particular section, and whether this was the intent behind it?

This bill, Mr. Speaker, extends the scope and possibilities of legal aid in a number of directions, all very worthwhile, and all which should be done in the interest of people in this House. It extends now to *quo warranto* proceedings, which I am sure everybody is going to avail themselves of almost instantly. It adds contempt to the subject matter, for which a certificate may be issued.

It also gives some right now to people being prosecuted, under summary conviction procedures, for by-laws of municipalities, or a metropolitan regional municipality or a local board. That is an area in which people really do suffer a good deal these days; and there is no reason why it should not extend to cover this area. I commend the Attorney General on recognizing the need in these areas.

I suppose it must be scrutinized to some extent, and here I am thinking of local appeals on taxes, and matters of that kind. That probably is not envisaged. The area that is specific is, I suppose, where restrictive covenants and by-laws of various kinds are taken before those who were formerly the magistrates of the province. That move is beneficial.

Section 6 is a complete revamping of many sections of the Act to bring out the logic. Again, reading through it and comparing it—contrasting it with what was there previously—it is a very worthwhile amendment.

There is also a re-orientation of sections of the Act as to what the role of the area committee is, as to when provision certificates will be given, as to the contribution made by the individual, as to the problems of costs that arise out of that—if the individual owes costs at the end of the day as a result of action taken under a certificate. Or if he derives benefit from the costs it may repay the fund. And the payment out of moneys in excess of the cost to the individual who was using legal aid.

Now, in all these areas there are considerable benefits conferred upon the people of this province. It may cost a little bit more, I suspect it does. We know how people are raising their hands to high heaven over the cost of the legal aid scheme. But really, if you compare it with the British scheme, it is not that much, per capita, out of line for the benefits being conferred on wide ranges of citizenry.

I would like to comment now upon the attempt within the new bill to regularize those lawyers who have taken advantage of the scheme. Section 8 brings some weight to bear. It makes it crystal clear that these lawyers must not take emoluments, must not take payments of any kind, direct or indirect, cash or otherwise, over and above what the legal aid scheme is prepared to pay, as a back door way of increasing their fees. That is a valuable addition to the Act too.

Finally, it brings in privileged communications, which is a very sacrosanct thing for solicitors and lawyers—an ancient privilege which we enjoy. It also brings the area director and the assessment officer under that heading, which is as it should be.

It would be a great mistake to have them blabbing about people; or, at least, having their files made available to the general public in matters of specific legal intent.

Finally, regarding the member for Downsview—I do not know whether he is right or not. I will turn to the Attorney General under the business of that retroactive clause, that the regulation may be limited in its scope, and may be retroactive in its operation.

There may be very good reason why you feel that the regulation should be made retroactive. Looking through the list of the wide terms on which regulations may be set up, they have to do with application for legal aid, respecting entitlement.

I suppose, in those areas, there may be cases in which you feel that the retroactivity may be necessary—if not beneficial—in a number of instances that have come to your attention. I would ask you not to make the fees to the barristers or solicitors retroactive, that is under sub-clause (j) of the regulations.

Then there is the problem of recovery of, and payments into the fund. Problems of retroactivity would be detrimental in that area too, I suspect.

I think we will bide over here—hearing what the Attorney General has to say as to the reasons for, and the necessity of, this retroactive feature. It cannot be very serious, because the Act only came into operation a couple of years ago and the retroactivity, I suspect, would not be of a hard impact upon individuals.

On the other hand, you know the way lawyers shy from the word retroactivity. It runs against the fundamental legal grain, and unless well justified, is to be opposed.

Mr. J. Renwick: Mr. Speaker, I only have two brief comments on the principles in this amending bill, and because they are in the nature of a criticism, or because they are unclear, I do not want the Attorney General to think that the balance of the bill is, in my view, an improvement—as would be expected after the period of time during which the fund has been in operation.

I would like to make this other preliminary comment that, to my surprise, it does not carry out any of the horrendous things that I was concerned about in the tightening up of the plan.

I really think the report in the press greatly exaggerated the extent to which the law is being changed, in order to squeeze people who may legitimately be entitled to legal aid. I assume that is because the Attorney General is waiting for the results of whatever study is made by The Department of Social and Family Services, in conjunction with the law society, about the way in which the fund is actually operated, in terms of ultimate recovery of some of the moneys expended.

I am concerned with the principle section of the bill, which grants the authority for a certificate to be issued—and which is perfectly clear as written in the bill—and states: "except where otherwise provided in this Act, the certificate shall be issued". For some reason or other, the Attorney General now feels that there must be some provision, by way of regulation, to cut down that right or privilege, which is reasonably well protected in the Act to every citizen. It makes it difficult for a person to find out, even in the major matters in the supreme court, the county or district court and the surrogate court, whether or not a person charged with an indictable offence, or under The Extradiction Act. In the exchequer court, the Attorney General has added in the exception clause, which would permit a certificate to be refused, or other limitations to be placed upon the issue of a certificate. I think to the extent that regulations are involved, it makes it just a little less clear as to precisely the rights of the persons involved. Of course, regulations can be filed and changed, and while they are of public notice it is just somewhat more difficult to find out precisely what the person's entitlement is to what is in substance more or less a right to a certificate, even though there is still a discretionary element to it.

I do not know what is in the Attorney General's mind but it seems to me that at least the statute has the protection of being available for a whole year without any change of substance in it, and if regulations are going to be made, of course they can be made from time to time. I object to that part of the bill, if there are to be exceptions carved out to that principal clause of the jurisdiction to grant certificates for legal aid; I think it should be done directly within the statute.

The second item of the principle of the bill about which I am concerned is the provision which appears to indicate that the discretion of the area director to issue a certificate in a proceeding before a quasi-judicial or administrative board or commission is withdrawn in the case of what is called an appeal to the board, on the grounds that it is contained elsewhere in the statute requiring, as I understand it, the approval of the area committee in substitution for the director's right to issue it.

I draw to the attention of the Attorney General that in the workmen's compensation board hierarchy of internal arrangements for reassessment of claims, the first place at which the claimant is entitled to appear in appeal against the claim is before the appeal tribunal of the workmen's compensation board. It would appear to me that in those cases where a claimant wishes to be represented by counsel—and they are relatively few but they are the more difficult cases—I think that because it is the initial appearance of the claimant before that kind of a board that the matter should be left the way it is presently provided, namely, in the discretion of the area director without involving the area committee in it.

Perhaps if I could just explain, in case the Attorney General does not immediately have it in his mind as a procedure, that if a claim is settled by the claims officers in the workmen's compensation board, the first step is this internal review committee. But that is an internal matter and there is no appearance before it by anyone. So the first time, when that has been sorted out and you have the summary of evidence on which the review committee based its findings, the claimant's

opportunity is before the appeal tribunal, and that—

Hon. Mr. Wishart: I appreciate the hon. member's explanation in relating this but I should tell him that as a member for a riding I get a lot of these complaints and I take them and have become fairly familiar with what happens although I do not go down to the board. I do know the procedures, and they have been related to me and I have related them to constituents, so that I am aware of the situation as respected by the procedure. I just wanted to save him relating it to me.

Mr. J. Renwick: Just completing the point, I do not see, in the case of that board, and there may well be other boards, why it is not left in the hands of the area director rather than taken to the area committee.

With those few comments on the bill we will leave it for the clause-by-clause consideration.

Mr. Speaker: Does any other member wish to participate in the debate? If not, the hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, since this bill is going definitely to the committee on legal bills I will be very brief in my remarks.

I would just like to comment on the suggestion that section 10, subsection 5(3) be removed before we go to committee. I am not going to accept that suggestion. I will study the effect of that provision that the regulation may be retroactive. I am not certain at the moment why we put that in. I do not mind admitting that, because it makes it open for me to say that I have had a most effective and capable advisory committee outside the administration of this Act, headed by Mr. Justice Brooke, and with other persons on it including civilian representation. They have been most thorough, and it was from some of their recommendations—they have furnished the report which is tabled here in the House—that some of these provisions come forward. I cannot recall the reason but I will perhaps have it, I hope I will have it, when we get to committee.

Mr. Singer: We will wait until then.

Hon. Mr. Wishart: I hope the member will. There was one other point I did intend to make, but perhaps I could leave it for committee too. The hon. member for Riverdale mentioned that he was agreeably surprised that we had not become carried away by some of the past criticism and brought in a drastic bill which I might have had difficulty defending.

I would like to say—although it is perhaps not related to the principle of this legislation and I recognize it—that the legal aid programme has worked very well generally. We have observed a few abuses, places where its administration could be improved. The whole intent and purpose of this legislation is not really to catch people out but to improve some areas where the administration needed some perfecting, and I think with that we will look forward to going to committee with this legislation.

Motion agreed to; second reading of the bill.

THE REGULATIONS ACT

Hon. Mr. Wishart moves second reading of Bill 125, An Act to amend The Regulations Act.

Mr. Speaker: The hon. member for Sarnia.

Mr. Bullbrook: Mr. Speaker, in connection with this statute I will attempt to be as brief as possible. Basically, as the explanatory notes states the principle, the bill implements the recommendation of the Royal commission inquiry into civil rights for a committee of the Legislature to scrutinize regulations, and I would refer the hon. members of this House to chapter 24 of McRuer in connection with subordinate legislative power.

It is not my intention to unduly dwell at length in connection with the comments leading to the establishment of this legislation. But I do want to make some personal comments in connection with certain words in the Act itself as an example of the principle flowing from the bill. Firstly, in connection with section 1 and subsection 4 thereof:

> The special committee on regulations may examine any member of the Executive Council or any public servant designated by him respecting any regulations made under an Act that is under his administration.

The words "designated by him" cause me concern. I would like to relate, Mr. Speaker, to the definition of regulations under The Regulations Act, which is chapter 349 of the RSO 1960. Regulation means:

> Any regulation, rule, order or bylaw of a legislative nature made or approved under an act of the Legislature by the Lieutenant-Governor-in-Council.

Then we go further, sir, and I think this is the important aspect:

> A Minister of the Crown, an official of the government or a board or commission, all the members of which are appointed by the Lieutenant-Governor-in-Council.

The point I make in reading that definition to yourself and the other members of the House is, that a regulation of itself is this subordinative legislative power that we have delegated to others and that the Lieutenant-Governor-in-Council has delegated to others, sometimes of tremendously far-reaching ramifications and sometimes unbeknownst to us all.

In connection with subsection 4 I want to invite the response of the Attorney General as to why the restriction of the words, "designated by him."

I would think, if we are carrying out the intent of the report on civil rights and the recommendations carried out in that report, the intention is that there be established this special committee. They should have powers of bringing before them any Minister of the Crown, any official of the government, or any member of any board, or commission, that promulgates such a regulation. I do not see why it should be necessary that an individual member of the Executive Council has to designate, or approve, in effect, Mr. Speaker, the person who is being compelled to appear before the special committee.

I see, in effect, a true restriction on the activities and the very necessary activities of this committee. Basically, it is section 3 with which I would particularly take issue and I want to read that, if I might:

> The special committee on regulations shall examine the regulations with particular reference to the scope and method of the exercise of delegated legislative power, but without reference to the merits of the policy or objectives to be effected by the regulations or enabling statutes and shall deal with such other matters as are referred to it from time to time by the Assembly.

And, of course, I think the offending words there, to a great extent, are, "but without reference to the merits of the policy or objectives to be effected by the regulations". I am not worried at all.

Mr. Kerr: That is our job.

Mr. Bullbrook: The member for Halton West says it is our job. I will take my seat and he can explain who "us" is.

In any event, it is not the question of reference to the merits or the policy or objectives of the enabling statutes that I am worried about, because the enabling statutes we pass here. But the question that comes to my mind is the restricting of the ability of this committee to look into the policy or objectives to be effected by the regulations under such statutes.

Surely, this committee, to carry out its function and its duty, should be able to see that the regulations passed pursuant to a statute and, more important, regulations passed by boards or commissions established by this Legislature, should be concurrent with the intent of this Legislature in enacting the enabling legislation. I do not see for a moment why we have to restrict the committee.

Mr. Speaker, as I mentioned previously, when we have passed legislation in this House, the purpose of this committee, as set out by McRuer, as I understand it, is to see that the administrative intent of that legislation, the substantive intent of that legislation, is properly carried out in any regulations passed as a result of the statute. My basic question, therefore, to the Attorney General is twofold.

One: in connection with section 4, why restrict the designation of those people compellable before the committee as only those people designated by a member of the executive council? Let us give this committee—if we are sincere in our intent in establishing this committee of ourselves, to see that the public is adequately protected, in connection with delegated administrative function—let us give this committee the power to call before it whomsoever it wishes.

Second, and more important, let us give this committee the power to see that the regulations passed under statutes truly carry out the intent and policy of this Legislature. Not solely the whim of some administrative official, or solely the whim of the government, not consistent with the legislation that was passed in the House.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, I think perhaps the best way is to lead off on one section from chapter 26 of McRuer, on which this whole bill is based. And may I express my delight. I have spoken previously in a number of debates about the absence of a scrutiny committee in this Legislature to review regulations. We give the bills and the Acts that come before us a pretty good going over.

But there is a whole vast terrain in the *terra incognita* of regulations which, in their impact, in their actual effect, and what-not, may have a far greater effect, particularly through this thing called red tape, and through administrative arrogance.

None of us, in his role here, if we are working at all hard, find time to really—except in specific areas in which we are terribly interested—review the regulations. They pour through the Ontario *Gazette* and, as I say, there is an avalanche of these things. It is crucial for civil liberties, if not for the pure exercise of the law, that somebody should bring these matters under review and surveillance, and at long last we have determined to do so. Many other jurisdictions, Great Britain, Australia South Africa, India, all mentioned in McRuer, Chapter 26, set out the various ways in which these jurisdictions have handled the matter. I will be making some remarks, as concisely as may be, about these jurisdictions, and the way in which they handled it.

I find the bill, while we will have to support it, defective in seeking to be, perhaps too succinct. A great many areas where it should perhaps spell out, it tries to capsulate in as few words as possible. There is not that great a dearth of paper in the province of Ontario, with our great forest industry, that we could not expand upon these terms somewhat more.

McRuer says, it is imperative that some effective form of review by, or on behalf of, the Legislature should be established. The volume of supportive legislation is very great. It is frequently of more practical importance to the individual than the general framework of statutes under which regulations are passed. It is a primary function of the Legislature to make the laws, and it is responsible for all the laws it makes or authorizes to be made.

The failure of the Legislature to spend some specific place in the legislative calender for supervision of subordinate legislation is, in our view, a dereliction of duty on its part and a failure to protect the fundamental civil rights of the individual.

Could a stronger statement be made of derelictions in the past which is being repaired and improved today? Now let us just see to what extent it is being approved. In the United Kingdom in 1924, there was a committee set up to review 1932 the Domemore committee which made proposals to both Houses of Parliament in Great Britain.

I am not going to run through these various proposals as they came forth because subsequently in McRuer and among the recommendations at page 378, he picks up the bulk of them and rewords them and indicates the direction in which we should be going in this regard.

This bill is perhaps defective and it tries to use too few words, as I said. It says in section 3:

> The special committee on regulations shall examine the regulations with particular reference to the scope and method of the exercise of delegate legislative power.

I contrast that and intend to some contrasting with the rather more lengthy spelling out of precisely what you mean by "scope" and "method" and I suggest that this bill ought to be expanded to determine that. The words are—why not, it is already done. It is done in every other jurisdiction. They set up their wording in a wider way to make determinable what scope the regulations are and what we have to review when the special committee is set up. It is also defective on some minor points. There is no rule for written explanations emanating from individuals.

Hon. Mr. Wishart: Mr. Speaker, I am sorry I could not follow. I could not hear the hon. member when, referring to section 4 subsection 3—he referred to the scope and method. I wanted to get his words there. He said they should be expanded. I do not follow how you expand that language. Does he want some adjectives to qualify scope, or how is that to be expanded? I would like to have to dilate on that a bit.

Mr. Lawlor: Well, I mean the wording. The Domemore committee recommended a standing committee of both Houses be established to review bills and propose new powers; to pass regulations on all rules and regulations as they are made; and then they set them out in black and white, that is at page 370.

There is another spelling out on page 371 with respect to the select committee on statutory rules and orders 1944 of the House of Commons, where they set them out in four headings.

That is not as good as perhaps the one in Australia on page 372, and what I am saying is we can get around all that and not prolong the debate unnecessarily by simply referring to the range and scope and method as set forth in "the bible" at 378.

Mr. Singer: Is the member at 378; is that where he is?

Mr. Lawlor: Yes, I am at 378; that is recommendation 4 of the McRuer report. That is what I mean—

Hon. Mr. Wishart: May I interject there. In recommendation 4 on page 378, I do not think it is ever suggested that that should be contained in the Act. Mr. McRuer, says the following principles should be laid down to guide the committee in its examination. My thinking would be that when the committee is appointed, those guidelines would be laid down. I am sure the Legislature will perhaps provide some other guidelines. But I do not think we would spell it out in that detail in a section of this Act, not that those are not good guidelines, but I think we would leave that to the committee at the time of its appointment.

Mr. Singer: The Minister emasculates that in section 3 of his Statute.

Mr. Lawlor: That is what has been done in other jurisdictions. I was seeking to elicit from the hon. Attorney General a reply as to once the committee is set up it sets its own guidelines and—

Hon. Mr. Wishart: I must take this up at this moment because the very first thing Mr. McRuer says in 4:

> The following principles should be laid to guide the committee.

And then he says:

> They should not contain provisions in initiating new policy.

That is what I said in subsection 4, "but should be confined to detail." The hon. member for Sarnia was saying they should have power to almost make new regulations, to almost, in a sense, legislate by way of regulation.

Mr. Lawlor: The member for Sarnia is quite wrong.

Mr. Bullbrook: I did not say that.

Hon. Mr. Wishart: Yes, well—

Mr. Bullbrook: On a point of order. Really, I did not say that. I did not imply it. I did not infer it.

Mr. Lawlor: The member did say it!

Mr. Bullbrook: I certainly did not.

Hon. A. F. Lawrence (Minister of Mines): Anyway, he did not mean it.

Hon Mr. Wishart: If I do the hon. member for Sarnia a wrong and am wrongly paraphrasing him, I apologize. But I got the same impression that the hon. member for Halton got, and that he said, "That is our job, to legislate." That is what he was meaning; that was his reply, and I concurred with him and he said, "That is our job, not for the committee reviewing regulations. They do not make new ones. They do not change them. They report back. They say they are missing this, or they go too far in that."

That was the intent of this legislation to create such a committee. Well, I have interrupted the hon. member for Lakeshore more than I had intended.

Mr. Singer: That certainly is not what the Minister said in his section 3.

Mr. Lawlor: I must say that I was under the same misapprehension about the hon. member for Sarnia touching the problem of policy. It is simply not within the scope of this regulations committee to consider the policy or merits of legislation. And that is made abundantly and conclusively clear throughout this whole chapter 35, and 36 in McRuer. You can see good reason for it.

Just let me quote a word or two from McRuer on that, page 377:

> The policy of the Act having been settled by the Legislature after full debate and discussion, ought not to be reopened for discussion in the committee. The merits of the regulations as an evaluation and their need for them and their efficacy within the framework of the policy approved and provided for in the Act, are matters for which the government is responsible to the Legislature.

He goes on in this vein. In any event, there are things that are in here. For instance, there is no provision made, and I suggest there should be within the terms of the bill, no provision for assistance to the committee. It is agreed in McRuer that the committee must be very small. The claim is that psychologically to have a small committee, you will have a non-partisan one, who somehow have to be objective and get along together, and so it must be a small committee. He makes a recommendation of seven members, with a quorum of three.

But then he goes on, and I think recommends substantially, that they do have some kind of legal assistance, and a secretary. And he says, over against what was done in other jurisdictions, for instance, in Manitoba, he

recommends that the people not be—you know my first thought was that they should be the legislative counsel, or the registrar of regulations—he says no.

They may be privy to secret matters within the government which involve them in framing the regulations initially, and, therefore, ought not to be placed in a questionable position in this regard.

Mr. Speaker: May I ask the hon. member to observe the clock and perhaps find a point to make an appropriate motion.

Mr. Lawlor: Any time is appropriate to adjourn. Thank you, Mr. Speaker; I move the adjournment of the debate.

Motion agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will resume the estimates of The Department of Social and Family Services.

Mr. V. M. Singer (Downsview): Before the motion for adjournment is placed, I wonder if the Premier could advise us if at any time tomorrow or Friday it is the intention to return to the order paper.

Hon. Mr. Robarts: Well, we will see what tomorrow brings. I would like to get back to the order paper, because there is lots of legislation here which needs to go to committee. On the other hand, Friday morning is a rather difficult morning in that we have the question period and private members' hour, and in between these two there is a rather short period of time.

I think I might say that we will return to the order paper in that interval on Friday morning, unless the Whips tell me there are some people who wish to speak in the Budget debate. That is a possibility. But we will not go to the estimates on Friday morning. Does that answer the member's question?

Mr. Singer: More specifically, one of my colleagues is concerned about The Engineers Act. Is that likely to be called?

Hon. Mr. Robarts: No, it will not be called on Friday morning.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.00 o'clock p.m.

No. 102

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 1, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 1, 1969

Sixth report, standing legal and municipal committee, Mr. Demers 3803

Presenting reports, Mr. Bales and Mr. Welch 3803

Tabling report re Judge Lucien C. Kurata, Mr. Wishart 3803

Ambulance Act, 1968-1969, bill intituled, Mr. Dymond, first reading 3803

Homes for the Aged and Rest Homes Act, bill to amend, Mr. Yaremko, first reading 3803

Child Welfare Act, 1965, bill to amend, Mr. Yaremko, first reading 3804

Senior Citizens Week, bill respecting, Mr. Carruthers, first reading 3804

Junior ranger jobs, questions to Mr. Brunelle, Mr. Nixon 3817

Provincial cost-sharing of education, question to Mr. Davis, Mr. MacDonald 3817

Referendum re general farm organization, question to Mr. Stewart, Mr. MacDonald 3817

Hamilton theatre auditorium grant, questions to Mr. Robarts, Mr. Deans 3817

Forest Hill collegiate, questions to Mr. Davis, Mr. T. Reid 3818

Don Mills Developments Ltd., question to Mr. Davis, Mr. T. Reid 3820

Peter Kormos, question to Mr. Davis, Mr. T. Reid 3820

Decision making in provincially assisted universities, question to Mr. Davis, Mr. T. Reid 3821

Landlord and Tenant Act, questions to Mr. Wishart, Mr. T. Reid and Mr. Shulman 3821

Death of Beryl Higgins, question to Mr. Wishart, Mr. Shulman 3822

Council of health, questions to Mr. Dymond, Mr. Shulman 3822

Town of Petrolia, questions to Mr. McKeough, Mr. Bullbrook 3822

City of Kitchener council, question to Mr. McKeough, Mr. Bullbrook 3823

Industry-wide collective bargaining, question to Mr. Bales, Mr. Ben 3824

Residents of Burwash, questions to Mr. Davis, Mr. Martel 3824

Supplementary budget, question to Mr. MacNaughton, Mr. J. Renwick 3824

Subsidies for school boards, questions to Mr. Davis, Mr. Ferrier 3824

OMSIP rates, questions to Mr. Dymond, Mr. Trotter 3825

Landfill for Ontario Pavilion, questions to Mr. Randall, Mr. Trotter 3825

Work stoppage re OHC projects, questions to Mr. Randall, Mr. Trotter 3825

Takeover of public libraries, question to Mr. Davis, Mr. Burr 3826

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3828

Recess, 6 o'clock 3845

LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: Today in the west gallery we have students from Wildwood Park Central School, RR No. 1, Lakeside; and later, in the east gallery, we should have students from Coronation Drive Public School in Windsor and from General Amherst High School in Amherstburg; and later again this afternoon, in the west gallery, students from the Clarke Institute of Psychiatry in Toronto.

Motions.

Presenting reports.

Mr. Demers, from the standing legal and municipal committee, presented the committee's sixth report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments.

Bill 36, The Mechanics' Lien Act, 1968-1969.

Mr. Speaker: The hon. Minister of Labour.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I wish to present the report of the Workmen's Compensation Board, Ontario, for the year 1968.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the annual report for 1968 of The Ontario Department of Municipal Affairs.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I beg leave to table the report of the Hon. Mr. Justice Donald A. Keith, respecting his inquiry into the conduct of Judge Lucien C. Kurata, and at the same time I beg leave to table a certified copy of the order of the Lieutenant-Governor-in-Council removing Judge Kurata from office effective May 1, 1969.

Mr. Justice Keith, after a complete and exhaustive inquiry, has come to the conclusion that Judge Kurata is by reason of his misbehaviour unfit to serve as a judge. The government has considered the report and agrees with that conclusion and the judge has accordingly been removed.

This was a difficult and trying inquiry for the commissioner and on behalf of those whom he has served I wish to express our sincere appreciation. He undertook this responsibility with a minimum amount of notice and postponed other commitments in order that he might proceed with the inquiry as soon as possible. This was in the best interests of the administration of justice and all concerned. The exceedingly thorough report reflects the very conscientious attention which he gave to this matter in order that it could be resolved.

The report is now being printed and copies will be available to all of the members and the public just as soon as the copies are delivered to my office.

Mr. Speaker: Motions.

Introduction of bills.

THE AMBULANCE ACT, 1968-1969

Hon. M. B. Dymond (Minister of Health) moves first reading of bill intituled, The Ambulance Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. Dymond: Mr. Speaker, the purpose of this bill is to transfer the administration of the ambulance services to the Ontario Hospital Services Commission.

THE HOMES FOR THE AGED AND REST HOMES ACT

Hon. J. Yaremko (Minister of Social and Family Services) moves first reading of bill intituled, An Act to amend The Homes for the Aged and Rest Homes Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, the changes are respecting administration and certain borrowing powers and new definition, plus a change in definition from the term "special home care" to "private home care".

THE CHILD WELFARE ACT, 1965

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Child Welfare Act, 1965.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, the bill also pertains to the matter of procedures and the matter of payment of capital grants, and matters relating to wardship. A significant section is for the establishment of an *ad hoc* child welfare review committee in cases of disagreement respecting societies' estimates of expenditures composed of a chairman appointed by the Minister and one member appointed on behalf of the society and one member appointed by the municipality or the district child welfare budget board. The committee will inquire into matters in dispute and make its findings to the Minister, who will make the final determination.

SENIOR CITIZENS WEEK

Mr. A. Carruthers (Durham) moves first reading of bill intituled, An Act respecting Senior Citizens Week.

Motion agreed to; first reading of the bill.

Mr. Carruthers: Mr. Speaker, the purpose of this bill is to create senior citizens week in honour and recognition of the invaluable contributions which older men and women from every walk of life have made to this province, and sets out the objects of its observations.

Mr. Speaker: Before the orders of the day, I would like to mention to the members that I did not know before and would now like to advise them that we have also with us as guests five students from the Orchard Park Secondary School in Saltfleet township sitting under Mr. Speaker's gallery in the west.

I would also like to advise the members and the attendants in the House, and those in charge of pages, that when the House rises tonight you will please, at your early convenience, go over to the McLaughlin Planetarium and you will be met inside the door by the director, Mr. Swan, and members of the board of directors and the evening will proceed from there. The House, as we have mentioned before and as we have arranged, will rise at 6 p.m. and will resume at 8.30 p.m., which will give the members a chance to attend. Now those members who have found that it is possible for them to go, even though they have said they were not able to, will be very welcome because there is plenty of accommodation. Mr. Swan advises me that anyone who before was not able to come and now finds that he can come will be most welcome.

Last week, the hon. member for Lakeshore (Mr. Lawlor), rose in the House on a point of personal privilege in which he was seconded and supported by the hon. member for High Park (Mr. Shulman). The hon. members asked for a ruling from Mr. Speaker with respect to the existence of special privileges of members respecting visits to provincial institutions which would exempt them from the ordinary regulations of any such institution applied to all visitors.

In the interval since this ruling was requested, I have explored the question in considerable detail and must report that I have been unable to find anything to suggest or support the contention that members of this assembly, as members, may rightfully claim any special privileges respecting visits to provincial institutions which would exempt them from the regulations respecting visitors at such institutions.

This is not to be construed that I do not recognize the special interests, concern and obligations of members of the Legislature and that these may well differ from the interests, concern and obligations of members of the public. I do, however, report that I have been unable to determine any precedent bearing upon this matter and I accept the view which is often expressed that the welfare of the inmates of such institutions must be held to be of paramount importance and that unscheduled visits, whether by members of this assembly, members of immediate families, or others, may not be in the best interests of these inmates.

The determination of this question as to the best interests of the inmates must inevitably, as has been often stated, rest with those charged with the responsibility of operating these provincial institutions under, of course, the ultimate responsibility of the government and the responsible Minister.

As I promised the hon. members at the time the point of privilege was raised, I have discussed the matter with the Prime Minister (Mr. Robarts). He has advised me that he agrees with this view and that his ministries will be guided accordingly.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I do not know whether it requires a point of order, but if you will permit me to say a few words about your ruling that has just been handed down. I appreciate the fact that you have searched the precedents

and found none that would substantiate your belief that the members of the House have a special privilege to visit public institutions. You are aware, sir, that at least in the one case, having to do with schools, that we do have this right, which may be changed according to the word from the Minister of Education (Mr. Davis).

Mr. Speaker: I would correct the hon. member by pointing out that a school is not a provincial institution.

Mr. Nixon: I accept your correction, but my feeling is that while it may not be within your competence nor your jurisdiction to rule that we do have the right to visit these provincial institutions at any time we choose, surely it is the responsibility of the Ministry—whose responsibility it is, in your judgment—to make it very clear that any member of the Legislature can visit any provincial institution at any time. And instructions should go forthwith from the Ministers to those who serve under them in these institutions, that this is to be the rule whenever the occasion occurs in the future.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have no desire to argue the case at the moment, but I would suggest that this is another issue that might be reviewed by the rules committee which has been established, and if there are no precedents which can guide you at this point, perhaps we can establish some precedent. By analogy, as the leader of the Opposition has indicated, a member of the Legislature has got the right to visit schools, though they may come under municipal rather than provincial jurisdiction. It strikes me, Mr. Speaker, as being idle to say that we have a special obligation, and then immediately to indicate that we have no right to visit, except under prepared conditions, in order to fulfil that obligation in our examination of the operation and the expenditure of public moneys in these institutions. The significant point, it seems to me, is that there is no problem in the overwhelming majority of provincial institutions. Indeed, many Ministers have issued invitations for visits at any time we see fit. The problem happens to be in the one instance before us now, and I would think that since the privilege of visits has been extended down through the years, that we can come up with some sort of a ruling through the rules committee. And I would hope that the Prime Minister or representatives of his party on the rules committee might be willing to take an open-minded approach to it, because there has never been a disruption of the programme of the institution in any instance.

So that, I suggest, Mr. Speaker, is a red herring that should not distract our attention.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, I do not wish to discuss this in detail. I just wish to point out to you, sir, that if this ruling stands, it inevitably will lead to grave abuses in the future.

Mr. Speaker: The hon. member for Riverdale has the floor, then the Minister.

Mr. J. Renwick (Riverdale): Mr. Speaker, I only want to make one brief comment. I accept, of course, the ruling that there is no precedent that you could discover providing for this activity on behalf of the members of the Legislature. I would however, suggest with great respect that you may have overlooked the fact that a custom over a long period of time, which has gone unchallenged for a long period, would of necessity mean that there was not any precedent because the question had not been raised. I would submit either by way of reconsideration of your ruling, should you see fit to do so, or by reference to the rules committee that a custom of long standing is not necessarily overturned because there is no precedent which can be found in the written records of the House.

I would suggest that the then Minister of Reform Institutions in 1965 recognized, in the comments which he made in the House, if my memory serves me correctly, that there was such a custom and that he might have to take whatever steps were necessary to change the custom, reluctant as he was to make that comment. I would therefore again very humbly submit that the question of the custom is not necessarily determined by whether or not there is an actual precedent as a result of a prior ruling when that custom has gone unchallenged for such a long time.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, first I would like to make one thing clear in respect of the comments of the hon. member for Riverdale. As far as I am aware, there was no custom in respect of the freedom of the members of the Legislature to visit the institutions in my department, certainly at any time without advising and making arrangements with our department.

It was I, in fact, I think, who set the precedent for my own department to make

sure that the members of the Legislature did not feel that there was anything we had to hide. I then invited all the members of the Legislature to visit at any time.

The occurrence to which the hon. member refers, in respect of the suggestion that there might be a change a couple of years later, was when there were, in fact, disruptions of the programmes of the institution. At that time, I was concerned with what was happening under the wide open invitation and did not suggest that I was thinking of curtailing the visits. At that time, if my memory serves me correctly, I suggested there would have to be some terms laid down. In fact, in respect of the comments made by the hon. member for York South, there are some problems associated with these visits. There has been, in my view, an attempt made by one of the members opposite to deliberately get himself barred from visiting the institutions and I have done everything possible to avoid this.

The latest incident, sir—and I point this out as an example, if it is going to be discussed at any level—was the fact that the hon. member for High Park, who is the hon. member I am referring to, advised me in a letter that he was going to visit one of my institutions. And "knowing," as he put it, I would have no objections to him taking a member of the press with him—he knew perfectly well from previous correspondence and discussions that I would have—and after my having advised him that I would have such objections, that my department is quite well able to look after visits by the press, he in fact did take a member of the press with him. I suggest, sir, that this privilege can only continue so long as certain members of this Legislature respect the needs and requirements, as 99 per cent of the members of this Legislature have for years.

Mr. Speaker: The hon. member for Windsor West.

Mr. Shulman: I rise on a point of privilege, sir.

Mr. Speaker: The hon. member for Windsor West has the floor. The hon. member's privilege can come in a moment.

Mr. Shulman: I understand, sir, a point of privilege takes precedence.

Mr. H. Peacock (Windsor West): Mr. Speaker I wanted to join with some of the remarks that were made earlier in respect to the recognition and weight which your citing of the precedents, or lack of them, in respect of this matter should have. But I wish to take objection, with respect, to the portion of your statement which expresses your own views as to the propriety of members visiting these institutions without notice. I think that is a matter for the Minister to speak to, and not Mr. Speaker in his position as the impartial chairman of this House.

Mr. Speaker: The hon. member for High Park now has Mr. Speaker's eye.

Mr. Shulman: The point of privilege is, and a point or order at the same time, that the Minister has once again, as is his habit, misled this House.

I wrote this Minister requesting permission —informing the Minister that a member of the press had requested permission to attend with another member and myself while we toured institutions and asked if he had any objection to this I presumed he would not. He wrote back saying he did, in fact, object. I so informed the member of the press. We subsequently went to interview a prisoner, which we did in the waiting room.

Subsequently, the member for Lakeshore and I toured the prison. Before touring the prison, we asked the member of the press to leave the prison so we could make the tour in a way to comply with the Minister's wishes, and in spite of this he has misled the House.

Hon. Mr. Grossman: Mr. Speaker, on a question of privilege, the hon. member stated that I had misled this House. This, sir, is what is generally known as a "Shulmanism".

May I read in respect of this matter of privilege, sir, a series of correspondence I have had with the hon. member in respect to this visit. He wrote me on April 11.

Dear Mr. Minister:

> Mr. Geoffrey Stevens, of the *Globe and Mail*, has requested permission to accompany me on my next tour of an Ontario jail, and being sure that you would have no objection, I have agreed to take him along some time within the next few weeks.

Hon. members will notice that—"within the next few weeks."

> I trust that this meets with your approval.
>
> *(Signed)*
>
> Morton Shulman.

And I replied on April 16:

Dear Dr. Shulman:

> This is in reply to your letter of April 11 regarding the arrangements you have made for a member of the press to accompany

you on a visit to one of our institutions. I am surprised that you have taken such a liberty on the assumption that I, as you stated, "would have no objection", particularly when you are familiar with our policy regarding press accompanying members of the Legislature on such visits.

I must tell you that I certainly do have an objection and I cannot agree to the invitation which you have unilaterally extended. While I have invited members of the Legislature to visit our institutions I have done so in the knowledge that such visits can in some instances create unrest.

On the other hand visits by members of the Legislature can be of great value in providing a better understanding of our work.

However, to make these visits accompanied by a member of the news media takes on different connotations. Some manipulative inmates often seize upon such an opportunity to promote their own selfish interests and/or to disrupt our programme.

We are firmly convinced that if members were to go into institutions accompanied by a representative of the news media, they would not have the opportunity to meet staff or inmates under reasonably normal conditions where objective evaluation could take place.

I am sure that you can see the wisdom of my staff making their own arrangements with the news media when such action is indicated.

And that was signed by me, sir, on April 16.

The hon. members will note that on April 11 in his original request he said, "within the next few weeks." He did not give much of an opportunity, sir, for us to make certain that he was carrying out the requirements as laid down in the letter and as had been previously arranged for. He immediately went to work and went out to the institution with a member of the press—

Mr. Shulman: What date?

Hon. Mr. Grossman: —and on that date I found a letter on my desk when I came in here. It is dated April 21.

Dear Mr. Minister:

Thank you for your letter of April 17. This weekend Mr. Stevens accompanied Mr. Pat Lawlor and myself on a visit to a specific inmate, but in consideration of your wishes we had him leave the jail before taking our tour.

Yours sincerely,

Now, Mr. Speaker, of course the hon. member is playing on words. He knew perfectly well we were referring to a visit to the institution accompanied by a member of the press. All he did, sir, was make sure that the gentleman from the press did not accompany him through the institution. He kept him waiting outside in the interview room, brought the inmate out and interviewed the inmate in the presence of the member of the press. This, sir, in my view, is irresponsible.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, I listened with interest to your very well spoken ruling today and I hasten to assure you, sir, that I have no quarrel with it so far as it goes. What bothers me, sir, is that being mindful that as a member of the Legislature—and sharing that privilege with 116 others—we have many duties and responsibilities in keeping a scrutiny on the public business which exist apart from membership in this assembly. Accordingly, sir, since we have the responsibility and especially when this assembly is not in session and we are not under your watchful eye and the guardianship that you provide for us, it may well be that we have certain rights and privileges to allow and assist us in free passage in and around public institutions and beyond the examination of the institutions themselves. I am thinking of such activities as the work of various boards and commissions and their meetings in which they conduct very important matters in the furtherance of the public good.

Then I would say to you, sir, that beyond your ruling I, as one member of this assembly, would want to see a more farreaching investigation and quantity of research done perhaps by the law officers of the Crown. It could well be that the Attorney General's agents could undertake that research on our behalf and provide a report to yourself before any final determination is made that would in any way inhibit our freedom of movement around any area where the public business is transacted.

And having said that, sir, I do not have to elaborate the obvious in underlining how important that is for the public weal of Ontario.

Finally, I think it unfortunate that our rights here are in some way related to that abrasive, volatile and disgusting conflict which goes on between this Minister and the member for High Park.

Hon. Mr. Grossman: If I do not answer, I am considered to be arrogant.

Mr. V. M. Singer (Downsview): Mr. Speaker, without entering into the internecine war between the Minister and the member for High Park, I think there is much more at issue as a result of the ruling that you have recently given. I think it revolves around the phrase that we heard from the Minister of Mines (Mr. A. F. Lawrence), the other day as to whether or not we have a right to know about the business of the province of Ontario.

There are 117 of us here, sir, and we were sent here by the people of the province of Ontario, not only with the right to know, but the duty to inquire and to bring to their attention things that we think are wrong.

Now, with the greatest respect, sir, to your ruling, it is my opinion that it is not something that falls within your aegis to determine whether or not we should inquire, whether we have a right to inquire or whether we have a duty to inquire. It is part of our democratic duty by being here and being sent here by the people of the province of Ontario to find out what is going on within the government of Ontario and within its various agencies.

If by any chance, any individual member abuses his privileges that are his as a member, there are various ways in which this can be dealt with, and one of them is in the House. There are other ways as well. But it is my position, sir, and I am going to assert it just as firmly and as strongly as I can, that notwithstanding that arrogant phrase from the Minister of Mines, I have a right to know what goes on in the province of Ontario, what its Ministers do, what its agencies do and what happens in its various institutions.

Mr. Sopha: It is a case of the Minister of Correctional Services whittling away our rights.

Hon. S. J. Randall (Minister of Trade and Development): Remember what happened at Mercer?

Mr. Singer: Indeed I do and I remember what happened and it was as a result of our visit that improvements were made.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I just want to put in my word of protest in regard to your ruling. There is no question in my mind, after having over a period of time toured a number of the provincial institutions, that there is a lot to be hidden. Any tour you have, unless you were well informed before you go and know where to look, is like a tour you have of Russia. You are shown what the establishment wants you to see, and nothing more. I notice the hon. Minister of Trade and Development shouted over about Mercer. That was no witch hunt. But to give you an example of how even duress can be used on members who are trying to inspect a provincial building—

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on a point of order, I do not believe your rulings are debatable in this House.

Mr. J. E. Bullbrook (Sarnia): The Premier has not been here.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Sopha: I suppose that the Clerk—

Mr. Speaker: Order! The hon. member will take his seat, the Speaker is on his feet. We hear the hon. members imploring us to obey the rules, and one of the rules which will make this House operate is if the members will resume their seats and regain peace and quietness when Mr. Speaker takes the floor.

Now—and I, of course, have been criticized on both sides of the House for this—but regardless of whether it is by the rule and precedent of the House or not, I have felt that when there is an important matter which requires a certain amount of discussion, the members should have the opportunity to do it.

There is a time and a place for a debate on these matters and I was in the process of arranging to stop the present development because I felt that it had gone far enough. And while I am on my feet then, I will make one or two remarks. Then, so far as I am concerned, this has developed into a debate—

Mr. Bullbrook: We should all have the right to speak.

Mr. Sopha: That is right; we should have the right to speak. We were being allowed to until he got up too!

Mr. Speaker: May I just say this—

Interjection by an hon. member.

Mr. Speaker: Order! The hon. member received the courtesy from Mr. Speaker not to be interrupted when he had the floor. One would think that he would extend the same courtesy to another member of this House.

The hon. member for Riverdale, of course, has a history in this House of some years, but his history as a member of this House does not go back to days when I and others who are here have been here, and he would

then know, if his memory could take him back, that it was not the custom and it was not an accepted custom for such a visit to be made.

For many an hour, the matter was debated the same as it has been today in this House in my own personal hearing, and I am sure in the hearing of a great many members on both sides of this House. So, therefore, I cannot accept his submission with respect to that. Perhaps in the last few years there has been some indication of the custom being established, but there is by no means any such custom in my opinion.

With respect to the hon. member for Windsor West, I would say that I did my best to compose the ruling, if you wish, or the reply which I had promised to the point of privilege raised by the two hon. members, without inserting any particular personal view except for the fact that I stated I had accepted what appeared to be the result of my examination of precedence, rules and customs. There is, of course, no personal involvement in it.

I would say this to all the members, and this is one of the reasons I allowed this discussion to go perhaps farther than it should go, that it is painfully obvious, as the hon. member for York South has pointed out, that there are many things which do not fall strictly within Mr. Speaker's purview.

In my opinion, it is not, unless directed by the House, Mr. Speaker's duty to say whether members have or have not privileges of which he can find no record in the annals or customs or procedures of the House. That is up to the hon. members of this House, as a House, and if they feel there should be some new order of some new regulation or rule, then certainly we have 117 members here quite capable of making that rule, either through the use of the committee, as the hon. member for York South said, or right from the floor of the House. Mr. Speaker then has the duty, and would be most pleased, to carry out the wishes of the members of this House.

So I am sorry that the hon. members have taken this as meaning that the matter is closed off; it is not, and I promise the hon. members, and I think a review of *Hansard* would indicate I promised the hon. members two things—that I would search and see if there was any such special privilege; and, secondly, that I would consult with the Prime Minister, because undoubtedly, as has been pointed out, the governing of provincial institutions is within the government responsibility.

I did both, I reported both. From there on the matter now rests with the House. And I assume there would be an appropriate time, either when some committee report is brought in, or some other time, for a further discussion and a debate on the matter. But I would not like the hon. members to think that my ruling meant that there could not be any particular, special right or privilege on the part of a member.

That was farthest from Mr. Speaker's view and mind when the wording of the missive delivered today was made out. All that I tried to do was to bring to you a report on my search for the precedents and then I did state that I agree that, at the present time, that was sound, and then I consulted with the Prime Minister and I gave you his views today.

Now I think that that perhaps might close the matter for now and, in due course, I would think that a good time for a debate on this might easily be if and when we have a report from the committee which is considering this matter—before which Mr. Speaker has not yet appeared but I understand he will be invited to appear. I warn the committee members, he has a list of problems referred to him by all the members of the House during the last year, and I shall probably not have to bring them to the notice of the committee because I believe they are working on most of them as it is.

Mr. Nixon: Mr. Speaker, surely one point that needs some clarification on your ruling before we leave it is that I wonder if you could inform the House why you undertook to consult with the Prime Minister before delivering the ruling, and why you undertook to tell us that he concurred with your views.

Mr. Speaker: As I pointed out, when the matter was brought to my attention some time ago, there was a considerable amount of discussion as to whose responsibility such a matter was, and at that time I said to the House that I would investigate precedents and I would discuss it with the Prime Minister. That is what I said I would do, and I have said why I did it. That is why I did it and why it is embodied in my report to the House.

Mr. Nixon: Well, surely under those circumstances, Mr. Speaker, it is incumbent upon the Prime Minister not to bring to your attention that any comments are out of order,

but to clarify his own position in this regard wherein, in the Speaker's view, the responsibility is obviously his to make it abundantly clear that the members of this Legislature have the right to visit the provincial institutions at any opportunity.

Mr. MacDonald: Mr. Speaker, I have given this matter serious consideration. I find that I have no alternative but to challenge your ruling because your statement today is a ruling that, in effect, establishes a rule of this House in an area where you stated there was no guidance.

You also stated, Mr. Speaker, that when you took this under your consideration you would discuss the matter further with the hon. members for Lakeshore and High Park as well as with the Prime Minister. As far as I know—

An hon. member: Just Lakeshore!

Mr. MacDonald: With the hon. member for Lakeshore then. As far as I know, no such further discussions were held with the hon. member for Lakeshore. What has happened is that restrictions accepted by some Ministers of the Cabinet have now become a rule because it is supported by the Prime Minister. So we are closing things off where we had a considerable amount of latitude. The The Prime Minister has indicated prior to this, and you have included it in your ruling, that he, in effect, will order such restrictions.

That, I think, is an unnecessary and undesirable infringement on the rights of the House and an impediment to us doing our duty as members of this House. Therefore, I find, Mr. Speaker, I have no alternative but to challenge your ruling.

Mr. Speaker: May I, before the hon. leader proceeds, say this. It was the reason that the last paragraph was included, and I have no objection whatsoever to having that stricken from it. It was inserted merely because I had said I would do so and actually, it is not part of the ruling. It is an addendum that follows the ruling that I had consulted about with the Prime Minister as I promised. I certainly have no objection, if that would solve that particular area of the problem, and the hon. member for York South could decide whether the rest of the ruling need be appealed or not; or we can leave the whole thing in.

But the reason for that was it was an addendum to keep my word to the House that I would consult with the Prime Minister who, in my opinion, had responsibility for institutions to a large extent as the leader of the government.

The hon. leader of the Opposition might perhaps let the hon. member for York South reply.

Mr. MacDonald: Mr. Speaker, we might have found it possible to live with a ruling that there was, no rule in the book. But now that you have, in effect entered a rule in the book, and even if you were to strike out the last paragraph, it does not alter the fact of your having conferred with the Prime Minister and secured the Prime Minister's support. You, in effect, are including with your ruling a closing down, a complete closing down, where we had certain privileges for our work in the past.

This is a new ruling infinitely more restrictive than we have ever had in our traditions in this Legislature. It is for that reason, I think, it has to be challenged. I trust, in spite of whatever happens today, that it will be reviewed by the rules committee in an open-minded fashion, because I think we are breaking rather dangerous ground here.

Mr. Nixon: Mr. Speaker, I must say that I have felt in the past that challenges to your rulings were made too frequently and sometimes as an expression of policy rather than for their prime purpose.

But under these circumstances, surely, there is every reason for us on this side to be critical, not so much of yourself, sir, but critical of the leader of the government who has once again led this Legislature into this impossible situation.

He must surely be aware of the truth of my statement. There is every reason for him to assume his responsibility and make it abundantly clear that no ruling of this Legislature and no procedure in which he was consulted would, for a moment, restrict the visits or the rights and freedoms of the members of this House.

Surely this is a time for him to speak and not call us to order in these matters. For this particular reason, Mr. Speaker, it is going to be necessary for us to vote against your ruling.

Hon. Mr. Robarts: Mr. Speaker, I would like to make a few comments. I realize that your rulings are not debatable, but I missed the opening part of this discussion.

Mr. Sopha: Which made his intervention all the worse.

Hon. Mr. Robarts: Not deliberately. In any event for good and valid reasons, I was not here when the discussion started.

Mr. Sopha: But he wants to pitch in right away.

Hon. Mr. Robarts: I get so tired of the yakking of the hon. member for Sudbury; however I can take it because I am used to it.

Mr. Speaker, I did not ask to be consulted by you as to whatever decision you reached on this point. It was not my suggestion nor my idea that you should consult me. I do not quite remember how I became involved in it, but I would point out to you that in your ruling I think the real nub of the situation is contained in the ruling you have made in the second to last paragraph, where it reads:

> The determination of this question as to the best interest of the inmates must inevitably, as has often been stated, rests with those charged with the responsibility of operating these provincial institutions under, of course, the ultimate responsibility of the government and the responsible Minister.

You and all members of this assembly have, of course, the right to visit any institution that we have. But you have not got the right to disrupt the operation of those institutions.

Mr. Shulman: No one has disrupted.

Hon. Mr. Robarts: Now just allow me to complete my remarks, and then the member may make whatever point he likes, subsequent to that.

The ultimate responsibility, Mr. Speaker, will of course rest, as it always does, with the government. We must accept the responsibility and if it is possible for any member to demonstrate, as some have attempted to in the past and failed, that this government has moved to exclude any member of this assembly from any of our institutions for any political reasons or in order to hide any activity that might be going on in any of these institutions, then, of course, this will become a matter of public discussion. The government will suffer and we accept that responsibility. We also accept the responsibility, which we must, of looking after the inmates.

I do not think even the leader of the Opposition would care to have his last comment interpreted that any member of this Legislature has the right to enter any one of our institutions at, say, half-past one in the morning, because he simply thought he would like to visit it at that time of the day. Carried to the ultimate extreme this is what you are suggesting, and if we think—

Interjections by hon. members.

Hon. Mr. Robarts: Mr. Speaker, I will simply say this: if the government exercises this discretion and exercises its responsibility improperly, then I have no doubt my vociferous friends on the other side of the House will bring this to the attention of anybody who cares to listen. If we have done it badly and if we have done it improperly we will be judged where we are all judged eventually—in the greatest court of all, the court of public opinion.

Mr. S. Lewis (Scarborough West): That is the last refuge of the politician.

Hon. Mr. Robarts: But that is what I mean.

Mr. Singer: Jury of the people.

An hon. member: Best jury in the world.

Hon. W. D. McKeough (Minister of Municipal Affairs): Is the member afraid of it?

Mr. Singer: Call the byelection for Middlesex South!

Hon. Mr. Robarts: We will. I remember the same challenge being hurled at me by the hon. member for Sudbury. He said, "Call a byelection in Kenora." So what did we do? We called a byelection and we wiped them up, that is what we did.

Now I want to get back to my point because it is a very serious and important point. We exercise a responsibility in terms of the care, custody and control of the inmates of these institutions.

Mr. Sopha: No one denies that.

Hon. Mr. Robarts: If we exercise that responsibility in an irresponsible way, we will have to answer for it. But we cannot stand in our places and say that any member of this Legislature has the right to walk in to any institution in this province at any time he chooses or under any circumstances. We simply cannot say that.

Mr. Sopha: Then the government is wrong.

Hon. Mr. Robarts: Then if I am wrong, Mr. Speaker, once again we will go back to the ultimate court. That is why—and, as I say, I was not asked to be consulted—we

put in this the responsibility of the government, the responsibility the government carries. We accept that responsibility so I will, of course, Mr. Speaker, support your ruling.

Mr. Speaker: Perhaps, in fairness to the members and to the Prime Minister, I might say what happened. I received from the Clerk his view, in writing. After considering it, I made out a draft of what I intended to bring here, which was very similar to the statement I read, except for the last paragraph. And then I sent that to the Prime Minister, personally, and I received it back with his view that he concurred, and I added the last paragraph. I said that I would consult the Prime Minister, and I did so in that manner. Therefore, if the use of the word "we" by the Prime Minister indicates that he was with me that night, because it was late at night I did it, I can assure you that he was not.

The hon. member for Carleton East.

Mr. A. B. R. Lawrence (Carleton East): Mr. Speaker, without dealing with the merits of the question, it strikes me that there is a fundamental misconception involved in the total discussion, and that is that the rules themselves—and even your ruling—can be an adequate vehicle for either enforcing or not enforcing the privileges being discussed. It seems to me, Mr. Speaker, that the rules of this House govern this House and the conduct of the members of this House. On the other hand, it seems to me that governmental institutions are governed by statutes, and therefore, no matter what ruling you may make, or what the rules committee may possibly say, it will be completely abortive, because this is not, I would suggest, the vehicle that can be used even if the purpose is good.

Mr. MacDonald: That is a legalistic argument, and irrelevant.

An hon. member: That is a fair one, nevertheless.

Mr. Bullbrook: Mr. Speaker, might I be permitted to speak in connection with the challenging of your ruling? Two points, if I might. Firstly, when the Prime Minister made mention of the fact that he was under the impression that a ruling made by you was not subject to debate, he was voicing for me a thought that had crossed my mind about 20 minutes previously. I want to say this to you: I thought that under our rules, your rulings were not subject to debate. I thought as a matter of your own good nature, and the elastic position you can take at times, that as a courtesy you offered my leader and the leader of the New Democratic Party the opportunity to voice their opinion. And then, sir, we permitted five or six other members to discuss your ruling, and I want to register with you, sir, my objection to the procedure then that ultimately we cut it off. I think we should all have the opportunity of speaking to it.

But we are losing sight of one fact here, and if I might again voice what happens to me in the city of Sarnia. I have a happy relationship with the governor of the institution there, and I am able to go and make my visitation on an unscheduled basis, and I say most respectfully to the Prime Minister, I want to continue in that, and so I must vote against the ruling.

But I invite you, Mr. Speaker, to keep in mind the nub of this whole thing. We are wasting the time of people of the province of Ontario now, because of the irresponsibility of one member of this House, continuously. If he would abide by the same position that we usually take, we would have no difficulty. But time and again, we find ourselves about to be restricted in connection with our activities as legislators because of our need to restrict the irresponsibility of the member for High Park.

Mr. Speaker: I must say that the hon. member for Sarnia has exactly put his finger on one of the problems of the House and one with which Mr. Speaker, in his own inadequate way, has been trying to struggle. And that is the fact that our rules do provide for certain things that are not acceptable to the members of the House, and they allow certain other things which are acceptable. In order to endeavour to have the House run, Mr. Speaker—and I believe the chairman of the committee—has endeavoured to give Opposition members in particular, but also any member, a reasonable opportunity to discuss important matters, whether it be strictly within the rules and precedents of the House. And, of course, on every occasion, including today, it has got out of hand, and Mr. Speaker, of course, has been very loathe to do as the hon. member for Sarnia has said, to cut off the next one who wishes to speak. Of course, the only answer to that—and it is the only answer that I will have to adopt in the future, as I have done with questions after ministerial statements—I will have to say that from now on there will be no debate of Mr. Speaker's rulings, not even by leaders of the Opposition, in order to deal properly with the problem, because otherwise there is no control. I accept what I consider

to be a well-deserved rebuke from the hon. member on behalf of the members of the House.

Mr. Lewis: Oh, it was not a well-deserved rebuke at all.

Mr. Speaker: It was indeed. And I accept it.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Lewis: We flip from one extreme to the other in ten minutes.

Hon. Mr. Randall: Not at all.

Mr. Lewis: No consistency.

Mr. Sopha: No, Mr. Speaker, you did not need to say all that.

Mr. Speaker: The hon. member is not really the one to say that one should not say a great deal.

The ruling delivered a short time ago by Mr. Speaker regarding special privileges of members of this House with respect to provincial institutions, has been appealed by the hon. member for York South. Therefore, I will put the question—

Mr. G. Ben (Humber): On a point of order, Mr. Speaker. I have gone through the rules very carefully, and I deny that you have the power under the present circumstances to make such a ruling. In other words, it is my submission that the ruling which you did make, Mr. Speaker, was *ultra vires*. It was *ultra vires*. I suggest, Mr. Speaker, that you have no control over the conduct of the members once they leave this House. If the members misbehave, then the proper procedure is that they be cited before the standing committee on elections and privileges. Accordingly, Mr. Speaker, deeming your ruling to be *ultra vires*—and I am not disputing the pros and cons of what you ruled, but denying your right to make a ruling on the conduct of an hon. member outside of the House, and away from your presence—I shall vote against Mr. Speaker's ruling.

Mr. Shulman: Mr. Speaker, on a point of order.

Mr. Speaker: The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): I suppose as a member of this Legislature I have been ruled out of order by Mr. Speaker more than any member in this House—as many times, anyhow—and I would hate to think that the ruling of the Speaker of this Legislature will govern my activities when I go about my province visiting the institutions, where I am welcome, to think that possibly the governor will not let me into this institution because Mr. Speaker's influence has followed me into that institution also.

I would like this House to know, regardless of the Speaker's ruling, when I am invited or I am tempted to attend or visit any institution I will be there regardless of the outcome. This is democracy at work, and we are not going to be governed by Mr. Speaker's ruling out into the institutions also. We cannot support his ruling, that is certain.

I find myself in a very embarrassing position because, as I have said on many occasions, I thought I was right in this House, but the Speaker says the member is out of order and I accepted his ruling. But I am not going to be governed by his rulings out in the province, in the institutions that I think I have a right to visit.

Mr. Shulman: Mr. Speaker, my point of order is that one of the hon. members has suggested that irresponsible conduct has produced this. I wish to point out to you, sir—

Mr. Speaker: Order! The hon. member has not a point of order.

Mr. Shulman: Point of privilege.

Mr. Speaker: The hon. member has not a point of privilege; as far as I recall there was no connection between the hon. member and the expression.

Mr. Shulman: Sir, my conduct has been called in question and my conduct is a question of privilege.

Hon. Mr. Randall: More than once!

Mr. Speaker: The hon. member, as I recall it, was not called into question when irresponsible conduct was mentioned, but the hon. member's riding was mentioned by the hon. member for Sarnia so I think he is entitled to make his point.

Mr. Shulman: Mr. Speaker, the only point I wish to make, sir, is that the irresponsible conduct which has been called in question, has been going on about this province at reasonable hours of the day with another member of this House visiting the institutions and seeing what could be improved and bringing those suggestions to the attention of this House.

Mr. Speaker: Well, we are about to take the vote on the ruling and I would like to say this—since everyone else has had an addendum—that Mr. Speaker—

Mr. Sopha: Mr. Speaker, on a point of order before you put the vote, would you tell us how much of that ruling is attributable to the Prime Minister of Ontario?

Mr. Speaker: I have already explained to the House the genesis of this ruling and I do not need to do it again. The hon. member can read it in *Hansard*, but I would like to say this, that the ruling, so far as I am concerned is, or is not, a ruling. I am not sure that it is, except that it says that I have done as I was requested and checked the precedents, and this is what I found.

Hon. Mr. Robarts: Mr. Speaker, could I have just one word. It occurs to me, as this argument has developed, that I see some virtue in the position taken by the hon. member for Humber. I might have some doubts myself as to whether a ruling of this type would have validity outside the Legislature.

To get to the merits of the matter—I do not propose to debate that again—but there is one solution to the problem and it may be that this might be taken as, I suppose, an opinion rather than a ruling as to what the privileges and rights of the members of this House are outside the House.

I would be quite prepared to accept it on this basis. As far as I am concerned it will not alter the policy of the government one way or the other. I do not think any member of this House has ever been denied reasonable access to any institution.

Mr. Singer: Oh, we have a right now? I I did not think that we did have!

Hon. Mr. Robarts: Of course they have Mr. Speaker. No one has ever denied that. I am just going to say this—

Interjections by hon. members.

Mr. Sopha: What did he send it in for then?

Hon. Mr. Robarts: Mr. Speaker, my answer to the hon. member for Sudbury is that it was a member in the Opposition that asked the Speaker for a ruling. Now if it is not a ruling, then he asked him for an opinion. Now it occurs to me that it may not be a ruling. I am not prepared to say it is a ruling, or not a ruling, but it certainly is an opinion of the Speaker as to what the rights and privileges of the members of this House are outside the House.

Mr. Sopha: It is much more than that.

Hon. Mr. Robarts: I will accept it either way, but as I say it will not—

Mr. Singer: Either withdraw or reverse it.

Hon. Mr. Robarts: Well, I am going to—

Mr. Singer: Move that it be withdrawn and we will support the withdrawal.

Hon. Mr. Robarts: No, I would not move that it be withdrawn.

Mr. Trotter: Why not?

Hon. Mr. Robarts: I would be happy to make a motion that this be treated not as a ruling of this House, but as an opinion of the Speaker as to what the rights of the members are, because it was asked for not by the government side—

An hon. member: The Speaker is standing.

Hon. Mr. Robarts: I am sorry, Mr. Speaker.

Mr Speaker: I am glad to see that the hon. Prime Minister and certain others have realized what I was trying to say a minute ago before I was about to put the vote, and that was that I had been asked to look into this and that I gave that as my opinion of what I had found. If it is to be considered as a ruling, which I presume it is being considered, then, of course, I am somewhat of the same opinion as the hon. member for Humber and of some other hon. members who have asked what binding effects it has outside of the precincts of the House. I would rather suggest that they were very small if any.

I would draw to the attention of the hon. member for Sudbury, of course, the genesis of how this arose. He has been making some interjections which indicate that he did not listen to what I said earlier.

I would suggest to the House—I am quite prepared to put the matter to a vote but it seems to me that this matter is one of very great concern to everyone, not just to the Opposition members but to every private member as well as members of the government—that the House might allow me to withdraw, and redraft my findings by way of opinion, and then perhaps that would give the opportunity of a further debate if necessary, or it could be dealt with otherwise because I have no desire to make a ruling as such that would bar members. That was not

my intention, nor was it my understanding of what this particular ruling would do, or this particular report as it is now called.

Now if the House wishes to do that, it is fine with me. Otherwise, Mr. Speaker, having, put this in, will take the responsibility for having it dealt with by the House.

Mr. MacDonald: Mr. Speaker, I made the motion, perhaps I can speak to the motion—

Mr. Speaker: Yes I think it would be wise to let the hon. member for York South speak.

Mr. MacDonald: Mr. Speaker, I am quite willing to withdraw the motion for the time being, since you have indicated that you are willing to reconsider this matter. I think quite frankly, after this debate, that is what should happen.

Indeed, whether it is a ruling or an opinion, either now or later, the point that makes the distinction irrelevant, I would draw to the attention of the Prime Minister, is the last sentence "The Prime Minister has advised me that he agrees with this view and that his Ministers will be guided accordingly". So that is the law.

Mr. Speaker: I must confess that that was put in by me, and not by the Prime Minister, after talking to him—so please do not tie that on to the Prime Minister.

Mr. MacDonald: Well we are getting in deeper and deeper, Mr. Speaker. I am delighted to withdraw my challenge of your ruling for the moment on the understanding that you will reconsider this whole matter.

Mr. Speaker: The hon. leader of the Opposition.

Mr. Nixon: Mr. Speaker, I might just say that I concur in the views already expressed, and if you are going to remove this for reconsideration and further consultation, that certainly is acceptable to us.

Hon. Mr. Robarts: As far as I am concerned, I will agree with this. Already I see many misinterpretations placed upon it which cause me some concern and certainly—I did not interpret this the way it has been interpreted here in the House but I would be delighted to take a look at the whole matter again—as far as I am concerned I am going to take a long look at it because I want only to discharge the responsibility I think the government has.

It is not my desire to limit the rights and privileges and, I think, the record of this government would indicate that we have never attempted to limit the rights of the members of the House, so I concur wholeheartedly in the withdrawal. We will get at this and see really what it is about.

Mr. Speaker: May I make this further suggestion. I believe that Mr. Speaker is to be invited by the committee on rules to attend one of their meetings shortly, and may I have the leave of the House to withhold further consideration of this until after I have had that opportunity of meeting with the committee. I am sure that there are several members who have spoken here who are on the committee and there the matter can get very full discussion and I can have some guidance as to how they felt it should be dealt with. Would that be agreeable to the House? It may take some time for that to happen.

The hon. member for York South.

Mr. MacDonald: Mr. Speaker, after these heated words. I beg the indulgence of the House to draw their attention to an event which was a very heated event in Canadian history but one which with the month of May 1969, should be commemorated.

Fifty years ago this month there took place the famous Winnipeg strike, an event which was not only memorable in the economic and trade union history of this nation but in our political history also.

Briefly, what happened was that two unions, the building workers and the machinists in the metal trade, were on strike for what they thought were very valid reasons. They sought the support of the Winnipeg Trades and Labour Council in May, 1919. They got that support, with the result that some 30,000 people went out on strike and the whole life of that city was brought to a standstill.

The result was inflammatory articles in the press, and the appearance of cartoons across the nation showing the citizenry of Winnipeg in the grip of bearded Bolsheviks. There emerged a committee of 1,500 citizens to face the strike committee and the hysteria quickly extended as far as Ottawa with the result that on one day, within one hour, they passed through the House of Commons and the Senate and gave Royal assent to amendments to The Immigration Act which permitted the deportation, as undesirable, of any immigrant, British or foreign-born, regardless of his length of stay in Canada, and without trial by jury.

There were also amendments to the Criminal Code, the infamous section 98, which

reversed the whole tradition of British law, permitting persons to be arrested on suspicion, and placing the burden on the accused to prove his innocence.

In fact, perhaps the most outstanding of the charges was one charge laid against J. S. Woodsworth. It constituted, Mr. Speaker, three brief verses from Isaiah, and on that he was charged with uttering sedition. The verses, it is interesting to recall, are as follows:

> Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed; to turn aside the needy from judgment, and to take away the right from the poor of my people, that widows may be their prey, and that they may rob the fatherless. (Isaiah 10: 1-2)
>
> And they shall build houses and inhabit them; and they shall plant vineyards, and eat the fruit of them. They shall not build and another inhabit; they shall not plant, and another eat; for as the days of a tree are the days of my people, and mine elect shall long enjoy the work of their hands. (Isaiah 65: 21-22)

That quotation became the basis of a charge for uttering sedition. However, I think it is perhaps most important to note what happened afterwards, Mr. Speaker.

F. J. Dixon, member of the legislative assembly, was charged with seditious libel as the editor of the *Strike Bulletin*. He had as his counsel—so Prof. Ken MacNaught reminded us in an article some 30 years later in the *Canadian Historical Review*—the Hon. E. J. McMurray, K.C., who suggested to Mr. Dixon that he should defend himself. Mr. Dixon read Milton on the freedom of the press; he read the biography of Joseph Howe and many famous English trials for sedition. He defended himself through a 16-day trial, at the end of which he was acquitted.

A. A. Heaps, an alderman, conducted his own trial and was acquitted. He was subsequently elected to the House of Commons in 1925.

John McQueen, an alderman, was re-elected to the city council by an overwhelming majority while waiting for the trials, and yet when he was brought to trial he, with five others, was convicted and sent to jail. Later he became mayor of the city of Winnipeg and a member of the legislative assembly.

Reverend William Ivens, the founder of the Labour Church, who was one of the key people in the leadership of the strike, walked out of the jail cell where he was confined for a year and went directly to take his seat in the legislative assembly of Manitoba.

J. S. Woodsworth, some two years later, was elected to the House of Commons where, in 1927, he succeeded in securing the repeal of that iniquitous amendment to The Immigration Act and, in 1936, getting the repeal of section 98 in the Criminal Code.

I remember, Mr. Speaker, some 20 years ago listening to a panel on the CBC in which five distinguished Canadians were asked to name the five outstanding figures of our political history since Confederation. All of them were unanimous with regard to three. One of those three choices was J. S. Woodsworth.

For that reason, Mr. Speaker, in drawing the attention of the House to the 50th anniversary of the Winnipeg strike, and the emergence, as a political figure of the stature of J. S. Woodsworth, I would once again point out to the Minister of Tourism and Information (Mr. Auld) that for ten years he and the historical plaques committee have been periodically reminded that J. S. Woodsworth was born in the western outskirts of what is now Metropolitan Toronto. His place of birth is discoverable, and if they cannot discover it, Ken MacNaught as the definitive biographer can guide them. I would hope that sometime soon a plaque might be erected in the province of Ontario to commemorate the birthplace of such a distinguished Canadian.

Mr. Speaker: In order that I may allay the fears of the members, to my right and to my left, to whom I have been listening, I may say that it is a custom in this House on special days such as St. George's, May Day and so on, to allow appropriate members to make remarks. May Day is recognized as a day for labour and our hon. friend from York South requested the opportunity of speaking, which I afforded to him on that basis.

Before we proceed with the questions I would like to advise the hon. member for Scarborough East that certain questions which he had asked of the Minister of Education and later redirected to the Prime Minister, were redirected by my office back to the Minister of Education because, in my opinion, it was not reasonable to expect the Prime Minister to be able to answer the type of question which was being asked. I am pleased to see that the hon. Minister of Education is here so the questions will undoubtedly be asked. The hon. leader of the Opposition.

Mr. T. Reid (Scarborough East): Mr. Speaker, could I just comment.

Mr. Speaker: No, no comment. When you ask the question you may cover your comments.

Mr. Nixon: Mr. Speaker, I have a question for the Minister of Lands and Forests.

How many eligible applicants for junior rangers' jobs for the summer have not been accepted?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. leader of the Opposition: There are 385 eligible applicants for junior ranger jobs for this summer who have not been accepted.

Mr. Nixon: Mr. Speaker, I wonder if the Minister might advise me whether or not the acceptability of the eligible applicants depended upon their recommendation by a member of this House?

Hon. Mr. Brunelle: Mr. Speaker, we accept these applications on a priority basis and, as the member knows; the hon. member from his party, from the NDP party or our own party often make recommendations—

Mr. Nixon: I am not implying that it had to be a government member in any way. But I have the impression from having heard from two or three applicants who were not accepted that they were the only ones I know of that had not asked for recommendation from a member. It seemed to be a ridiculous criterion if in fact it is one.

Hon. Mr. Brunelle: As I said, Mr. Speaker, they come on first come first served basis.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: Mr. Speaker, I have a question for the Minister of Education, asked some days ago, in two parts.

Will the cities of over 60,000 which are not eligible for the school board subsidies announced last week, get any relief from education costs this year?

In other words, is the staged takeover of 60 per cent of education costs which will be initiated this year rather than in 1970-1971, restricted to municipalities of less than 60,000 for the current year?

Hon. W. G. Davis (Minister of Education): Yes, Mr. Speaker, the studies revealed that the basic problem—I do not say the complete problem, but the basic problem—related to the small rural municipalities. Those municipalities with, shall we say, lesser population and the moneys that will be used to develop this programme will, of course, go to increasing the total percentage. However, with respect to the Treasurer's announcement in the planned programme to go to an average of 60 per cent, this will begin to reflect itself in the next fiscal year.

Mr. MacDonald: Mr. Speaker, a question of the Minister of Agriculture and Food.

The Minister has been reported in the press as stating that the likely time for the holding of a referendum on the issue of a general farm organization will be, "midsummer". What period does the Minister consider as being "midsummer"?

Hon. W. A. Stewart (Minister of Agriculture and Food): Well, Mr. Speaker, when I issued that statement I am afraid I was thinking of that delightful time of the year. I inadvertently said "midsummer" when really I should have said "mid-June", if the petitions come in as I would expect they would, for the holding of a vote. The time that has been suggested as an appropriate time, is mid-June, and I would think that would be acceptable. If, however, they do not come in in time, then by midsummer all well and good. Whatever time the petitions come in. We are not particularly adamant about any particular time.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Prime Minister:

Has provision been made in this year's Budget for the $2-million grant for the Hamilton Theatre Auditorium?

Hon. Mr. Robarts: No, Mr. Speaker, there is no provision in this year's estimates. It was in September 1967 the Treasury Board approved a conditional grant to be paid over a number of years to the Hamilton civic auditorium development project on the basis and condition that a matching grant would be made by the federal government. This is part of a total urban redevelopment plan in the city of Hamilton in which the province is sharing on another basis entirely.

We have never been informed that the condition, i.e. that the federal government would make a matching grant, has ever been met and until we know that, of course, there is no commitment on the part of this government to pay the money. Until such

time as we know that arrangements are being made to proceed with the project and the federal government is fulfilling the condition we attach to our position, it is not necessary for us to apportion any money.

Mr. Deans: Would the Prime Minister accept a supplementary question?

Hon. Mr. Robarts: Yes.

Mr. Deans: I wonder, Mr. Speaker, if the province would consider making this grant without the provision for the federal government's participation?

Hon. Mr. Robarts: Not a chance, Mr. Speaker.

Mr. Deans: What is the matter with the member for Hamilton Mountain (Mr. J. R. Smith) does he not want it to go ahead?

To the Minister of Justice and Attorney General: has the Minister ascertained the entitlement of Mr. and Mrs. Orr in the case which I brought to the Minister's department some three months ago?

Hon. Mr. Wishart: No, I have not yet, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Speaker, I certainly accept your re-direction of the questions from the Premier to the Minister of Education. I had hoped that the grounds were that you knew the Minister of Education would be here. I say this is all seriousness.

Mr. Speaker: The grounds were, as Mr. Speaker stated, that they were matters one would not expect the Prime Minister to have knowledge of and would expect the Minister of Education to have knowledge of.

Mr. T. Reid: Mr. Speaker, could I comment on that, because there are times when questions are quite important; I believe that is the purpose of the question period. The Minister of Education is a very busy man, with two very heavy portfolios, and I can appreciate the fact that he cannot be here as often as an Opposition member for example, but the grounds—

Mr. Speaker: Perhaps the member could ask the question now when he does have the Minister here.

Mr. T. Reid: Well, I would like to raise a point of privilege then, Mr. Speaker.

Mr. Speaker: The hon. member has a point of privilege; he will state it.

Mr. T. Reid: My point of privilege is that during the question period, if a member has a question which he believes to be of urgent public importance, he ought to be able to address it to the ministry. The suggestion I have is simply that if the Minister of Education cannot be here, which is quite understandable, the member of the Opposition ought to be able to re-direct that question to another member of the ministry. If it is inappropriate to direct it to the Premier because the question involves detailed knowledge in order to answer it, it is very difficult to do one's job. Perhaps it could be directed to the House leader, or in the case of education, to the very knowledgeable hon. member for Carleton East (Mr. A. B. R. Lawrence). But some way, somehow, I believe that in my function as the official Opposition critic for education, I do have questions, most of which I hope are relevant to public issues of urgency, and I would like to be able to get answers from the government. I was wondering if you could comment on this.

Mr. Speaker: I appreciate the hon. member's problem. It is a problem which every member in the House has, because every Minister has many other responsibilities. This matter was discussed, I believe, during the first session of this House—and I only understand it because I have not been at a meeting and have had no report—but I understand that one of the matters the committee looking at the rules and the question period are concerned with is how to arrange an orderly manner of obtaining prompt answers from various Minister whose duties keep them away from the House a great deal of the time.

I would suggest the hon. member might discuss it with his members on the committee. I am sure there is an answer for it.

Mr. T. Reid: Thank you, Mr. Speaker.

I have two questions, both relating to Forest Hill Collegiate.

The first question is this: In light of the current dispute at Forest Hill Collegiate Institute as reported in the *Globe and Mail*, April 30, 1969, (a) Does the publication of a mimeographed newspaper by a group of high school students constitute grounds for suspension of some of those students by the school principal? (b) Does the free association of a number of individuals into a student group constitute grounds for suspension of some of those students by the school principal?

The second part of the first question: In light of the point of view attributed to the school trustee, Mr. Ying Hope, in the *Globe and Mail* of April 30, 1969, that he thinks it

unlikely that the school board will intervene on behalf of the suspended students of Forest Hill Collegiate Institute, can the school board legally refuse to hear an appeal from the students or their parents, and if the board cannot so refuse, does not the point of view attributed to Mr. Hope prejudice the "due process" of such an appeal?

The second question relating to Forest Hill to the Minister of Education, Mr. Speaker, is this:

(a) Have the parents or guardians of the students who have been suspended during the last ten days by the principal of Forest Hill Collegiate Institute been informed in writing of their right, and the rights of the suspended students, to appeal the suspensions to the board of education of the city of Toronto, as provided for under The Schools Administration Act, section 22 (2) (k)?

(b) Within what period of time, after receiving such notification of suspension, must the parents or guardians register their appeal to the school board?

(c) Within what period of time, after receiving such a request for an appeal, must the school board hear the appeal?

(d) Are parents making such an appeal allowed to retain legal council? If so, does the lawyer representing the students have full access to the relevant school files including "student records"?

Hon. Mr. Davis: Mr. Speaker, regarding the two questions asked by the hon. member, and just to reply very briefly to the other aspect of the question, not the question itself but perhaps obtaining information. I have endeavoured to make it a practice where matters are urgent and a member is interested, if I am not able to be here—and I think this is true, other members would recall this—we either have had the information supplied by the office or we are quite prepared to give it. I know that they will want to raise it further in the House, but we have always tried to have as much information available as possible.

To deal with the two questions—and I think in fairness, Mr. Speaker, it should be pointed out that basically the questions are asking the Minister for, shall we say, a point of view or to comment on a situation where, quite frankly, I am not personally involved. I do not have any more facts related to it than what I see or has been reported in the press, and I think in fairness, one of the other questions relates to basically an interpretation of the statutes.

I think I will reply, Mr. Speaker, in a general fashion, if I may, by drawing to the attention of the hon. member that following discussions between staff and students, there is a basis, as I read it, for settlement of the dispute at Forest Hill Collegiate, and this appears to be presently in prospect. And I need hardly say that in my view this is a most welcome development. It has been suggested earlier—and this is a point I wish to make on this occasion again—that I should intervene in this dispute. I have said on repeated occasions in this House that, as a matter of general policy, for me or for my department to intervene in the internal affairs of local school authorities unless invited or involved in some other fashion, to do this for every situation that arises would be, I think, detrimental to the structure of education in this province. From a strictly practical standpoint I am sure the hon. member would realize the impossibility of doing this.

I think one must state that we must have confidence in our school trustees and our teachers and in our students to deal with these problems in an enlightened, and I hope reasonable, way. I was interested to note, Mr. Speaker, as a general observation, that one principal very recently has indicated—and I think I quote him correctly—that "I am encouraging student radicalism".

Mr. Lewis: The Minister was responsible for inviting incendiary radicals to his office. He espouses radicalism at every opportunity.

Hon. Mr. Davis: I am sure this is a point of view that the two members from Scarborough opposite would not share.

Interjections by hon. members.

Hon. Mr. Davis: I would be interested to get a definition of "radical". I would be delighted, quite frankly, Mr. Speaker, to discuss this with the principal on some future occasion, if he really has some concern in this regard. I do want to point out further, as I have said in this House on other occasions, in my view the students do have a right to dissent; they have a right to be heard. I think this is important in this day and age. In fact, on some occasions where this is denied, trouble does develop.

However, I make this point too, Mr. Speaker, because I think it is equally relevant. The right to dissent is not a licence for disruption or disorder. This too, I think, is part of what we are undergoing, not only in this jurisdiction, but everywhere else, at the present time.

You know, where the right to become involved is denied, perhaps education becomes the loser. I do not want to become too philosophical, but it was Socrates who said, "The unexamined life is not worth living." Well now surely this applies to a degree to, an educational process. There must be, I believe, some constant re-examination.

In recent years, Mr. Speaker, I must say I have had the opportunity to engage, as perhaps few other members have, in discussions with many hundreds of young people in the schools, the universities and the colleges, and never without profit. Not always pleasant, not always easy, but I have always learned something, and I must admit that on occasion I have found the views expressed to be both unreasoning and unreasonable, and I think this is a fair analysis. I should also say that on very many occasions I have found them to be not without validity.

I think we live in times that are difficult. We must keep pace with the new policies and the new attitudes, and perhaps answers that were given in the past are not necessarily relevant today. We must, I think, recognize that our system must evolve, must develop, and I would suggest, Mr. Speaker, that in a very general way, perhaps this answers the questions proposed by the member for Scarborough East.

Mr. Lewis: The Minister cleared away the rubble.

Mr. T. Reid: Mr. Speaker, perhaps the Minister would answer a supplementary question.

An hon. member: Has he answered the others?

Mr. T. Reid: The first part of my first question, concerning the reasons for suspension, as reported in the press, Mr. Speaker, are about a newspaper and an association of a group. My supplementary question to the Minister is: Are these reasons included under section 22, (2) (k), of The Schools Administration Act, which reads: "The principal may suspend any pupil guilty of . . . etc. persistent opposition to authority."

That is the question to the Minister, Mr. Speaker. In other words, if those are the reasons the students were suspended, the only place that they could come in to that subsection (k) is under that phrase of that section. Could the Minister explain how those two reasons constitute a "persistent opposition to authority?"

Hon. Mr. Davis: I think, as I said at the outset, the two questions really involve personal opinions on the part of myself or interpretations of the statute. Obviously, this is an interpretation of the statute and this is why the right to appeal is involved. It is not for me to comment whether or not from press reports, those two, shall we say, aspects that were outlined in the press would constitute legal reason or the right of the principal to suspend.

I think, Mr. Speaker, it is asking for an interpretation where I would assume that I probably do not have all the facts available to me in any event. I mean, it is an impossible question to answer.

Mr. T. Reid: Mr. Speaker, a further supplementary based on the Minister's remarks. Has the Minister requested from the principal of Forest Hill Collegiate, "information respecting the discipline of the school," as he is authorized to do under section 22, (2)(g) of The Schools Administration Act?

Hon. Mr. Davis: Mr. Speaker, as I said at the outset, we have not become involved in this situation at the moment, and, as I understand the press reports, the matter is hopefully in the process of resolution.

Mr. T. Reid: Mr. Speaker, may I say that the second question was not answered at all. But I will leave that at this time. A further question to the Minister of Education. Has The Department of Education contracted with Don Mills Developments Limited for that company to supply, on a profit basis, a complete educational TV network in the proposed Erin Mills new town project, north of Oakville?

Hon. Mr. Davis: Mr. Speaker, never wanting to correct the hon. member for Scarborough East, but in that the prime part of this development happens to be not north of Oakville, but in the area of Peel North, shall we say, in the township of Mississauga, no, we have no contract whatsoever with Erin Mills with respect to the development of any ETV network within that proposed development.

I must say that having now read it, and understanding something as to the possibilities, if the developer were, at his own cost, to provide all of this for the educational system, I would be grateful. However, I do not think this is anticipated.

Mr. T. Reid: A further outstanding question, Mr. Speaker, to the Minister. Has the government received a request from Peter

Kormos, 16, for an interview to appeal against the continued refusal of Welland county board of education to lift his suspension from Welland's Eastdale secondary school?

Hon. Mr. Davis: Mr. Speaker, the department and I have received a letter from this young man, a letter arriving, I believe, the day before yesterday. I looked at the letter in the process of studying the file, and I shall have an answer for this young man at the beginning of the week.

Mr. T. Reid: The final question to the Minister, Mr. Speaker, is this. Would the Minister answer the charge by Dr. John Deutsch, principal of Queen's University and Dr. John Macdonald, executive vice chairman of the committee of university presidents of Ontario, as reported in the *Globe and Mail* of April 25, 1969, that the Ontario government is dangerously close to takeover of essential decision making in the administration of Ontario's 14 provincially assisted universities?

Secondly, is not this statement by Dr. Deutsch and Dr. Macdonald in effect a charge that the present provincial government intends to create a government-run University of Ontario?

Hon. Mr. Davis: Mr. Speaker, I am somewhat intrigued by the interpretation put on the speeches and press reports, and I guess it is all in the way in which they are read. I would only point out that I do not think, in fairness to Dr. Deutsch, that he charged the government, or charged the Minister, as I read the press reports, both in the *Globe and Mail* and the Kingston *Whig Standard*.

I think both he and Dr. Macdonald were involved in discussions with other university people relevant to a very basic issue that we face in this jurisdiction and elsewhere. That issue is the relative role of government and universities; and the need to further develop procedures whereby the autonomy of the university is maintained while, at the same time, the institution remains an integral part of our society.

Now, as I read the press reports about the remarks of Dr. Deutsch and Dr. Macdonald, I think that what they were really attempting to say was that there are still some areas where the universities themselves must move ahead with their own organizational structures to improve their own situation because of their own increasing involvement with government from a monetary standpoint, including operating and capital grants.

I do not believe that he was indicating that the government had any plans to develop a University of Ontario, because if he were to make this suggestion, I would have to say, Mr. Speaker, that there are no such plans. And I do not think he thought there were.

Mr. Speaker: The hon member has a question of the Attorney General. He will place all his questions now, please.

Mr. Reid: A question of the Attorney General.

Does the Attorney General believe that the provisions of the present Landlord and Tenant Act are inadequate for the rights of apartment dwellers, as suggested by the Scarborough council and reported in today's *Globe and Mail*, and Toronto *Star*?

Hon. Mr. Wishart: Mr. Speaker, I do not know that I am called upon to give an opinion on this matter in a direct way. I think that I will perhaps answer the hon. member's question in that it was a result of our request to the Law Reform Commission in respect to landlord and tenant matters that we indicated the inadequacy of the law situation generally.

It was as a result of that request that we received a report of the Law Reform Commission on the law of landlord and tenant, and the several recommendations therein contained. I think I have reported to this House, recently, that we are studying those recommendations and seeking to implement them with legislation which will, what shall I say, improve the situation. I think that answer indicates that we are not satisfied with the present situation.

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: Mr. Speaker, could the hon. Minister give us some idea of when the new Act might be introduced by his department? Will it be this summer or will it be next winter?

Hon. Mr. Wishart: I cannot be too definite, Mr Speaker; there has been quite a bit of work involved. I think perhaps in the formulation of the new Landlord and Tenant Act, at least of a new lease which will be one feature of it, we might make some progress report before too long, but there is a great deal of work to be done in trying to deal with this very difficult matter and I am not going to try to fix a date. I have no idea how long this session may endure. I think that is the proper word.

Mr. Shulman: On a point of order.

Earlier this afternoon we were all given copies of the annual report of The Department of Labour. These have now been retrieved by your staff. Is there any particular reason for this?

Mr. Speaker: I have no knowledge of that, but I am sure we will be able to find out a little later.

Hon. Mr. Bales: The Provincial Secretary would normally present the report. It had not been presented to the Legislature and it had been handed out inadvertently. There is no reason why it should not be withdrawn.

Mr. Shulman: I have a question to the Minister of Justice and Attorney General.

Has the Minister had an opportunity to determine whether or not his department can intervene to provide a transcript of evidence into the death of one Beryl Higgins, as he promised in the House on February 17? And when may the party expect to receive the transcript?

Hon. Mr. Wishart: The hon. member will be glad to know the transcript has been sent to the party.

Mr. Shulman: Was this today?

Hon. Mr. Wishart: Recently.

Mr. Shulman: I have a question for the hon. Minister of Health. It is peculiar how these things work.

Will the evidence and submissions heard by the Ontario Council of Health be published? If so, when? If not, why not?

Hon. Mr. Dymond: Mr. Speaker, I am afraid I am at a loss to understand what the hon. member means. The council of health is not involved in taking evidence. It is an advisory body, the principal advisory body in health matters to the government. It will hear submissions and will ask for advice and opinions from others. If any of those matters should be of public interest, we would have no hesitation in publishing them. But the affairs and activities of the council will be noted in the annual report of The Department of Health.

Mr. Shulman: Will the hon. Minister allow a supplementary question?

Hon. Mr. Dymond: Yes.

Mr. Shulman: Will the submissions be in the annual report?

Hon. Mr. Dymond: Mr. Speaker, the submissions might very well be too bulky to be put in the annual report. They have little or no relevance to the on-going affairs of the department or a report on the affairs of the department.

Mr. Speaker: Will the hon. member for Humber allow his colleague, the hon. member for Sarnia to have the floor for reasons which have been communicated to me?

Mr. Bullbrook: Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs from yesterday. Will the hon. Minister advise whether he will intervene in the action of the council of the town of Petrolia, in refusing to levy taxes on behalf of the Lambton County Board of Education by reason of the fact that the board's requisition for funds was not submitted by March 1, 1969, as required by law?

Hon. Mr. McKeough: Mr. Speaker, there is no specific legislation which I know of which would allow the Minister of Municipal Affairs to intervene directly on this specific problem. The hon. member's question does not make it clear whether in fact the estimates have been submitted by the board to the municipality, and I do not believe they actually have at this point in the case of Lambton, have they? I am not sure. They have been?

Mr. Bullbrook: I think so.

Hon. Mr. McKeough: I think that that point is crucial to the determination of the problem. I am advised that there is no obligation on a municipality to levy for school taxes until the estimates of the school board have been submitted. After the estimates have been submitted, the municipality is required by reason of section 88(1) to levy and collect school taxes. Presumably the school board can enforce this levy and collection by a writ of mandamus. As the hon. member will realize, we are into questions of law and I would suggest that this could best be settled by lawyers, perhaps even two such eminent lawyers as the hon. Minister of Education and the hon. member for Sarnia, but not the Minister of Municipal Affairs.

Mr. Bullbrook: I would appreciate by way of supplementary—

Hon. Mr. McKeough: The hon. Attorney General has volunteered.

Mr. Bullbrook: Really the burden of my question was—can I be assured there will be

some liaison between The Department of Municipal Affairs and The Department of Education to see that this type of situation does not become widespread throughout the province?

Hon. Mr. McKeough: I think I could speak for my colleagues that The Department of Municipal Affairs and The Department of Education are in liaison continually.

Mr. Bullbrook: Thank you. I have an additional question for the hon. Minister of Municipal Affairs. Would the hon. Minister consider implementation of the following resolution of the council of the city of Kitchener, as endorsed by the council of the city of Sarnia:

> That the Minister of Municipal Affairs be requested to set up an advisory committee of municipal officials to make an immediate study of the effects on municipal administration of the proposed provincial takeover of the assessment function, it being the intent that such an advisory committee could identify and delineate problems in municipal administration which would arise, to the end that solutions for such problems can be devised and implemented, and the transfer of the assessment function realized without undue dislocation to other aspects of municipal administration.

Hon. Mr. McKeough: Mr. Speaker, I recognize the concern of the city of Kitchener and certain other councils which have endorsed this resolution in the last few days and we are in the process of writing to them.

This concern was expressed by, I think, the Ontario Municipal Association when they met with the Cabinet several weeks ago. I have discussed the matter with the small advisory committee which I have and we have circulated letters to municipal officials asking them to furnish us with a list of services rendered by assessment departments to their municipalities and the public.

This morning I wrote to the Municipal Clerks and Treasurers Association of Ontario, requesting that association to form a committee to meet regularly with my officials to assist in solving problems such as those posed in the resolution.

We recognize the concern. I may say that we are very anxious to have much of the information which assessors have collected and we are very anxious to have it on a uniform basis. We have been working, as has been The Department of Treasury and Economics, with the Dominion Bureau of Statistics, the Ontario Statistical Centre, to develop such things as a system of coding for processing assessment data suitable not only to supply the needs of the municipalities and their local boards and commissions but also to get information which we need and which the federal government need in the course of determining certain policies which they undertake.

Certainly the work of the assessors, which they have historically done, aside from just the assessing, is very much in our mind. I have assured the municipalities, and will continue to do so, that it is our intention to provide as good service or better service and a more standard service right across the province.

Mr. Bullbrook: The supplementary to the answer is yes, that the hon. member is considering—

Hon. Mr. McKeough: Not really, because—

Mr. Bullbrook: Well, maybe?

Hon. Mr. McKeough: Yes, I suppose it is. An advisory committee of municipal officials is to meet with me and I have asked the clerks and treasurers to meet.

Mr. Bullbrook: A qualified maybe?

Hon. Mr. McKeough: Right!

Mr. Speaker: The hon. member for Humber.

Mr. Ben: Mr. Speaker, I have a question of the hon. Provincial Treasurer, notice of which has been given.

How many civil servants have had their job classifications upgraded retroactively, but are not receiving retroactive pay increases in line with this upgrading?

Hon. C. S. MacNaughton (Provincial Treasurer): I have to suggest, Mr. Speaker, that the hon. member place this question on the order paper. There is a very considerable amount of research to be done to obtain this information.

Mr. Ben: I take it the Minister is taking it as notice.

Hon. Mr. MacNaughton: No. It is being referred to the order paper.

Mr. Ben: Very well; then I have a question for the hon. Minister of Tourism and Information which should not require so much research.

Were any employees of the Minister's department upgraded in their job classifications retroactively? If the answer to the above is "yes", how many of them were denied the pay increases to which they were entitled from the period to which the upgrading went back?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, I would ask that this question also be placed on the order paper. I received the question about 1 o'clock today and I just have not been able to get the information. I do not know how much is involved. It would seem to me that, properly, if there is a wealth of detail, it should be on the order paper.

Mr. Ben: I cannot argue with that, Mr. Speaker. That is the rule that I have been always trying to uphold.

I have a question of the Minister of Labour.

In light of the fact that the vote of 1,500 electricians is putting 21,000 other construction workers out of jobs and preventing the construction of desperately needed housing, is the government giving consideration to making the already accepted procedure of industry-wide bargaining mandatory through an amendment to The Labour Relations Act?

Hon. Mr. Bales: Mr. Speaker, I take it from the wording of the question that the member is aware that unions and the employers have engaged voluntarily in a modified form of industry-wide bargaining during the negotiations and procedures that have led up to the current situation. I am sure we may draw a number of conclusions from the dispute that may be helpful to us in drafting new legislation, but at the moment my main concern is with reference to this particular dispute.

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Minister of Education, how many people employed in Metro Toronto high schools, as teachers, do not hold teachers' certificates? How many are teaching on a letter of permission? How many are teaching on a letter of standing?

Hon. Mr. Davis: Mr. Speaker, this question takes a considerable amount of research. We will have to do this in co-operation with the Metro school boards. Perhaps we could put it on the order paper as notice, or I will be delighted to give the information to the hon. member as soon as I get it. It will take a few days.

Mr. Martel: Thank you, Mr. Minister of Education. He does have the material on trial though, I trust?

A question of the Minister of Education again. Were residents of Burwash given a vote to elect school trustees to the Sudbury and District Board of Education and the Sudbury and District Separate School Board in the last election? If not, why not?

Hon. Mr. Davis: Mr. Speaker, I understand the residents of Burwash were not given a vote because they were residents of Crown lands and as a result they do not pay taxes. They get their elementary education at Wannup School and an addition is being built on behalf of the Burwash pupils after negotiations between the board and The Department of Correctional Services. Their secondary education, as perhaps the hon. member well knows, is given in the city of Sudbury.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, I have a question for the Treasurer. Does the Minister intend to introduce a supplementary Budget for the fiscal year ending March 31, 1970?

Hon. Mr. MacNaughton: Mr. Speaker, I think the hon. member will realize that it is a little too early to indicate any such intention at this time.

Mr. J. Renwick: Mr. Speaker, I was hoping to find the hon. Minister off balance.

Hon. Mr. Grossman: That will be the day.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, a question of the Minister of Education.

Are the new subsidies for school boards, announced April 24, available to divisional boards in territorial districts in the north on the same basis as to county boards in the southern part of the province?

If not, what subsidies are available to the northern boards?

Will the Minister provide members with copies of any circulars or instructions issued to the school boards explaining how the subsidies are calculated?

Hon. Mr. Davis: Mr. Speaker, to answer the third question first, I shall certainly

endeavour to do this. I gather the hon. member is being asked by some constituents to explain the grant formula. When he does this, he might give me, in "me-Tarzan, you-Jane," sort of language his explanation because I find them very complicated to attempt to explain myself.

With respect to the first two parts of the question the answer, of course, is yes, except that there is an addition to the moneys available here in the southern part of the province. There will also be provided assistance for the boards of education in the territorial districts. They will be able to recover the whole cost of education of those secondary pupils who formerly resided outside the former board's area and who are now resident pupils of the new divisional board. Actually that was contained, I think, in the first part of the statement I made last week.

Mr. Speaker: The hon. member for Parkdale.

Mr. Trotter: Mr. Speaker, a question for the Minister of Health. Does the government intend to raise the premium rates for OMSIP in the near future as the result of Bill 121? If so when, and by how much?

Hon. Mr. Dymond: Mr. Speaker, this matter is not under active consideration.

Mr. Trotter: A supplementary question. May I then take it as an answer that there will be no raise in the premium rates?

Hon. Mr. Dymond: I really cannot say how the hon. member will take it, sir, I cannot change my answer.

Mr. Trotter: I had a question yesterday, Mr. Speaker, for the Minister of Health.

Mr. Nixon: The Treasurer will look after the hon. member, he looks after all the members.

Mr. Trotter: There goes the balanced Budget.

Mr. Nixon: He will look after it, just speak to him.

Mr. Speaker: Order! The hon. member has another question, he will place it.

Mr. Trotter: Yes, may I have an answer to the question about the bed shortage in Hamilton that I asked yesterday? The Minister was going to enquire into the matter.

Hon. Mr. Dymond: I expect about Monday, Mr. Speaker.

Mr. Trotter: Mr. Speaker, I have two questions for the Minister of Trade and Development from previous days.

1. Why would the Toronto Harbour Commission approve the $145,000 purchase of three old lake boats to be sunk as anchors for landfill for the Ontario pavilion at the CNE?

2. Does the Toronto Harbour Commission or the Ontario government pay for the landfill either all or in part?

Hon. Mr. Randall: 1. The Toronto Harbour Commission is acting as agent for the province in creating the offshore islands for the Ontario pavilion. The boats' superstructure will be removed and the boats will be sunk in specially prepared cribs on the lake bottom. The boats will be filled with rubble, and then concrete will be laid on top of the rubble. Trees and shrubs will be planted also. Sinking the boats will allow us to create 1,400 feet of shoreline very quickly.

The Toronto Harbour Commission looked into the availability and suitability of many ships and recommended the purchase of these three to the province. The province will reimburse the Toronto Harbour Commission for its expenses.

2. No, we just provide a site for clean landfill.

Mr. Trotter: Well as I understand it then, as a supplementary question, Mr. Speaker, is the cost of this building being borne entirely by the province of Ontario and not by the harbour commission?

Hon. Mr. Randall: That is correct.

Mr. Trotter: And I had a second question from April 29, Mr. Speaker, for the Minister of Trade and Development.

1. What effect will the threatened strike between the Toronto construction union and contractors have on the housing situation in Metro?

2. What is the potential effect on OHC projects?

Hon. Mr. Randall: If the threatened stoppage of work takes place it will affect OHC construction to the same extent as it will affect private and other government building programmes.

The effect any stoppage of work will have on completion dates depends, naturally, on the duration of the stoppage. We work exactly as any other contractor, and we use the same kind of trades. If they are out on strike, we cannot do anything about it.

Mr. Trotter: Mr. Speaker, as a supplementary question, approximately how many projects are affected by the strike where Ontario Housing Corporation is concerned?

Hon. Mr. Randall: I could not tell you how many. Any of them in Metro would be affected that are under way at the present time, but I would point out that there are many projects sitting up in Ottawa that we have not had approval on for Metro, so perhaps we are lucky that we do not have as many as we would have.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question from some days ago—No. 1298—for the Minister of Education.

Can the Minister assure the House that he will not introduce legislation enabling boards of education to take over public libraries without consulting representatives of organizations such as the Ontario Library Association, the Ontario Public Library Council and directors of the Ontario Regional Library?

Hon. Mr. Davis: I have already had a number of discussions with the various groups related to the library service. Nothing concrete or specific is emerging, related to what might be the future structure for library development here in this province.

Certainly there will be no significant change made without consultation with the various organizations.

Mr. Speaker: I wonder, while the Minister of Education is here, if I could ask the deputy leader of the New Democratic Party whether some of those long-standing questions of the Minister, from the member for Peterborough (Mr. Pitman), should now be asked while the Minister is here?

Mr. J. Renwick: Yes, if the Minister has the answers.

Hon. Mr. Davis: Mr. Speaker, the member for Peterborough very kindly sent me a note saying that he had a matter of rather pressing importance to which he had to attend, and asked me to postpone these questions until next week.

Mr. Speaker: I thank you.

Mr. E. Dunlop (Forest Hill): Mr. Speaker, before the orders of the day, I should like to rise on a point of order.

Mr. Speaker, I rise to rebut the charges made against me by the members for Downsview and Yorkview in this Legislature yesterday and to set the position clear.

These charges arose during an incident which the Prime Minister very aptly characterized as "a tempest in a teapot", and I should have been glad to let it go at that, had it not been that I examined the *Hansard* advance this morning, where I found words like "abuse" and "misuse" of my position, and words such as "breach of trust".

Hon. Mr. Grossman: That is mild to what they usually say.

Mr. Dunlop: Well, you are professionally experienced. There were certain matters which I do not think I need to deal with—the question of the use of the television room, which I think is irrelevant to myself, and is probably settled in any event, and the question of the technical point as to whether or not the committee is in existence.

I should like to tell the members what, in fact, happened. The members will remember that there are various means of delivering documents and communications. There is the mail, there is express and there is the old-fashioned way of delivering documents by hand.

Mr. Nixon: Before cameras!

Mr. Dunlop: Yes, I will come to that. Let me finish, please. Mr. Eagleson, who is the president of the political party which supports the government, telephoned me and asked if he could present to me the 14 copies of the written submission of the Conservative Party. I said "certainly."

He then told me that he had informed the press that he was doing this. I think that was quite within his privilege and capacity. When he arrived, he gave me the 14 copies and subsequently, I gave those to one of the secretaries of the select committee. I had not read the submission of the Conservative Party then and I have not read it yet.

It was the submission of the hon. member for Downsview that by entering into a discussion of the merits or lack of merits of a submission of any particular political party, I had abused the privileges of the members of the select committee and, indeed, the privileges of all members of this Legislature. Had I done this, that might well have been so. I rather wish that he had found out what I had done, even ask me, before he made his charges.

The press who were present asked Mr. Eagleson about the various positions that his brief represented. I did not comment on any of the positions in the Conservative Party submission. The press who were present not unnaturally asked me questions such as, "When will the public hearings of your committee take place?" and questions relating to the first report which already has been tabled in this House. I did not comment on the questions of any political party.

Mr. Speaker, I submit that this was neither abuse nor misuse nor breach of trust.

Mr. MacDonald: Is there a committee, and is the member the chairman?

Mr. Dunlop: I said I would not comment on that because it is a technical question. I do not know, and I think my examination of *Hansard* suggested that Mr. Speaker, I think, is going to inform the House whether there is a committee or not.

I would rather hope that those members might consider withdrawing those somewhat abusive words applied to me, but I shall leave that in their hands. I would have been rather longer and firmer in what I have said, but I am conscious of the fact that, as members of that committee, these two members have been extremely useful and co-operative. I hope that in the future deliberations of the committee, they may continue to work in that same spirit.

Mr. Speaker, while the olosing date for the submission of written briefs to the committee was April 30, yesterday, I might say that I am sure that should the New Democratic Party or should the Liberal Party see fit to make their views on this matter known to our committee, I would be delighted to receive the brief in the same way; hand it to the secretary of committee and give them exactly the same courtesy as given Mr. Eagleson.

Mr. Singer: Mr. Speaker, if I may address myself to the point of order. I do not intend to withdraw anything that I said yesterday. I do not believe that the regular procedure that the committee had established of asking for briefs and suggesting they be submitted to the secretary should have been altered. I think it is more than a coincidence that the one brief that was received by the chairman of the committee and was received in the presence of the press and the television cameras happened to be, by strange coincidence, the brief of the Conservative Party of Ontario.

An hon. member: I wonder why?

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, speaking to the point of order, I appreciate the words of the hon. member for Eglinton—I am sorry, York-Forest Hill—

Mr. Lewis: They advocate the same thing.

Mr. Young: —the same general point of view, so I am a bit confused—but I think the point that I made yesterday is still a valid one, Mr. Speaker, that the report in the press, whether it was accurate or not still has to be determined, indicated that the chairman, as he was called, of the committee, associated himself with the brief which was intended, and which did in fact, highlight certain policies of the trade union movement and of this party, namely the checkoff. He lent his position, according to the press report, to the—

Mr. Speaker: May I interrupt the hon. member for a moment, because if I understood the hon. member for York-Forest Hill correctly, he said that he did not do what the hon. member is now stating that he did, and surely we are entitled to accept the word of the hon. member for York-Forest Hill.

Mr. Young: Mr. Speaker, I am simply saying that it was on this basis that I made my objection yesterday. Now if the hon. member for York-Forest Hill said that he did not associate himself with those views, then that is another point of view.

Mr. Nixon: The member said he heard about it just the moment he came in.

Mr. Young: Yes.

Mr. Nixon: So he cannot base his objections on what he has read.

Mr. Young: The report was here on a desk at that time and was handed to me at that moment, so that I simply make that point of clarification, Mr. Speaker, for the benefit of the House.

Mr. MacDonald: Mr. Speaker, I rise on a different point of order. I would not blame you if you were somewhat hesitant to rush forward to resolving still another rule, or lack thereof in this House, but I think that there is an even greater urgency in resolving the issue that was drawn to your attention yesterday. Because the hon. member for York-Forest Hill has indicated that the committee, which may not exist, is actually in operation and soliciting briefs for which there was a

deadline yesterday. If it does not exist, it is a strange kind of clandestine operation.

Mr. Speaker: At the risk of incurring the displeasure of the members of the House, and of the Clerk regarding the precedents of the House, I would say that my preliminary enquiries indicate that a select committee, among other things, is not discharged until it has completed its work, and it would appear that this committee has not done so. I only say this by way of indicating what I have discovered to date.

As to certain points raised by the hon. members yesterday, I do not have any answers yet, but it would appear cursorarily that the committee perhaps is not yet functus.

Mr. MacDonald: Why is it traditionally re-appointed after making an interim report?

Hon. Mr. Robarts: Mr. Speaker, I think there is one other element that we might look at while we are at it. I am not going to use the time of the House, but it has occurred to me that with the sittings lengthening out the way they are, we should take a look at the functioning of select committees while the House is in session.

Now previously the select committees functioned between sessions, and there is ample time to plan a course of action and carry it out and so on.

At the moment, with the House sitting the periods of time it does, if the select committees are to be as effective as we would want them to be, we might wish to take a look at how they can function when the House is, in fact, sitting. May I just throw that in as a—

Mr. Nixon: Are there certain plans that they have already made up?

Mr. Lewis: As of a matter of personal privilege, Mr. Speaker, relating to the remarks of the member for York-Forest Hill, lest he feel that he was subject only to abuse in this House, sir, let me say to him, on behalf of the members of the New Democratic Party, that we would like to thank him for the publicity which he afforded to Mr. Eagleson's submission on this occasion.

Mr. Speaker: The hon. member for York-Forest Hill was on his feet a moment ago; he has my eye.

Mr. Dunlop: Mr. Speaker, if I may, I would like to comment on the remarks just made by the member for Downsview. In a rather suspicious way he said, "I notice that only one brief was placed in the hands of the chairman." That is because only one person was asked to do so. I would also point out that when he mentioned that these matters were usually placed in the hands of the clerk, the clerk is in Vancouver.

Mr. Speaker: Orders of the day.

Clerk of the House: The twenty-eighth order, House in committee of supply; Mr. A. E. Reuter in the Chair.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2002.

Mr. Chairman: Vote 2002, programme by activity on page 153, municipal allowances and assistance.

The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Thank you, Mr. Chairman.

I have two points to deal with and I will deal with them as speedily as I am able. What will lead into these two points, Mr. Chairman, is the fact that I was trying to communicate to the Minister through you that there is a dire situation at the municipal level, and that the standards of administration vary from area to area. I drew a contrast between Cornwall and Victoria County. I have two points to make on this before leading into the two points that will close the topic.

To continue the variance throughout the province, Mr. Chairman, going into the area of Hamilton—

Mr. Chairman: Order, please! The hon. member not only covered Victoria county, she covered Lindsay, Peterborough, Cornwall, Fort Erie and was moving on to Hamilton. This is repetition. She has used the other centres for examples, and I feel that those are quite sufficient examples.

Mrs. M. Renwick: You do not want to hear about Hamilton, Mr. Chairman?

Mr. Chairman: We will deal with anything generally under municipal allowance and assistance, but I think she has covered the areas quite sufficiently. Anything further on the various centres would be repetitious.

Mrs. M. Renwick: Mr. Chairman, it just seems wrong to me that you can assume that the things I am going to say about Hamilton

and Welland are the same as in the other areas.

Mr. Chairman: The hon. member was dealing with various matters pertaining to The General Welfare Assistance Act. She dealt with the situations as they existed in these various centres across the province they must surely be similar and constitute a repetition of the same points.

Mrs. M. Renwick: They certainly are a repetition of the repretitiveness of the problem, Mr. Chairman, and attitude towards recipients. However, if you wish to rule that I have no right to speak about conditions in Welland county and in the city of Hamilton, I will continue with the—

Mr. Chairman: I just want to point out to the hon. member that rule 17 does prohibit repetition, and that the general situation has been covered in the examples given for several different municipalities. But I do not want to restrict the hon. member from—

Mrs. M. Renwick: I do not believe, Mr. Chairman, that any of them were down in the area of Hamilton and Welland. I am simply trying to point out, in using Victoria county and Cornwall and then coming across to Hamilton and Welland, that it is exactly the same situation as reported in various daily newspapers. This particular report was in the *Globe and Mail;* some of the others were in local newspapers, respecting different problems about the situation. That is the difference.

Mr. Chairman: Municipal allowances and assistance.

Mrs. M. Renwick: Well, Mr. Chairman, will you clarify for me whether it is repetitious if I speak about Hamilton and Welland after speaking about Victoria and Cornwall?

Mr. Chairman: Yes, I pointed out to the hon. member that she had already covered numerous municipal situations.

Mrs. M. Renwick: But only one half of the province, Mr. Chairman.

Mr. Chairman: The entire province—

Mrs. M. Renwick: I suppose then that I'll always be open to being told that the other half is working fine.

Mr. Chairman: The entire province is under the control of the department insofar as The General Welfare Assistance Act is concerned. The municipal administration costs and homemakers and nurses services under this particular programme, are all the same for the entire province.

Mrs. M. Renwick: To continue, the reason for these conditions, Mr. Chairman, is no mystery—it is the high cost of welfare to the municipality. Municipalities cannot cope with the problem and this has been shown in the following areas by newspaper items. In the Algoma district: "Welfare budget inadequate—director blames provincial legislation, stating that any head of a household employed full-time is ineligible for assistance."

Reading from the Sault *Star,* October 21, 1968, two small sections, Mr. Chairman, under an item headed:

> Social and Family Services Area Board Has Cash Problems
>
> Thessalon—In looking over the year's expenditures at their meeting here Thursday evening, members of the Algoma district social and family service board expressed concern over the ever-mounting costs.
>
> Undoubtedly, the allotted 1968 budget will prove inadequate. New government legislation, they felt, is not helping their cause in spite of the fact that the Premier of Ontario has clearly stated there must be cuts in welfare spending. A regulation in the Act states that any head of a household who is engaged in full-time employment is ineligible for assistance.
>
> "I would strongly recommend," submitted director J. B. T. Stewart in his report, "that this board petition the provincial and federal governments to change this regulation so we would be able to supplement wages and make it possible for many cases to be at least semi-supporting as opposed to completely dependent.
>
> "It is my opinion that this regulation will create far more welfare recipients than it will curtail."

September costs in that municipality, Mr. Chairman, amounted to $22,831. Total costs for this year so far are $209,476. The 1968 total budget was set at $218,350. In Brantford township, "Costs Skyrocketted, Reasons Why". From the Brantford *Expositor,* June 11, 1968, entitled:

> Welfare Costs Skyrocket
>
> Welfare costs in Brantford township have spurted skyward like a bilious volcano, council learned Monday night.

> For the first five months of 1968 the township handed out $8,130 to otherwise destitute citizens. Last year it had spent $6,674 by this time.
>
> Last year's budget of $10,000 was also exceeded by nearly $5,000 so this year, council had to set aside $17,500. Part of the reason for increase is because there are more people who are virtually unemployable who need it, said one township official.
>
> There is also an increase in the numbers of deserted, separated or divorced women with children. With people aware that aid is available for families, and that it is relatively easy to get, there is less to hold back foot-loose fathers from heading for greener pastures, he said.

In Wellington county, "Welfare costs higher than anticipated."

Mr. Chairman: The hon. member is again being repetitious. She has cited the shortage of funds in two different municipalities now; there is no point in citing similar situations right across the province.

Mrs. M. Renwick: Mr. Chairman, I will add then to those remarks that in Wellington county it was shown that welfare costs were higher than anticipated.

In Waterloo, costs increased 105 per cent. In Oshawa, payments rose: reason—strikes, high rents and unemployment. Whitby: costs almost double relates four categories of recipients. Stratford: more recipients, higher costs, just no employment. Sarnia: high costs, links a similar situation all over Ontario. Windsor: costs rise, director blames new residence regulation, more recipients and extremely grave housing situation.

Sault Ste. Marie: costs rise. Peterborough: costs approach $1 million, aldermen talks about policing of claims. Ottawa: city welfare department grows, low minimum wages receive some blame, province should pay. Prince Edward county: welfare cases increase, more investigation work is the answer.

Obviously the economic bind in the municipalities is pushing to reduce the payments to the citizens in need, and obviously this is throwing the concept of welfare right out the window. Mr. Chairman, this is no situation that anyone, certainly any government, can fail to pay attention to, because, from this type of situation has flowed the organizing of citizens, organizing of the poor, and as many people, such as Mayor Campbell of Scarborough said recently at the end of a health meeting here in these legislative buildings, he had never seen poor people who had to be organized before, especially in the years that he had been around, administering welfare. I think I am trying to make a case to the government that it is a very serious position out there this time.

In Toronto, we have the Metro Federation of Citizens organization; and in Peterborough we have the united workers and unemployed organization; and in the federation of citizen's organizations in Toronto there are several groups, such as the "Just Society" and so on, that are organized to look after their own particular problems.

I think that my plea in the last session for a government commission to look into the whole field of service, including the trouble that the private agencies are having, is a valid one, Mr. Chairman. Because the private agencies have shown, just like these municipalities have shown—and these are all taken, Mr. Chairman, from last year's newspaper releases, just since I have been a critic of this department—and the private agencies—

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, on a point of order.

Mr. Chairman: The hon. Minister.

Hon. Mr. Yaremko: I fail to see where the matter upon which the hon. member is touching falls within the category of municipal allowances and assistance.

Mr. Chairman: Yes, perhaps the hon. member could relate the relevance to the municipal allowances programme.

Mrs. M. Renwick: Mr. Chairman, it is not a very difficult one for anyone to figure out. If you or the Minister of Social and Family Services, were welfare recipients, and the municipality did not have enough money to assist you, then the only place that you have left to go is to the private agencies. When you go to the private agencies you find in Toronto they have glaringly shown that they have not sufficient funds in order to assist you or assist the government in its job of looking after persons in need in the province of Ontario.

To go back to general welfare assistance. From the paper on welfare as a right, with which I spent a great deal of time in my opening remarks, I would like to draw attention to one paragraph which covers all of the material that is here. That is to say, Mr. Chairman that:

> The attitudes are not consistent with the right concept of welfare assistance. The

reason for denial was not the recipients' unwillingness to work, but rather the limited budgetary requirements of the municipality. In other words, the recipients were forced to sacrifice their rights under the Act, because the municipality failed to fulfil its responsibilities under the same legislation. In effect the poor were forced to subsidize the rich.

Mr. Chairman: Is there anything further under municipal allowances and assistance? The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Chairman, I think on many occasions I have risen in this House and discussed the question of working for welfare, or subsidizing one's welfare allowances through moneys earned in working. I think that the people of this province, to take the Tory point of view, would be spared the necessity of raising large sums of money through taxation for general welfare purposes, and the recipients themselves would find it a much easier life, if The General Welfare Assistance Act was revised to permit, in essence, one method of introducing a guaranteed annual income.

During private members' hour, I pointed out to the House that people on unemployment insurance or welfare can receive more money under given circumstances than they could if they were working at the minimum wage that was prescribed by Acts of this House. I wondered how the Tories had tolerated such a situation. I remembered when I was in another jurisdiction it was pointed out that one family were receiiving some $300 a month welfare; that they were in possession of a television set, automobile, a deep freeze unit and all the other amenities that go with life and the man had not worked for years and years. As a matter of fact, the whole family was now becoming unemployable because it had been unemployed for so long.

When it was asked why this individual, who was able-bodied, was on welfare, it was pointed out that if he was not on welfare, the most he could earn was $50 a week and he could not support the family that he had on that amount. It struck me as being rather ridiculous that this government, in fact, did and does force such a situation to exist.

In that particular instance, I suggested that the man should be allowed to go out and work and earn his $50 a week, which would be some $200 a month, and that he be allowed to receive a certain amount from Ontario welfare assistance. For example, in this particular instance, he earns $200 a month; if he was permitted still to receive $200 in welfare assistance—and I am just using this as a figure—he would then have an income of $400 a month, $100 more than he was receiving. But in the same circumstances, the taxpayers would be saving $100 a month, or $1,200 a year on one welfare case alone.

The people would be saving $1,200; the welfare recipient would be receiving $1,200 more than he had been receiving, and I should think that everyone would be happier under those circumstances. This is just one concrete example of how this government could save some money. But it will not. It permits certain minimal incomes to welfare recipients and when I say minimal, they are, indeed, minimal.

A heavy smoker would not even be able to supply himself with cigarettes with what this government permits the welfare recipient to earn on the side. I am not advocating that anyone should be a heavy smoker; I do not want to get into trouble with the hon. Minister of Health (Mr. Dymond). As a matter of fact, the only reason I can suggest for having such a small allowance is perhaps that the Minister of Health has been whispering into the ears of the Minister of Social and Family Services and saying, "Look, keep their incomes down and they cannot smoke; in that way we can prevent cancer.

Mr. R. F. Nixon (Leader of the Opposition): What about the Provincial Secretary (Mr. Welch)? Surely he enters into this?

Mr. Ben: He may but I think perhaps they do not want to cut down allowances completely, because they still want some revenue, so they are trying to balance these two causes.

At any rate, it has been pointed out by the previous speaker, ad nauseam, I might add, that the municipalities are finding it difficult to raise funds. The Provincial Treasurer (Mr. MacNaughton) has been crying out that it is difficult to raise funds. Why, then, not give consideration to this compromise? Not only would it cut down on how much funds would have to be raised by this department to pay welfare assistance; not only would it entitle people on welfare to receive greater sums and live a more decent life. But as long as they were working there is a good chance, or there will be a good chance, that they will improve their working abilities and draw more by way of salary thereby enabling the government to reduce the allowances that it would pay, perhaps to the degree that, eventually, the recipient would be self-supporting.

One of the things that I did learn in discussing matters of welfare was that if they remain unemployed too long, they eventually become unemployable. They lose the incentive to work; they lose the habit of getting up at fixed hours and going to work. They lose the practice or the habit of putting in so many continuous hours of labour or effort, they become unemployable. In fact there was a good article on that once. Why continue to perpetuate these evils and these ills? Why do you not just smarten up and give some consideration to adopting such a procedure? I say that everybody is going to benefit from such a programme, why do you not try it?

Hon. Mr. Yaremko: Mr. Chairman, the matter of relationship of incomes of people on maintenance allowance and incomes earned by people where the rate of pay is very low is a very complex one. I do not think that we face this to any great degree presently in the province of Ontario. It is a matter in which we are taking a good deal of interest. There really are no statistics to delineate the size of the problem, although we have discussed it in relationship to several municipalities within Ontario.

Mr. Ben: Mr. Chairman, if the Minister will forgive me, of course there are not statistics because it has not been done. How in heaven's name can you have statistics on a non-existing thing? Try it and you will get statistics, try it for a year or two.

Hon. Mr. Yaremko: Mr. Chairman, we are looking into this matter to be able to delineate the problem. No one is forced to work for relief although there is a requirement that the person make a reasonable effort to obtain employment. A problem does arise by virtue of the fact that our maintenance allowances are, under certain circumstances, so generous that the man or the family might be less well off if the man were to be fully employed in a very low paying capacity.

This problem might arise since the maintenance allowance is geared to the size of the family, whereas income earnings are geared to the ability and skill of the person involved. You get into the matter of the subsidization of low wages. It is a problem which must be confronted—and I may say that in this field there are aspects about which the Minister of Labour, The Department of Labour and our department are in touch with each other to be able to evaluate the effects of the minimum wage provision, *vis à vis,* the scale of maintenance provided under our rolls. This is, as I say, a matter in which we are going into.

It is far more complicated than appears from a superficial assessment of the question. We are concerned about maintaining incentive to work and re-establishing in those who have lost this incentive, some method of re-instilling that incentive. There is a basic principle that I think everyone will subscribe to, that invariably, where a man is able to look after himself he will always be able to do a better job—unless he is suffering from a handicap of age, disability or otherwise—than the state could ever do. Very often the matter resolves itself into dealing with the individual cases of upgrading the skills, family counselling and the other related matters in order to make that family unit a more self-sufficient unit with independent income other than on maintenance. It is however, a matter which is continuously before us.

Mr. Ben: Mr. Chairman, I wonder if I might discuss the charitable institutions and Laughlin Lodge. It actually falls under "residential care and services for adults", but it is under this vote 202.

Mr. Chairman: We are endeavouring to deal with it by programmes and activity.

Mr. Ben: But I would have to wait until I grew a beard like Santa Claus.

Mr. Chairman: I am sorry, but we must—

Hon. Mr. Yaremko: Perhaps the municipal allowances and assistance could be carried?

Mr. Chairman: We must clean up—

Mr. Ben: You are dreaming.

Mr. Chairman: We must clean up the programme, by programme and activities, and then we will come to that in the next section.

Mr. Ben: Did you say next session?

Mr. Chairman: Next section.

Mr. Ben: You are a real optimist.

Mr. Chairman: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, there are a number of questions that I would like to raise and deal with, as sharply and briefly as possible.

With regard to the pre-added budget which we have discussed earlier in connec-

tion with the FBA. We have it once again with the General Welfare Assistance. I want to raise one question with the Minister. It seems to me very anomalous that one should have a pre-added budget based on meeting specific needs of a particular family, particularly when those components of the pre-added budgets are in themselves of an inadequate nature—according to the assessment of most welfare experts—that you should then end up by having a maximum so that some of the components in the budget, are eliminated. What is the purpose of having a pre-added budget that can be built up to meet the needs, but then cutting it off with a maximum when you happen to have an extraordinary situation such as one that was drawn to our attention? For example, a woman who had 12 children, and her husband had left her. Now, you sit down and calculate the pre-added budget for that family, and you get much beyond what she received because of the maximums fixed.

Hon. Mr. Yaremko: This is a matter which is on my personal list of items to check and double check. The same question that has arisen in the hon. member's mind has been in my mind, and as I have gained a great deal more insight into the workings of the two Acts in the last couple of years, I think that we will be devoting a fair amount of time to examining these special situations which seem to occur when you try to set forth things in regulations that become sort of inflexible. This particular question is one that is on my personal list. I have not got the answer to it yet.

Mr. MacDonald: I wish the Minister had been a bit more convincing in his handling of the reply. If it were uppermost on his mind, I do not think he would have taken two or three minutes in consultation with his officials to have gotten it off his mind.

Hon. Mr. Yaremko: This is a matter which has been discussed within the department over a period of time, and I was checking to see just what progress we had made.

Mr. MacDonald: Has any conclusion been arrived at?

Hon. Mr. Yaremko: No conclusion has, as yet.

Mr. MacDonald: Well, I leave the matter there. It strikes me that it is something more than an anomaly because it violates the whole spirit of this legislation, namely of meeting needs. When you start out meeting the needs, then fix a maximum, which cuts off meeting those needs, you are in conflict with your own stated objectives.

A second specific point, Mr. Chairman, I would like to address to the Minister is, if you are going to continue with these two statutes, the FBA and the GWA, why do you tolerate discrepancies in the pre-added budget? For example, for a single adult, the discrepancies range anywhere from $15 to $19. Now the reason given is that they do not include Hydro and other utilities. If you look in your pre-added budget you will notice for example in the instance of GWA that for one adult it is $47 monthly. The same figure for one adult on the family benefit is $62 monthly. Is this another of the problems that the Minister is wrestling with?

Hon. Mr. Yaremko: Actually we are dealing with two types of assistance, if you think in terms of the general welfare system as being with relationship to immediate short-term assistance, and the family benefits as being the assessment on a long term or permanent basis. That is the rationale which is applicable. However, I do point this out to the hon. member, that the ultimate effect can be the same under both Acts, that under The Family Benefits Act, which comes out to a set figure, this is the figure to which the general welfare assistance can be brought up. This is the maximum under which that could be brought up. By and large there are circumstances under which the two would be the same. They were worked out in different ways but they added up to the same amount.

Mr. MacDonald: There are other circumstances in which they are not the same, and whether there are circumstances in which they end up the same, I am not going to argue with the Minister, but there are circumstances in which they are not. I think it is particularly discriminatory, for example, with regard to single recipients who live in furnished rooms. Under GWA they get $47 a month plus shelter allowance, which is the same in both Acts, but under FBA the self-same person gets $62 plus a shelter allowance.

Hon. Mr. Yaremko: He can get the other two items under the general welfare assistance. He can get the pre-added budget and the shelter plus $8 for utilities plus $7 for household supplies, which would bring him up to the maximum, the same maximum. That is permissible. It is within the power of the municipal administrator to bring those figures up to that amount.

Mr. MacDonald: Starting from two different figures strikes me again as an anomaly which I invite the Minister to take a look at in his continuing review of these two Acts.

The next question, Mr. Chairman, that I would like to raise is one that has been considered in this and other contexts a number of times—that is the question of streetcar fare. In some areas the welfare administrator is pretty insistent, that recipients report back once or twice a week; this is true in Cornwall. The Minister will be aware of that because my office has been in touch with him because of the situation in Cornwall and he gave his explanation of it. I will not go into the detail.

But if you have a welfare administrator who insists that the welfare recipient should report once or twice a week and, therefore, that he should be regularly in search of a job, surely providing the means for transportation becomes a very important aspect of his so-called income. For example, in the city of Toronto, where you have the two-zone fares, life becomes even tougher.

Most of the welfare recipients are not in a position to buy a book of tickets, therefore a single fare is going to be 30 cents. If they happen to be in a two-fare zone it will result in $1.20 for one return trip to seek possibility of employment.

Very quickly that faces the welfare recipient with the choice between whether or not he is going to spend this money in looking for a job or miss one or two meals at one stage or another. It seems to me that is living below subsistence.

I wonder if the administrators or the department have ever given any consideration to providing the recipient, particularly those who are in a position to seek employment and where there is an effort to persuade them to seek employment, with say, ten tickets per week. If they received their benefits twice a month, that would mean that they would have 20 such tickets over a period of a month and would not be cutting into the basic necessities of life such as food.

Hon. Mr. Yaremko: The only travelling that we permit now is that we make a special allowance for the disabled and the blind, but I was just trying to check. It seemed to me that the welfare administrator always has the flexibility to issue that supplementary aid. It seemed that, in the course of all the reading I have done, somewhere I have seen that some municipal administrators have done this, have participated to this degree. But I do not think it is common across the province.

I think it would be as part of the counselling and the rehabilitative work. It would seem to me that would be an item which could be taken into account when somebody is trying to get a family to be independent. It would be a very small amount, a very small seed to plant with the possibility of great returns.

Mr. MacDonald: I agree with the Minister's last comment, and he anticipated my reaction when he acknowledged earlier that this is not the practice generally across the province. It seems to me that in our basic structure of benefits we should not have an arrangement whereby you have the supplementary amount of money available, but it is turned to with great hesitation and reluctance, particularly in those municipalities where you have not professional welfare staff; indeed, in some of those municipalities where you do have professional welfare staff.

Therefore, it should be more clearly spelled out in the benefits so that you do not have to depend on the right kind of counselling to the recipient. The Minister has nothing further to add to that?

Hon. Mr. Yaremko: I was going to say I have just found the spot I was reading. I think the practice that has occurred is that there is provision for transportation where it is a matter of a person getting to and from a place of training, but it would seem to me that a suggestion of this kind, of a provision for getting to and from a probable place of employment, has merit.

Mr. MacDonald: I come back to the observations of the hon. member for Humber. I am not certain whether I want to be associated with them. But as a general proposition, if one wants to persuade people not to become habitual welfare recipients and to seek employment, you are placing major hurdles in the way of realizing that very commendable objective when you deny them the wherewithal to travel—unless you invite them to walk for the five or ten miles that might be involved, but that may have accompanying costs of shoe leather that would be more than the cost of the public transportation.

I move on to another point, Mr. Chairman, that I wanted to raise with the Minister, but I have to precede that with a question. With regard to homemakers and nursing services, I notice that this year's budget has a figure of $1,322,500, as compared with last year when it was $1,048,000.

May I ask the Minister whether that figure includes the federal contribution?

Hon. Mr. Yaremko: Yes, it does.

Mr. MacDonald: If it does include the federal contribution, it is a significant cutback in the province's assistance to homemaker services. If I am wrong, I would like to be corrected. As I understand it, homemaker and nursing services used to be subsidized 50 per cent by the province and 50 per cent by the municipality.

This year it is being changed to 50 per cent federal, 30 per cent by the province and 20 per cent by the municipality; that what was in the estimate last year related to the 50 per cent of the province's contribution, but what is in the estimate this year relates to the 50 per cent for the federal and the 30 per cent from the province—a total of 80 per cent. A little arithmetic will show that this year's appropriation, admittedly $274,000 larger than last year, represents 80 per cent of the overall expenditure so that expenditure is smaller than the 50 per cent of this year's overall expenditure.

How can the Minister argue that this programme is being expanded?

I come now, to what motivates my raising this issue. It seems to me that we are engaged in a very penny-wise, pound-foolish, kind of approach when we deny the fuller development of homemaker services. It is partly because an inadequate amount is being paid. For example, in Toronto the minimum rates are $1.65 an hour; the maximum $1.75 an hour. When vacations and other fringe benefits are added, the hourly rates approximate $2 an hour. The maximum is for only eight hours and that is not enough. I am informed that for most homemakers the requirement is a minimum of nine and a half hours.

Now this difference in Toronto has been made up by dipping into the United Appeal contributions, and I do not need to waste time in saying that this is a source for which there is not much dipping capacity. There is greater and greater difficulty to meet the target for the United Appeal, and quite frankly I do not think we should be dipping into the United Appeal funds to supplement contributions for a service that, presumably, the government has become persuaded is a worthy service.

As a result, right now the only people who are getting homemaker service are the elderly people. I happen to have had my attention drawn to the kind of case which I think can be duplicated, tragically, in hundreds of cases across this province, if not in thousands. A constituent of mine is physically handicapped and retarded, and had been in one of the provincial institutions for a time. The parents, for very commendable reasons, felt that the child would be better with the family so they took this child out of this provincial institution and, incidentally, in so doing, are saving the provincial Treasury approximately $3,000 a year.

Now this woman is getting very close to the breaking point. She has two smaller children; she simply cannot, in the summer time, take her children out for a walk, or take them to the park, because she is tied down with this physically handicapped and retarded child at home. Twice a week she has to make some sort of an arrangement for certain treatments because of a hip condition. I repeat, she is getting very close to a breaking point.

I suggest to the Minister that to let that kind of situation drift to a point where this woman's health breaks, or the child has to go back into a provincial institution at $3,000 a year outlay from the provincial Treasury, is again penny-wise-pound-foolish. With adequate expenditure to provide enough homemakers, maybe on a part-time basis for this kind of case, you would avoid the much larger expenditure that you are inevitably driving towards.

So I ask the Minister a double barrelled question—does he not agree that it would be desirable and economically wise, to move towards this kind of extension of homemaker services, and is it not wiser that it should be done on the budget at the municipal and the provincial level rather than having to dip into United Appeal funds?

And, if so, how does he anticipate that that kind of expanded programme can be met when, if my analysis is correct, the amount being provided this year is less than the amount last year because the 80 per cent of the total expenditure is $1,322,000, whereas last year the 50 per cent that the province was giving, without the federal government being in the picture was $1,048,000?

Hon. Mr. Yaremko: The comparison is the same; that is, the division last year was the same as this year and the amount has increased by $172,000, I believe.

Mr. MacDonald: Is that $274,000?

Hon. Mr. Yaremko: I have $172,000 as the increase that has taken place over last year's estimates.

Mr. MacDonald: Is the Minister suggesting that the federal government was sharing in the cost last year as well as this year?

Hon. Mr. Yaremko: Yes.

Mr. MacDonald: They came into the picture during the course of the year. If that is the case, then I presume they must have backdated it for the whole of the fiscal year?

Hon. Mr. Yaremko: Yes, we made it retroactive.

Mr. MacDonald: All right, we have resolved what I thought was a contraction, rather than an expansion, in budget, but I come to my basic point. I doubt whether the kind of budget that we are speaking of, or the relatively small increase in the budget this year, is going to make it possible: (a) to avoid dipping into United Appeal funds for supplementing, or; (b) for the very desirable extension of homemakers' services beyond meeting the needs of elderly people, to meeting the needs of families such as the one I cited, a constituent with a child that is disabled and retarded.

Hon. Mr. Yaremko: Of course I would have to know the exact details of the specific situation. But when you lay down regulations, the philosophy is that you either have somebody who has complete discretion—and then as the hon. member for Lakeshore says, you would have it being administered like the length of the chancellor's foot—or you have the regulations. And if the case does not come within the regulations, then we cannot assess it in this regard. I cannot grasp the significance of the hon. member's point.

Mr. MacDonald: Which point specifically?

Hon. Mr. Yaremko: The specific case—the woman who has a disabled child.

Mr. MacDonald: She has a disabled and handicapped child whom she has decided to bring back into the bosom of the family instead of leaving it in a provincial institution. She is not in a position to hire help; she is tied down with no relief at all. There are difficulties being created with the other two children; there is no assistance for this family which in effect has relieved the provincial Treasury of the $3,000 annual outlay when that child was in a provincial institution.

Now for distinctly less money, this situation of a family which is being driven inexorably towards a breakup of the health of the mother could be avoided.

It is the firm conviction of the woman involved and of people who are generally familiar with this kind of problem that this could be avoided by some relief to the mother who is carrying the burden of raising two other children in a home, with all of the added burden and anguish of coping with a physically disabled and retarded child. Now can the homemakers' service not be extended to meet that kind of a situation? While I am on my feet, I want to come back to the Minister's observations with regard to regulations —either live up to them or give complete flexibility. It seems to me the part of the problem which creates the situation you have in Metropolitan Toronto is where they have to supplement the payments laid down under the regulations, because you simply cannot get homemakers at the wages laid down in the regulations. You cannot get an adequate number of homemakers.

So they are supplementing payments by dipping into the United Appeal. I suggest, Mr. Chairman, that the United Appeal should not have to be a reserve that has to be dipped into for purposes of supplementing the homemakers' service. So your regulations are inadequate, and because they are inadequate, you have all these consequences flowing from it.

Now, if we have not enough homemakers —let me put it this way—is the Minister not persuaded that one reason why we do not get enough homemakers is because we are not paying an adequate amount? When you take a person who is capable of looking after elderly people, or a family such as I have described, do you really believe you can get them for $1.65 or a maximum of $1.75 an hour? Does the Minister really think he is going to be able to get adequate homemakers on that basis?

Hon. Mr. Yaremko: First of all the relation to the specific case, it is true our regulations presently do not cover that kind of a situation and it is the type of thing which might be considered when any expansion of the homemakers programme were determined —and by our family counselling. I think, as we get more and more information on the number of situations such as that, we will know the size of the problem because again the basic principle is to re-establish a family —to be, "what is it, penny wise and pound foolish"— so save a pound to get some seed money and so re-establish a family. That is a matter for further consideration at some future time.

With respect to the maximum that we will share in, we establish a rate across the province. We have examined this, and we have found that between the agencies giving service there is quite a broad range; there is almost a 30 per cent differential between one agency that gives service and another giving service. We are inclined to take as a yardstick the figures of the lesser agency, and of course, when you try to deal with the province of Ontario and a high-cost community such as Toronto in comparison with other communities, you do have this problem arise. I direct the hon. members' attention to the fact—and everybody in the whole province seems to have ignored this—that the unconditional grants, which are moneys made available to the municipalities, were originally headed in the schedule for health and welfare services, and those unconditional grants also are related to the size of the community.

Mr. B. Newman (Windsor-Walkerville): How can they be called unconditional then?

Hon. Mr. Yaremko: Well, this is the way this has come about and I say that on the one hand I pick up 80 per cent of the tab, and the Minister of Municipal Affairs with his unconditional grants is providing the municipality with certain moneys which is available to pick up the other 20 per cent. Now I do not know if any data processing machine would ever untangle that and be able to trace the tax dollars.

Interjections by hon. members.

Hon. Mr. Yaremko: Actually we are putting a great deal of faith into the homemakers' services because, tied in with counselling either at the private level, our level or the municipal level, that is one of the answers to achieving prevention and rehabilitation. I will not read the number of statistics, except to say that in 1965-1965 the number of cases were 4,300 with 36,000 hours involved, and in 1967-1968 there were 6,600 cases, with 77,000 hours of service involved. So we do have continuous escalation through the years—36,000 hours, 48,000 hours, 60,000 hours, 77,000 hours in the last four years, and that is the rate of escalation we are giving in the service.

Mr. MacDonald: Well, Mr. Chairman, I am glad to hear the Minister state that they place a lot of faith in the development of the homemakers' services because of its economic and social value. I would be more convinced of the statement if it were backed up by some evidence of a pretty genuine expansion of the programme.

If I must just retrace my steps a bit, when the Minister, for example, cited that they discovered there was considerable discrepancy —up to 30 per cent—in the rates that were being fixed or being paid across the province, of course he picked the lowest. Well, if you pick the lowest that means you can have your service in the one municipality, but in the other municipality where they have higher rates they are out of luck, they have got to dip into the United Appeal.

There is a simple alternative here: You pick the highest, if there is only a 30 per cent discrepancy and I think the extra amount that might go as a "bonanza" to the municipality that happens to have a lower rate, is not going to be money wasted. In short, the Minister unwittingly, I think, has revealed the reason why we have the problem.

Hon. Mr. Yaremko: No, the rate was lower than the Metro rate, but higher than in various parts of the province. It was not the lowest rate.

Mr. MacDonald: Oh, you picked a median rate?

Well, I leave the matter. I have raised it, and at least we agree on the objective of expanding this worthy service. I hope that next year we can come back and see that it has happened.

A further point, Mr. Chairman, I want to raise with the Minister, and that is in regard to prepaid funeral services. There used to be a day when prepaid funeral services were not considered an asset, but now they are. I am tempted to be a little bit facetious and ask how you might cash in on that asset. But let us deal with the matter rather seriously.

Some years ago, the previous Deputy Minister, when we would raise cases with him, intimated that if you happen to have a person with cash available—cash just beyond the limits—one way to reduce it to the limit so that the person could get the assistance he very much needed, was to prepay their funeral and therefore reduce the cash amount that they had on hand, and make them eligible so that they would not have to deplete their already limited savings. Now, apparently, this has been changed. The department has now decided to interpret section 11 (j)—liquid assets, which reads,

Liquid assets means cash, bonds, debentures, stocks, the beneficial interest in

assets held in trust and available to be used for maintenance, and any other asset that can be readily converted into cash.

Now I have a little difficulty in seeing how that phraseology can be interpreted to mean that a prepaid funeral is an asset. If I may just make this point, Mr. Chairman. Elderly people in their declining years have a lot of leisure; they are contemplating all the eventualities of life that they are going to have to face—and one of them is going to be death. One of the things they inevitably become interested in—indeed sometimes become preoccupied with—is the preparation for their own funeral. So the proposition that this is going to be considered an asset through a reinterpretation of the regulations rather puzzles me, and I would like to ask the Minister why this kind of change is to be made in policy through a reinterpretation?

Hon. Mr. Yaremko: Mr. Chairman, I gave a rather lengthy answer with respect to this during the course of the family benefits provisions. Under the general welfare assistance, prepaid funeral expenses were always considered as an asset. Under FBA medical plan, initially they were not. Then when the regulations were changed for conformity, they were brought in as an asset. I am very acutely aware of the attitudes of elderly people with respect to this. I know of instances where a lady would have $1,000 in the bank and she would starve—she would go hungry rather than touch that amount which she had set aside for what she thought was the one decent thing in her life, and that would be to have a decent funeral. I have listened to people in this regard, even before I became a Minister.

My understanding is that we take the total amount prepaid; in respect of the funeral, it would seem that in some situations those items paid are refundable. It depends upon the terms of the contract with the agency providing that service. Then, of course, you get into the situation that if you grant one exemption, what may be important to one person—a prepaid funeral may be very important—there are other instances where there are people who could not care less; they would just as soon be buried in a pine box or cremated, or whatever it may be. So you have this difficulty.

It may be that when we take a look at these things that perhaps we could make sort of allowance. I know that the public trustee will only allow certain amounts of money with respect to funerals where the heirs cannot be traced immediately, and I think there is a provision as to the amount that is allowable for someone destitute up to a maxmum. Under the general welfare assistance, we share I think some variation of the cost of funerals. It may be that we could anticipate this type of thing, and have some more flexibility.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, while we are on this question of burying those who cannot afford a proper funeral, I would just like to approach this general policy of the government by giving an example of how the situation is handled in Toronto.

A few months ago two children were playing in my riding and they were killed. In one case the family could afford to bury the child on its own; in the second case the family was on welfare and the city of Toronto intervened in order to bury the child. I understand the province gives grants to the city of Toronto to bury the indigent poor.

There is no question that the funeral was properly carried out, but the father of the deceased child phoned me; he was greatly upset. They did not even want the mother—it was their only son—to go out to Prospect Cemetery. I said, "Why?" and he said, "Well, I will take you out". So I went out to Prospect Cemetery to see how our indigent poor are buried and I drove my car out to this particular part where he directed that I go. The grounds looked very nice, I wondered what they were complaining about.

We got out of the car and walked along a bit on the grounds, and I said, "Well, where is the grave?" He said, "You are standing on it". And I said, "Where is the marker?" He said, "There isn't any".

And I find that the policy of the city of Toronto—it is not throughout all Ontario, but it is at least the case in the city of Toronto—is that the indigent poor are buried in unmarked graves. I know a lot of us may argue, "Well, once you are dead, you are dead, so what?" But I think if there is going to be any dignity for the individual, be they living or dead, the policy in the city of Toronto is pretty callous and indifferent.

In other words, this 11-year-old boy is buried in Prospect Cemetery, literally in a mass grave. We think of mass graves as where they line up a lot of Polish soldiers, shoot them down and bury them, as the Germans and the Russians did, but here is an individual case of a young kid of 11 years old, buried in a mass grave, and it is no wonder that the family are very upset.

The father said, and he is a sick man and on welfare—and believe me, he is a very bitter man, he is so bitter that he would hardly talk to me feeling I am in public life—that this is my fault. And it is true, it is my fault; it is the fault of every citizen of the city of Toronto and the province of Ontario.

I think the Minister should see to it that this policy is changed.

I started to make enquiries as to why this policy should exist in this area. It is true that in smaller communities it does not exist because land is not so expensive but I think we are carrying this matter of the economic value of land to a ruthless, stupid extent, when we cannot even permit a person to be buried in a grave that is marked.

It may well be that 30 years from now nobody will know who is there and nobody will care, but in the meantime, you have a mother and a father and a sister, in the case of this boy, who are very upset. It is not just a case of somebody picked up on Jarvis Street who has drunk himself to death, and where his body is either used for medical purposes or is dumped in a common grave. It is a case of an individual from a family established in an area—and this is the situation that does exist.

When I did make enquiries they said, "What do you expect for nothing?" Incidentally, this was a private citizen who had connections with the burial of people and I was pretty appalled that this would be their attitude. The government either does not know or does not care and just says, "Well, what do you expect for nothing?"

My view, Mr. Chairman, is that I think the responsibility is incumbent upon society to see to it that people are given a decent burial and a decent burial ground. And whether the dead realize it or not, at least the living have feelings and certainly one can understand that family being very bitter towards society—just because they were short of $300, the boy was literally dumped into a mass grave.

I would like to know if the Minister is aware of this situation and if he has any intention of changing the rules so that people can have a marked grave, because there is no question that the municipalities are going to come to you asking for money. I believe it comes under The General Welfare Assistance Act—I think from memory it is regulation 13—this would affect it.

But they are going to come to the Minister looking for money and I think it should be a policy of the government of Ontario to say to any municipality, whether the real estate costs a lot of money or whether it does not, that there should be a marked grave if and when it is requested by the family. I would like the comments of the Minister to see if there is any hope of him doing anything at all about this matter.

Hon. Mr. Yaremko: Of course, as the member says, I will look into the matter further. I think this particular aspect is tied in with what should be our whole attitude in this, and I think the proper word is "dignity". I think that all human beings should be entitled to the dignity of human beings and anything which relates to that is a most important factor. However, there is always the question of priorities. What do you supply first?

Mr. Trotter: The Minister may say it is a question of priorities and it certainly is. I mention this matter—and I know this is a year when you are trying to balance the budget, which you are, incidentally, not balancing—but this is not going to cost the province of Ontario a tremendous amount of money. It would be a relatively small amount of money.

But people today are not allowed, even if they could raise a small amount of money, to put up a marker. And for the Minister just to say he is going to look into it is not good enough, because I have become pretty cynical over a period of time as to what this department says it will do and what it actually does. I think this Minister should get mighty irate with municipalities that continue such a policy of burying the indigent dead that we have in the city of Toronto.

As long as this situation continues, I am going to literally bug this Minister every year when this estimate comes up. But surely the Minister, if he looks into it within a week or ten days, could come before this House and say that we are going to change the regulation; we are going to make it possible that people are entitled, not only to a decent burial, but the family at least has an opportunity of going to a place where they can respect those whom they have lost.

Mr. Chairman: On municipal allowances, the member for York South.

Mr. MacDonald: Mr. Chairman, I welcome the break which the hon. member for Parkdale gave me, but there were a couple of points that I would like to complete with regard to prepaid funerals—and then a final point.

I do not want to argue at any length with the Minister but my information is that prepaid funerals were allowed under GWA at one point. Perhaps as an historical footnote, you can check that, but I repeat, I am not going to argue the point further now.

On the question of paying for funerals, the very fact that people do not want to have a pauper's funeral is what leads to this preoccupation with preparing for their own funeral and, therefore, I am all the more puzzled as to why the department insists in regarding such prepayment as an asset.

I underline that and leave it as one of the many items for the Minister's review in the next year in the hope that we can come back with more general agreement.

The final point that I wanted to raise is that I have been told that the department has stated, has ruled, has decreed, that elected municipal officials should not handle welfare funds. Now, if this is the case—am I wrong, the Minister looks as though I am in error?

In fact, I am certain I am right, so I shall pursue the point because it is a great theory, but it certainly is not observed in practice. We are continually getting letters in our office from recipients who tell that, for example, when somebody is in need, the reeve has been handing them $20, or $30, or $40 out of welfare funds. There is no assessment as to the need. Just "Here it is, come back next month"—that kind of an approach.

These same people are often given assistance in the form of food vouchers and told that they must use these food vouchers in the local municipality. Now, this is the reason I proceeded because I am confident it is true—when we drew this to the attention of Dr. Clifford Williams, who is the director of municipal welfare, he took steps to see that it ceased. But it seems to me that if it is an important enough point to have it in effect, laid down in regulations, you must take cognizance of the fact that the regulation is being violated in a significant number of cases.

If the province is not going to move into the full handling of welfare costs—something that we feel is a very advisable relief to municipalities in their over pressed budget condition—then it seems to me the director of municipal welfare should be given greater powers to deal with wayward welfare administrators who are periodically engaged in this kind of thing.

On the proposition of food vouchers, Mr. Chairman, I am tempted to say that the abuse is such that we should review the whole proposition of the use of food vouchers. In one instance that was drawn to our attention, not far from Toronto, a man took the food voucher to the local butcher where they had a lamb chop "special" on. He asked for however many were needed for his family. The butcher told him that the sausages were good enough for anybody on welfare, and refused to sell him anything else—the kind of open designation of a welfare person submitting them to this kind of humiliating experience. I do not know how you are going to avoid it, as long as you have food vouchers and the stipulation that they must be expended in the local municipality. I was wondering if the Minister had any comments in regard to this rule that welfare money should not be handled by the elected official, and the breach of it in many instances through the use of food vouchers?

Hon. Mr. Yaremko: With respect to that, there is no rule of prohibition, because since the administration is at the municipal level, there could be instances where there is no welfare administrator—the municipality is not large enough to warrant the designation or appointment of one, so there is no such prohibition.

I do not think that kind of abuse would take place in those circumstances, assuming that the elected official would be acting properly. There is no question of the handling of funds, it is just a question of the proper administration of welfare. No such problem has been brought to my attention.

With respect to food vouchers, I am personally dead set against food vouchers. I had never heard the expression in recent times until the hon. member had brought it up. If they are being used—certainly nothing in the regulations permit them and I guess nothing in the regulations prohibits them—but I think we can very easily send out a directive included with our opinions to the administrators that they do not resort to that. I do not subscribe to food vouchers. Anything that points to or highlights the fact that somebody is a recipient, is contrary to my personal beliefs.

Mr. MacDonald: I will draw a few of these cases to the Minister's attention.

Hon. Mr. Yaremko: Yes.

Mr. M. Makarchuk (Brantford): Mr. Chairman, I just want to follow up the relationship that exists between the Minister's depart-

ment and the municipal welfare administrators. I was just wondering, when you get a complaint, either from a member, or from some citizen, or possibly where the children's aid society contacts the regional welfare administrator regarding the municipal welfare administrator, and lays a complaint stating that this man is either not operating properly, or abusing the people who are seeking welfare, and so on, what is your department's action? What action can the regional administrator or Dr. Williams take regarding the municipal welfare administrator? How can he deal with him? What can he do about it?

Hon. Mr. Yaremko: He uses his good offices to check into the situation and express an opinion, which invariably, I gather, is successful, although I do not know how many such instances there would be in the course of a year. But there is, I may say, much closer liaison and relationship between the municipal administrators and the department. We, presently, are committed to a policy of general welfare assistance being administered at the local level.

We recognize, however, that the administration of family benefits under us has certain advantages and seems to bring uniformity and perhaps equity across the province, and our job is to bring the equity and uniformity used within our programme to be the yard stick by which the allowances are given at the municipal level.

We use our good offices in cases of alleged abuse which are brought to our attention. We made provision with the municipalities for our own field workers to assist them in dealing with problems and engage in counselling. We have the manual which is available. I think we have sent out a manual to every municipal administrator within the municipality, and certain municipalities received several copies, in which we laid down general principles, and also tried to deal with certain specific situations.

Last week a very successful seminar was held, where we had municipal administrators from the province come in to a very broad discussion and seminar in order to bring about this uniformity and equity and a complete understanding of the regulations.

Mr. Makarchuk: Mr. Chairman, there obviously seems to be a bit of a misunderstanding between the office here in Toronto and the regional administrators out in the province, because it seems to me that I just recently heard one regional administrator say that he has no supervisory authority.

He says that the relationship is strictly a voluntary association and that they have no authority to check out the operation of the municipal office. All they do check is discuss the scope and the policy and see that the money is not being overspent. It seems to me that it is about time that your particular department started looking into this thing. As you say, you are carrying on a considerable amount of checking across the province, and with all this, during this period of time, we continue to hear of case after case of inhuman abuse across the province. And you say you are checking on this thing. What kind of checking are you doing? How long is this particular checking supposed to go on?

Hon. Mr. Yaremko: If the hon. member will submit to me the case histories of every inhuman abuse, I will check into them, and I would like to see the list the hon. member can produce.

Mr. Makarchuk: I can produce quite a lengthy list, Mr. Chairman, if the Minister is willing to check. Unfortunately, these particular cases that I am acquainted with are before an enquiry at the moment. But what I am talking about right now is the fact that there have been cases, in the past, where it seems to me that your regional people, your welfare people have been advised of a situation and, as I understand it, have really no authority to go in there and intervene, and tell this man, this municipal welfare administrator, to change his tactics and the way he operates.

This is the field of concern. I just wondered, Mr. Chairman, if any studies are going on in the Minister's department, to find out, to evaluate new methods of applying municipal welfare and of administering municipal welfare. Are you considering getting people into this field on a municipal level who have some training in social work, or are equipped to understand the problem of welfare?

I would just like to know, Mr. Chairman, what would happen in Sudbury with respect to the municipal welfare administrator?

The other question, Mr. Chairman, I would like to have answered is one I asked the Minister last February in the House, and I will read the question:

> Does the Minister intend to approve the appointment under section 5(1) of The General Welfare Assistance Act, of former Victoria county warden Everett Cameron as special investigator for the county, bearing in mind Mr. Cameron's reference to welfare recipients, referring to them as nothing more than "bums and leeches on society," as reported in a news story in the *Telegram* of February 2?

The reason I bring this to the Minister's attention, Mr. Chairman, is that it seems to me that every day I get calls, complaints from various people, from various places, who have been abused by welfare administrators through the province, and this is a situation that should not continue any longer. It is about time we moved into the 20th century, and if you talk about dignity to the individual when he is dead, let us give him some dignity when he is alive.

Mr. E. W. Sopha (Sudbury): The Minister tells us about a seminar held last weekend with these local welfare administrators. I must say that it is about time, although my devotion to the concept of freedom of speech permits me the licence to say that as I grow older I begin to doubt whether a seminar on any subject under the sun can ever be described as being successful. However, I pass that by.

As long as we have to put up with welfare being administered by municipalities at the local level we have to, I suppose, suffer the deficiencies. It seems to me, though I have little in the way of evidence to suport it, that the local administration does not have the advantage of the type of political supervision that is exercised by the 117 ombudsmen in this Legislature. I do not want to break my elbow by patting ourselves on the back, but quite apart from all the talk of the review board and all the talk this afternoon about our rights to go into insitutions, certainly there must be some efficacy and some prophylactic effect achieved by our activity in keeping an eye on the operation of the various schemes and mechanisms that operate, of which this is one. I get the feeling that local politicians—and I do not mean to chastize them at all—do not take that same interest with the same fervour, as I know many of my colleagues do about such things as the Workmen's Compensation Board.

One is bestirred into enthusiasm by the activities of my friend from Huron-Bruce (Mr. Gaunt), in that regard. Of the deficiencies, I want to cite two which indicate the prehistoric, antediluvian, perhaps pseudo-Victorian, attitudes adopted by some of the local officials to which we give such vast sums from the Provincial Treasury. My complaint is that there is not sufficient guidance from the central authority—how I abhor that term "guidelines"—I do not want to use it at all, it is such a disgusting importation of meaning to an otherwise decent word. However, what I am really speaking of is a certain firm hand from the parental authority, the central coffers of the province.

I have two illustrations. I will give the less prurient one first, because the second one is even more offensive.

The Indian girl, the alcoholic, who is off the liquor for a period of, I think, ten months. She was 10 months sober and she needed a crutch that chemistry can provide, the prescription of antibuse. A monthly supply of antibuse tablets were costing the local welfare people something like $12 or $15. Suddenly the local administrator called up the doctor and said no more prescriptions for antibuse and he said "goodness gracious, why?" "Well," said the administrator, "it is too expensive and we cannot justify charging this to welfare any more. She has had them for 10 months and the condition ought to be cured." His remark demonstrates an almost total ignorance of the nature of alcoholism. However, by that edict over the telephone to the doctor, that sustenance was thereupon abbreviated completely.

It took me a telephone call to the person in the welfare office, where I got nowhere, except being insulted but, knowing me as my hearers do, perhaps I was the provoker. I was guilty of the provocation. Then I called the mayor, a couple of alderman, a board of control member or two, but I did not really get any action until I called the head office in Toronto. Of course, down here in the big city with all the cultural configurations and understanding of alcohol, they saw the nature of the problem and acted the role of the peacemaker. However, that is typical of the type of attitude you run into among the local officials who look upon this almost as being —if it is not their money, at least they are indentured to a strict code of protection of the public money so that it will not be wasted by these people whom my friend from Brantford so correctly uses the epithet they frequently use, "these ne'er do wells", I must say, however, that municipal councillors are often more guilty than the officials in describing them in that type of term.

That is one example. The second is even worse. The widow under the statute with three or four children—I forget now—who was drawing pretty close to the maximum allowed at the local level. While her application was being processed by the provincial authorities, this weekly assistance was suddenly and drastically reduced. She came to me and I made the enquiry and was told that they had cut it down because she had a boyfriend. The boyfriend, they said, was living in the house with her. So, I got the woman in and and enquired and it turned out that the boyfriend

actually had not moved his packsack in the house but he visited quite frequently, he visited the house. I drew to the attention of the local welfare people, that he was merely a visitor and they said it did not make any difference.

This time I did not bother with the mayor or the alderman, or a controller or two, I called up the head office. The first offensive thing about it is that, because people are assisted from the public purse they have to be pure, that is the first offense, they have to be moral, they have to become almost inhuman. The poor woman, because she is getting public money, she has to not exactly take the vow of chastity but she certainly has to go into the realm of total continence in her habits.

In other words that is purely a doctrine of Victorian prudery that if you are poor you have to be pure, but if you are rich you can be licentious as long as you sneak around and do it on the quiet, and not get caught. That is the doctrine that Oscar Wilde portrayed so successfully in his novels. The very idea that these people would set themselves up as being the adjudicators on moral habits of another citizen just because they have the liberty of doling out a few dollars, is so revolting in this age that one would plead with the central authority, beyond the seminars the Minister tells us about, that they would give some instruction to the local administrators as to the concept of flexibility in the administration of these funds. I base that argument upon my own certain belief that I would go so far if I had the power, if I saw a woman living with a no-good skunk who had fathered five or six children to her, and spent his time either drinking or at the track or both, rather than keep them in the degradation of poverty. I would be willing to go around to the house and say to the woman: "How much do you think you need next year to raise them in dignity and cleanliness and good nourishment? Do you think you need $7,500 to do it? Fine, here it is." Give it to her.

That is the place where I would pitch my camp on it, instead of all the regulations. Because Gunnar Mehrdahl has taught me for all time, that it is good economics to eliminate poverty by buying it out. You simply buy it out. You do not permit people to be poor in the affluent society. That does away with all the regulations. You do not need them then. Throw them all in the wastebasket, and you would find in the end, as Mehrdahl points out, that you are saving money, great gobs of it, large amounts of money, by that approach.

For the moment, faced with the regulations, I am objecting to these antediluvian attitudes in the administration of this statute and the provision of funds to the local authorities. I think this department should get pretty firm with them when it comes to their attention. They should get firm, even to the extent that if there is a repetition, an unwillingness to depart from that unreasonable administration, tell the local people: "Look, get rid of that person, get rid of him, we do not approve."

The Minister can do that by a telephone call. He does not have to get complaints. Call up the mayor and tell the mayor that we do not think that person has a sufficiently broad-minded attitude in the light of the modern conceptions of being our brother's keeper. Get rid of him.

I heard my friend from Sudbury East talking about the administrator of the district welfare system. The member for Nickel Belt (Mr. Demers) is temporarily seated beside him, and I know the member for Nickel Belt and I do not share the views of the member for Sudbury East of that individual. I thought he was rather able and generous of mind and spirit. I just wanted to make it a matter of record that in my dealings with him that has been my experience. But with the city, I unfortunately have run into some pretty inflexible attitudes.

There is no excuse, of course, for Sudbury to be out of the district setup. That should never have been permitted in the first place. When that Act, that very progressive statute put the harness on INCO in the way it did—making them bear their fair proportion of the cost of welfare—Sudbury should have been required to go in at that time. I dislike the idea of Sudbury being an island unto itself in the basin, being treated specially or in any way exhibiting an attitude of insularity or removal. I have said these things at home. The Minister I would hope would move quickly to remedy that and put Sudbury into the district scheme so that everybody in the Sudbury basin, that composite geologic and economic unit, are treated in the same way, on uniform standards.

The other thing I wanted to say is to leave off where I began and refer to the fact that all this is temporary, I am sure. As was well said by the Minister of National Revenue in that language which he can command and which is carefully chosen, "It is time the municipalities got out of the welfare business anyway and the province took over the responsibility for its administration. Then we could apply those standards of uniformity

right across the province." I am sure that, having said that, that when Waterloo Lutheran University has the advantage of hearing the doctoral address of this Minister on May 25, he will borrow largely from my speech of today for the subject matter of his address at convocation.

Mr. Makarchuk: Mr. Chairman, I wonder if the Minister would answer my questions regarding the welfare administrator of Victoria county? Was he hired as the special investigator, as you said you were going to find out, and look into the matter?

Hon. Mr. Yaremko: I think I answered this already in *Hansard*. I am sure that we did follow up the question. Our department was in touch with the county officials and we actually could not pin it down that these words were exactly said. We had to take the report as being hearsay evidence. However, he is employed in a fairly minor capacity within the administration and as recently as a week ago I was talking to the county group and they were aware of our concern in the matter.

Mr. Makarchuk: The other question, Mr. Chairman, is that we rehashed the problems with welfare administrators and welfare on the municipal level—is the department carrying out many studies or making any plans to try to change the whole welfare setup at the municipal level in terms that you have a lot of multi-problem families, where you have to have a co-ordinated approach to their care which involves bringing in the children's aid societies, family services, manpower, retraining and so on?

Is the department doing any study now? Does it have any plans and if it does have any plans, when does it intend to implement them, to change some of these particular situations that exist at the municipal level, the sort of self-perpetuation of poverty that is encouraged right now?

Hon. Mr. Yaremko: Our research branch, which will be going into full force, will be looking into this matter. But I did outline for the House the steps that we had taken with respect to administration, and I will make a point of re-reading the speech of the hon. member for Sudbury to see what gems I may extract from it. I may say that I have here a letter from a particular administrator who attended the course, which is a very commendable effort on the part of those within the department to deal with this matter.

The long-term objective is to develop a basic six-months training programme, eventually to be held in an educational institution. The areas of studies will be social sciences; perspective of service; communication skills—that is interviewing people; report writing; the expression of positive attitudes to people; the recognition of human dignity in all contacts; and the matter of income maintenance.

Then there will be a whole programme of upgrading those who are within the field, and training for field workers to be developed as administrators. I think about 40 administrators attended.

One of the letters, I think, sums up the situation again quite capably, it says:

> Appreciation for the informative seminar held last week. I for one have a much better understanding of the legislation as well as my role as an administrator.
>
> I only hope that these seminars could be yearly occurrences, I believe there is a great deal to be learned, as well as the fact that we are at the grassroots level and this is a way of reporting back to you and your staff of how well we are doing.

So it will be a two-way street. We will be passing on to them our general principles and we will be getting a feed-back of some of their problems.

And the combination of the trained administrator of the county and district administration unit, which we are encouraging and with which we have had excellent progress in the last few years, will eventually inure to a more equitable, uniform administration of the welfare provisions that we have made available to the people.

And, of course, we are vitally concerned because 80 cents of every dollar is provided outside of the municipality so that there should not be that determination to prevent people from getting the kind of assistance they should be getting, because most of the dollars being spent come from other levels.

Mr. Chairman: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, I am rather puzzled by a policy that seems to be followed in some places—that of having the recipient turn in his chauffeur's licence. Is there any section in the Act, or is there any regulation that permits a local welfare officer to claim or take possession of, or seize, a recipient's chauffeur's licence?

Hon. Mr. Yaremko: I know of no regulation permitting that, nor of course is there a prohibition covering that kind of thing; I have never heard of that. If the hon. member would check and let me have the specific information, I would like to check it—not just as to the particular solution to this specific situation, but to learn what is the rationale; what is the reasoning; what is the purpose; what does it accomplish—in order to determine whether it should be adopted generally or whether it should be prohibited generally?

Interjections by hon. members.

Hon. Mr. Yaremko: Well, I would like to know what is the rationale? I assume that everybody who takes an action has a reason for doing it, and until I know the reason I will not discount it.

Mr. Burr: Well, Mr. Chairman, I was after the rationale of it myself. Apparently the only indication that I could get from the local office was that this prevented recipients from earning money and not reporting it. I sent a letter to you last night, and it is in your office today; I have not been able to get any reply as yet. I was hoping that you had perhaps read this letter.

Hon. Mr. Yaremko: We will look into it. That rationale escapes me, because although the administrators are charged with keeping track of the income of the person, that is stretching things, I think.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I just wanted to say to the Minister that he does not need to go very far to check on this. He needs only to check on the Lakeshore offices where they withheld licence plates.

Mr. Chairman: Is there anything further on municipal allowances? Perhaps in view of the fact that there are other members wishing to speak further, it being six of the clock I do now leave the chair.

It being 6 of the clock p.m., the House took recess.

No. 103



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 1, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 1, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 3849

Motion to adjourn, Mr. Welch, agreed to 3886

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 1, 1969

The House resumed at 8.30 o'clock, p.m.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2002.

Mr. W. Ferrier (Cochrane South): Mr. Chairman, there is a policy practised by one of the directors of welfare in my area, the Cochrane District Welfare Board, in connection with single people in particular, and that is to maybe give them welfare for a week and then cut them off, hoping that they will make a much more concerted effort to find work and thus get off welfare. This works sometimes, but in other cases it works a good deal of hardship.

I would like to bring up the case of a man who was resident in one of the provincial institutions. He stole a car and was taken away to Monteith, and from there he went to the Alex G. Brown Clinic at Mimico. He was released from that institution on February 10, 1969. Now when this man was released from the institution he went to the director of rehabilitation services in The Department of Correctional Services and was given a small amount of money on which to get by, but of course their amount of money is limited and he was sent to the Cochrane District Welfare Board. He was given $35 to get by on, and after that was over he was told no more welfare, you are out on your own.

Now this man was desperate to get some money to live on, so he went back to the rehabilitation officer at correctional services' Monteith Farm and brought his problem to him; and he suggested that he write his member of the Legislature. He wrote to me and I got in touch with Mr. Rivard in Kirkland Lake, who took the matter under advisement and brought some pressure to bear on the welfare director in Cochrane.

The thing that really concerns me is, here we have a provincial programme of The Department of Correctional Services trying to get a young man, who is an alcoholic, trying to get him treatment, trying to get him rehabilitated and back into the stream of things, and you have a district welfare board who says we are not going to help this fellow over the hump. They cut him off money and if the man were so inclined, perhaps to get something to eat, he would go back and steal, and then again find himself sent to a correctional services' institution.

This is not something which has happened just once. I have talked to the officials at Monteith and have been told that this is a problem with which they have to cope. I feel that this Department of Social and Family Services needs to take a good look at the way some of their welfare people, and particularly the one in Cochrane, are making it difficult for some of these men to get over that period and to get back into the work-day field. Rather than make it so difficult for them that they are almost pushing them back into crime, I would hope that this department will review this matter and take it up with the Cochrane District Welfare Board, and if necessary consult with the people at the Monteith Industrial Farm to get more particulars on the situation.

Hon. A. Grossman (Minister of Correction Services): Mr. Chairman, would the hon. member send me a copy of that correspondence?

Mr. Ferrier: Yes, I would be glad to.

Hon. J. Yaremko (Minister of Social and Family Services): Of course Mr. Chairman, the whole philosophy behind the establishment of county and district boards is to have the emphasis on preventative and rehabilitative services; I will have that checked into.

Mr. Chairman: Municipal allowances; the hon. member for Oshawa.

Mr. C. G. Pilkey (Oshawa): Could I ask the Minister a question in that regard?

Where a recipient of welfare gets employment—and I am talking about part-time employment—what portion of that is deducted from their actual payments? Is there any leeway for them to have any employment at all?

Hon. Mr. Yaremko: The only consideration given is to that portion that might be considered as expenses relating to his employment. The rest is considered income for the purposes of his allowance.

Mr. Chairman: Municipal allowances and assistance; agreed to.

On residential care and services for adults.

Mr. R. F. Nixon (Leader of the Opposition). Mr. Chairman, in trying to assess where the Minister of Social and Family Services, in conjunction with the Treasurer (Mr. MacNaughton), reduced the original estimates required for this particular department, on of the areas specifically mentioned by the Treasurer was that projected increases in advances for facilities for old people's homes and some other similar facilities had been postponed. But it is my impression that the order has gone out from somewhere, to the Minister whose estimates are before us now, that in granting approvals for new old people's homes and extensions to these homes, there has been a "concerted" effort to save money—and I use that word in quotation—during this year.

I am sure that the hon. member for Brantford (Mr. Makarchuk) will bear me out, since we share this responsibility to some extent, in recounting the difficulties that the county council, in conjunction with the city council, the county council of Brant and the city council of Brantford, experienced in gaining departmental approval for an expansion to the city-county home in that area called the John Noble Home.

Their plans had been going on for a number of months and general approval had been received from the authorities normally required, up to and including the Ontario Municipal Board itself. Now in the past it had been the experience of those people who had been concerned with this matter for a number of years that that was tantamount to overall approval and that they could then proceed with letting contracts and beginning construction, which I understand was the decision of the board of the John Noble Home. I do not know how far the actual construction had proceeded, but I understand that certainly the shovel had been put into the ground and some of the footings had been poured when it became apparent that this Minister was not prepared to give the approval that was necessary for participation of the provincial government. It appeared that this was a definite departure, although the Minister at the time was not prepared to admit it to anybody. He indicated it had been procedure for a good long time and that it was a surprise to him—and perhaps since he is here, he could speak for himself—but it was a surprise to him that anyone ever had considered that it was possible to begin construction without the final initial, or whatever it was, that was needed.

This is not the only case. I am told that something similar occurred in Niagara Falls and the member for that area may have some further information to add. I think most of us, as members of the Legislature, have received some information pertaining to the Niagara Falls situation where the Minister has brought under direct criticism, because it is believed that in his efforts to cut back in the expenditure of his department—no doubt on the orders of the Treasury Board and of the Treasurer, and he is being a loyal member of the Cabinet, he is the last to point a finger at anyone else—he has been made to bear a very difficult burden indeed in cutting back what is the normal, and believe me necessary, rate of growth pertaining to these facilities for senior citizens.

A further case that has come to my attention is I believe in Forest, Ontario, where $50,000 was spent in the provision of plans which have never come to fruition because the Minister's advisors, operating under policy laid down by him, which I suspect was dictated elsewhere, has not seen fit to give the approval necessary to proceed with construction.

I do not want to enter into any philosophical arguments as to where economies must come about. We have had those before, from me and many other members. I would criticize the Minister most seriously for having permitted at least the board of the county home in Brantford to have proceeded on the misapprehension that there was nothing standing in the way of this expansion. I believe the Minister has indicated that perhaps next year, or the year after, when the ship is on a steadier keel, we will be able to do this.

Hon. Mr. Yaremko: I wonder if I might just inform the hon. leader of the Opposition that all three of those homes that he has referred to have been approved.

Mr. Nixon: I am very delighted to hear that, and certainly I wish I had been informed, but I would have raised it anyway because I want to know what the process of approval actually is that led to the difficulties

amounting to the representatives of the councils of the city and the county coming before the Minister or his representative. What, in fact, was in the Minister's mind, or in the mind of his advisors, when on these three occasions of which I am aware, there was every indication that the Minister was attempting to hold back an approval that seemed to be according to a policy that had been customary, automatic.

Hon. Mr. Yaremko: Mr. Chairman, this deserves a comment or two. The homes for the aged programme—I begin by saying that we have in the province of Ontario the finest, if the member for Downsview will permit me to say, the finest, at least in North America if not elsewhere.

Mr. V. M. Singer (Downsview): I wish I could control the rest of your remarks.

Hon. Mr. Yaremko: This I say categorically, and I do not know whether Baycrest is in the hon. member's riding or not—

Mr. Singer: Baycrest? Yes!

Hon. Mr. Yaremko: Baycrest is probably the finest in the world. Now the homes for the aged programme in its totality is the finest, and that home is among the finest within the province.

Mr. Singer: At that point, I missed the first part of the hon. Minister's remarks, at that point I agree with him. I am on the board of that institution and I was there last evening; I subscribe to that.

Hon. Mr. Grossman: When did we put you on the board?

Mr. Singer: I think my friend, the Minister is also on the board of that institution.

Mr. Nixon: Well you two gentlemen are the finest of the fine.

Hon. Mr. Yaremko: Now if I may say this, that in this programme—

Mr. Nixon: I have heard that phrase finest of the fine somewhere else.

Hon. Mr. Yaremko: That has a ring to it, when you—

Mr. Nixon: Yes.

Hon. Mr. Yaremko: This programme, which really got an impetus in the early 1950's, saw a redevelopment of the homes for the aged programme across the whole of the province, so that we now have about 150 homes, 75 municipal and 75 charitable, all of which are either brand new or the replacement of older ones. There are still a few of the old ones, but the rate of growth has been phenomenal.

When I became Minister just a little over two years ago, the round figure of beds that I was using at that time to describe the programme was 10,000. The round figure which I use now, two years later, is 20,000, which indicates the rate of growth, because we have—

Mr. E. W. Sopha (Sudbury): How do beds grow?

Hon. Mr. Yaremko: From 10,000 to 20,000, the numbers.

Mr. Sopha: What kind of beds are those?

Hon. J. P. Robarts (Prime Minister): The kind you sleep in; are there any other kind?

Hon. Mr. Yaremko: That is the statistical figure we use. So that both the quality and the quantity has improved tremendously. As people have seen the programme expand across the province they have seen the tremendous transformation from what in the old days used to be considered as a poor house—you know going up the hill to the poor house, a denigrating atmosphere. The attitude of people has completely changed and the people want to go to our homes for the aged.

This is a programme which is very popular with the public. I never heard a taxpayer yet complain about the programme. So in recent years more and more people have come around for what I might call a second helping, a new building, an extension. The rate of growth has been very rapid so that the Treasurer and ourselves, very wisely, in reconsidering the programme, the overall budget, came to the conclusion that this was one area in which we could have what I call a digestive period. Now heretofore, because of an affluent period and because we encouraged and stimulated people to think in terms of homes for the aged, the application would come forward, and I have never been able to trace a situation where we discouraged or refused. We worked out programmes and there was approval of a site after discussion, approval of preliminary plans, final plans; there was a continuous series of "okays", if I may use the word. But the legislation requires—and in all fairness to the department all the homes for the aged administrative boards are aware of the fact that it is needed—the Minister's signature on the

dotted line, which would mean a committal of funds and approval of that project.

Now, in reviewing the correspondence of many of the files, I could see the cordial tone of letters — encouragement, congratulations— would lead people to believe reasonably that it was just a matter of time. However, when the Prime Minister (Mr. Robarts) and the Treasurer, early in 1968 or in the middle of 1968, announced to the public of Ontario the fact of the province facing limitations on both capital and operational funds, that should have been a signal to everybody to stop and take a second look and reconsider.

Now apart from that, we as a department are in communication with everybody, and I have letters in which there are paragraphs pointing out that although procedures are being carried out, no approval was to be considered until they had the final approval. Some of the homes went ahead. Now I have reviewed the file; for example in Brantford I have read and reread that file about five times. I had people read it objectively, strangers to the file, to give their points of view. There was always a division of opinion. Since our department goes on the basis of the benefit of the doubt, we accepted the fact that perhaps the John Noble Home was a situation in which they may have in good faith proceeded.

But I will say this, that there is sufficient doubt in my mind that the people involved were experienced enough, they should have known.

Now this period of digestion —

Mr. Nixon: What was the date of your approval for that one, if I may ask?

Hon. Mr. Yaremko: I think it was a week ago, I think it was last Friday.

Mr. Nixon: Six days ago?

Hon. Mr. Yaremko: It was last week, during the course of last week. But we are taking advantage of two things: We are examining our whole programme of residential care for our senior citizens so that we may have within our province the full spectrum from the hospitals for acute and intensive treatment under the programme, for which I introduced a change of name today in the bill—the private home care—where the elderly person will be technically and legally admitted to a home for the aged but he will continue to reside in the community.

Mr. B. Newman (Windsor-Walkerville): Is that the foster home?

Hon. Mr. Yaremko: That is what used to be known as foster home care. That is one aspect.

The other aspect now is that, in assessing the need, we will no longer deal with a municipality or a group; we are going to deal with an area. I discovered, for example, in one of the counties, that there were charitable organizations coming forward for a programme, and the county coming forward with a programme, but they had never spoken to each other although, ostensibly, they were going to service the same community. Now we are bringing these people together so that we will ensure that there is a need within the area as a whole. For example, in the Niagara Falls area there was some question about the fact that one of the charitable institutions had 50 beds available, not being used, at a time when the municipal home had a waiting list. That is something that we are going to go into.

The silver lining to this period is that we are still in the business of building homes, and I am telling everybody that their home will be built. I cannot tell in every case when it will be built, but we are gradually picking up those that were well on the way, poised with their feet on the shovel, and those who are having plans approved, and I am very hopeful that within the next two years or so we will have digested everybody's application, and will be entertaining new ones.

Mr. Nixon: Could the Minister tell me when he approved the Niagara Falls application?

Hon. Mr. Yaremko: The day before yesterday.

Mr. Nixon: And the Forest application?

Hon. Mr. Yaremko: At the same time.

Mr. Nixon: I would like to ask the Minister why the dam has broken on these applications that he had been refusing, as far as I understand, adamantly until the last two or three days? Has somebody in the Treasury Board taken leave of his senses? When the Minister of Education (Mr. Davis) gets the assistance that we know about for him, and then the Minister of Health (Mr. Dymond) announces today that a ten-per-cent increase in payments to doctors would not be balanced by an increase in premiums, if the Minister of Welfare is now announcing approval to at least three homes for the aged that he has been holding up, there is no other word for it.

He had not given his approval, and it had been held up for six months, and they were expecting to build last fall. What has happened that all of a sudden the sweet generosity has suddenly come flowing through in all of these areas? What has happened to government policy? I am delighted that this approval has come through, because I thought that on this particular area the Minister would reply to me, as he has replied in a very mannerly way, certainly, and with all due hospitality, to those who have come down form the county urging on him the very thing, I suppose, that he has finally granted the benefit of the doubt. But why have these three approvals come through just in the last few days?

Hon. Mr. Yaremko: Mr. Chairman, I have in the last three or four months, probably had more delegations than in any other period, as I have myself been participating in examining this Homes for the Aged Programme. I do not know whether the John Noble delegation were down twice to see me, but I think they may have visited me; yes, they did visit me a second time, as the Welland County people were in to see me a second time at my invitation to come in and discuss the matter. We came to the end of the year, we were approaching the end of the year, and we in our department have to be very careful in conjunction with Treasury to ensure a continuous flow of funds because the Homes for the Aged Programme is at various stages. There are those who just have the lightbulb of an idea in their heads and those who have already been on their third draw; and we have to make sure, as we approve, when the payments come legally due that there is money in the stock to meet that obligation.

Mr. Nixon: Where is that sock money?

Hon. Mr. Yaremko: The Treasurer, because we know what we—

Mr. Nixon: Surely the estimates—

Hon. Mr. Yaremko: Let me finish!

We know what we were able to pay out during the last fiscal year, which will no longer have to be paid in the forthcoming fiscal year, and therefore I know now that I have—

Mr. Nixon: You knew that last month.

Hon. Mr. Yaremko: No, no. I certainly did not. I did not know that.

Mr. Nixon: Why not? If you did not, you are—

Hon. Mr. Yaremko: No, no. Our planning is excellent because when we have committed a dollar, we have the dollar always available.

Mr. Sopha: He found another pair of socks.

Hon. Mr. Yaremko: That is a pretty good analogy.

Mr. Nixon: Well, something happened.

Hon. Mr. Grossman: If you pass this vote, we will get the money out of the sock.

Hon. Mr. Yaremko: So that our approvals from here on will be based on the needs of the community, the availability of money and the cash flow, which is a terminology used in industry and commerce, and is very applicable to our programme. We need to have the dollar in the sock when the request comes along.

Mr. Nixon: Mr. Chairman, I do not know whether the Minister can or will answer this question, but what happened after the delegation made up of the mayor of the city and the warden of the county, and others on the board, visited the Minister—I cannot give him a date, but it was six weeks ago—when they were turned down flat with the usual story about the difficulty in raising funds?

Hon. Mr. Yaremko: Nobody has been turned down.

Mr. Nixon: You would not give your approval.

Hon. Mr. Yaremko: Everybody that came upon me with a delegation wanted to go out with a "yes" and I kept assuring everybody; I said, "The home will be built", and they asked, "When?" I said, "I cannot tell you that today; I cannot even tell you when I can tell you—though I will tell you at the earliest opportunity". And that has taken place with respect to these three homes.

Mr. Nixon: I wonder if the Minister could tell us how many other homes, besides the three that I have specifically mentioned, have gained approval in the last two weeks?

Hon. Mr. Yaremko: There is one other, the charitable institution in Chatham.

Mr. Nixon: There are still some in the final stages of planning that have not received approval?

Hon. Mr. Yaremko: Oh, yes, there are a goodly number. There are homes in various stages from the idea, there is a county which came forward with an idea last week, to

those who would like to, as I say, have their foot poised on the shovel. We will attempt to meet these people to have the people dig the shovel into the ground at the earliest opportunity and to have the others come forward.

Mr. Nixon: I would like to know what you knew three days ago that you did not know six weeks ago that permitted you to give approval to the Brant home that you did not give six weeks ago. You say now, "We know that for a dollar committed we have a dollar available." What kind of a business administration do you run over there?

Surely there is every expectation that eventually the dollars that are requisitioned here are going to be voted. I think it is incredible that you would say you did not know that you would have the money six weeks ago, and you know it now.

Hon. Mr. Yaremko: As I said, the provincial Budget is operated on a fiscal year. The moneys must be spent within that year, and if, for example, we had made a commitment with respect to somebody during the course of the last fiscal year and they had not come forward to get the money, then we would have had to pay them, and the dollar of last year would not have been available and would have to be available in the new fiscal year. We would have to pay it out of the coming fiscal year, but having been able to pay certain moneys out of last year's fiscal year, we do not have to use those dollars for those projects; we have them available for new projects.

Mr. Nixon: It sounds as if somebody over there has milked everything he can out of this fiscal nightmare and he has given up and gone back to business as usual.

Hon. Mr. Yaremko: I am very happy about what has taken place.

Mr. Chairman: The hon. member for Humber?

Mr. G. Ben (Humber): Mr. Chairman, first of all I want to say I have not had so much exercise since I took the Harvard step test.

Hon. Mr. Grossman: What was that?

Mr. Ben: The Harvard step test.

Mr. Grossman: Explain that.

Mr. Ben: When I was in the air force they had a bench about 18 inches high and you were supposed to keep on stepping up and down, stepping up and down, stepping up and down, for five minutes. Well, that is what I have been doing for the last five minutes.

An hon. member: I thought it was some kind of a breathalizer.

Mr. Ben: Mr. Chairman, I want to deal with one charitable institution that was not approved by this hon. Minister. I am referring to Laughlen Lodge, and I have been trying to get this in for days and days. Maybe the hon. members here who have had occasion to go down to what is called Chinatown to have their dinner have passed Laughlen Lodge. It occupies a block bounded by Edward, Chestnut, Elizabeth and Elm Streets.

Hon. Mr. Grossman: I was a member of that board too.

Mr. Ben: I would not doubt it because at one time I daresay, Mr. Chairman, that the hon. Minister of Correctional Services had his abode in the vicinity of that area, or at least he played ball for what they called the Lizzies.

Hon. Mr. Grossman: I was a member of the board when representing the city of Toronto—and I was a member of the Lizzies too.

Mr. Ben: Very well! At any rate, Mr. Chairman, let me tell you something about this lodge. It has been a wonderful place, and I just want to read from a report for the fiscal year ending December 31, 1967—I am sorry, it is the report from January 1 to December 31, 1967-1968. It is captioned 131 years of service, and the chairman, Dr. Ross K. Cameron, is reporting to the committee of which at one time the hon. Minister of Correctional Services was a member. He says, describing the home-like atmosphere:

> This lodge has maintained, among the homes for the aged in Metropolitan Toronto, a home-like atmosphere. I can very well remember when Mrs. Sifton was chosen from about seven candidates for this position, and while she didn't have the qualifications of some of the modern welfare workers, the thing that moved us and really caused us to choose Mrs. Sifton was that she had a very definite interest in older people.

Dr. Cameron then goes on to point out that for the first time in his memory the Grand Jury came to pay a visit to this place, and their report reads as follows:

LAUGHLEN LODGE—87 ELM STREET

The above lodge, under the supervision of Mrs. Pearl Sifton for the past 17 years, and offering a home to all faiths, was built 131 years ago. The lodge employs a staff of 11, and is home to 110 aged people, both men and women, at the time of the inspection. Management impressed the Grand Jury as being sympathetic and having a good understanding of the residents' problems.

The residents each pay $85 a month minimum. Any amount over the $85 is dependent on their ability to pay the same. There are a great many floor levels with numerous flights of stairs. Cleanliness of the establishment, considering the age of the building, is excellent. Visitors are permitted to call upon residents every day, all day.

Residents are free to come and go during regular daytime hours, and late passes are issued where and when desirable. A telephone is available for the use of all. The food appears to be adequate and nourishing.

There are several dormitory type bedrooms. While all beds are not in use at present, as there is no proper storage for unused beds, they are allowed to remain in the bedrooms. This allows little free space, and gives a feeling of crowded conditions.

There are no facilities for married couples. Smoking is permitted in approved areas only, and not in bedrooms. We were informed by the superintendent that a night watchman makes hourly rounds with a clock. We noted there are no key stations. We recommend that an approved clock with properly spaced and located key stations be considered, thus ensuring the night supervision of all areas.

In the small dining-room adjoining the men's infirmary, there is a tri-light electric fixture with hanging switch. The wire has an amateur repair and it hangs close to an electric bulb. The wiring is quite dry. We would be pleased to know that a new fixture was installed without delay.

We were informed by Mrs. Sifton that the Toronto Fire Department inspects the building monthly and holds fire drills. We presume they check the condition of the hose located on each floor. Safeguards against fire appear to be as good as can be expected. However, we suggest consideration of the feasibility of a sprinkler system. The cost may be prohibitive.

We could not but admire the ingenuity of the superintendent who keeps the facilities, constructed 131 years ago, functioning. No doubt the board will have to face a choice of major improvements, or the construction of a new building in the near future.

That was the grand jury's report. Mrs. Sifton, in giving her report, had this to say:

> As you know, our building is 131 years old and it is showing the effects of its long life. The founders of our home did a marvellous job by their foresight and planning at that time. When our home was built there were no welfare programme as we know them today, and it provided assistance for the needy and care for the aged with financial help from public funds. It is understandable that their chief concern was the provision of food and shelter. Through the years thousands of persons have been helped. Nowadays, however, we are equally concerned that our residents will also be happy and will truly enjoy themselves while living in our home.

Mr. Chairman, I would suggest to you that the residents are indeed happy but it has nothing to do with this government. Let me tell you what the public does for this home, the public at large:

> Twice each month the welfare committee of the Royal Arch Masons holds a bingo party for our residents. Regardless of the weather or the time of year, they are always on hand and this is one of our most popular entertainments.

This is Mrs. Sifton speaking.

> Their members attend and help any of our residents who may not see or hear very well so that they may win prizes which are in the form of money.
>
> A group of volunteer teenagers from Yorkminster United Church come every other month under the leadership of Mrs. K. Dyer to have sing-songs, hobbycraft and serve lunch to our residents. The Mabel Hubbard Club (Bell Telephone ladies) also come every other month and provide a variety programme and lunch. We have Mrs. Woodall's pack of brownies, who are a delightful group of children, bringing gifts and putting on a programme. A group known as Wompies visits us every other month with a good programme.
>
> Another activity each month is a birthday party as a celebration for our residents who have a birthday in that month, with individual gifts and special cake. The

1st Emery Cub Pack comes frequently with a programme under the direction of Mrs. W. Zaichkowski.

Also, the annual Christmas party is always a highlight of the year. The party is provided by our board, the entertainment under the leadership of our board member, Mr. Gordon Gilbert, Knights of Columbus, who always arranges an excellent programme. As usual, we had Mr. John Giordmaine, the famous magician, a visit from Santa Claus, Christmas stockings and special lunch complete a very memorable evening.

We have an annual picnic in June which is always a big success. It begins with an enjoyable bus ride for about three hours provided by the city of Toronto, followed by a programme and picnic lunch. For many years this was held in the flower building and latterly the Salada Tea House in Exhibition Park. However, in 1967, when the Salada Tea House was not available, Mr. Lorimer of Canterbury Foods very kindly allowed us to hold our picnic in his Grenadier Park restaurant. As one of our ladies remarked, "Our station in life is going up," and all agreed that our 1967 picnic was an outstanding success. As usual we are indebted to our Mr. Gordon Gilbert for an excellent programme.

The downtown Kinsmen Club takes a number of our residents to the theatre once a month. The Kinettes (their wives) come to our home and have a delicious lunch ready for us on our return. At the Christmas season they took a group of our residents to the Canadiana Motor Hotel. Santa Claus was there too, and the party was something very pleasant to remember.

Mr. Murray Anderson, one of our board members, comes personally each week with a very interesting movie which he has selected as being suitable for our enjoyment. His visits are eagerly anticipated by our residents.

Mr Chairman: Order. Is this material all relevant to this particular programme?

Mr. Ben: It is all relevant. I apologize to you, Mr. Chairman, that I will have to do some other reading but I need it to stress a very important point.

Mr. Chairman: Perhaps the hon. member could indicate the relevance?

Mr. Ben: The relevance? The relevance is that this is a very essential function in a community, and that this Minister is going to let it disappear.

Mr. W. Hodgson (York North): But take a short cut.

Mr. Ben: I do not have to take a short cut. It is only down the street. If you got on your legs you would be able to get there in five minutes.

Now, would you tell me where I was before I was interrupted, Mr. Chairman?

An. hon. member: Santa Claus was arriving for the second time.

Mr. Ben: To continue:

Each year we are given tickets to the Royal Winter Fair and horse show. The Kiwanis Club arranges a boat ride around Toronto harbour and islands—

And, by the way, I will interrupt here. If you do not like me reading quickly, perhaps if I sit down somebody else will read slowly.

Mr. Chairman: The hon. member may read as quickly as he likes, as long as he remains relevant.

Mr. Ben: I will continue:

—transportation by Mr. Fairbanks. The Hustlers club of a young men's Bible class puts on a minstrel show at our home, arranged by a board member, Mr. Art Cusack. We are also given tickets to shows at O'Keefe Centre, Eaton Auditorium and other musicals, etc., from time to time. These are always excellent entertainment and are greatly appreciated.

Mr. Chairman, I have to continue because if I stop now many people who have devoted their time and their talents and their energy to this place may feel offended that they were not mentioned, because there are a lot more.

Before Christmas, Mr. Coglin, organist of Ferndale Baptist Church, Scarborough, arranged for a bus to take a number of our residents to that church for a special evening service. The ladies of the church provided a delicious lunch and pleasant social hour afterwards. At Easter, Mr. A. McTier, Bethel Baptist Church, arranged for a bus to take our residents to that church for an evening service followed by a social hour. Mrs. N. G. Hancock of the United Church holds a meeting in our home each week. Miss Lillian Ray of the Presbyterian Church, comes in frequently.

Father Crean of St. Patrick's Roman Catholic Church, visits our home regularly. Rev. Paul Sterling, of St. Andrew's Presbyterian Church and one of our board members, also holds religious services. Mrs. Dorothy Dalamont and Mrs. George Swaddling, representing the Salvation Army, hold a weekly meeting in our home and distribute literature.

I am trying to point out to you the scope of the community's contribution to this place—the citizens that are interested in maintaining this; The citizens, excluding, of course, the hon. member for the riding of Bellwoods, who is the Minister of this department.

Hon. Mr. Yaremko: That was a completely unnecessary addendum. You were doing fine. You do much better reading than you do talking.

Mr. Ben: I will continue:

Mrs. R. H. Begg gave a group of our residents—

I am getting to him—

—a delightful drive followed by a picnic at her country home 30 miles from Toronto. Every one enjoyed the day.

The Pilot Club of North Toronto take some of our residents out for drives and refreshments during the summer months. At the end of the summer we are entertained at the home of Mr. and Mrs. R. J. Fairbanks, Unionville. This is an annual event which is always a very special treat.

Red Cross provides transportation to and from our home for various entertainments, also pleasant drives during the summer months. Through the kindness of Mrs. Smith, Junior Red Cross supervisor, we get Christmas hats and baskets made by Junior Red Cross Groups. In addition, with the permission of Mr. John R. Ball, principal of Pape Avenue school, the Junior Red Cross Group comes to our home to present their gifts and sing Christmas Carols under direction of Miss Milsop. This is always an exciting annual event in our home.

The *Daily Star* and *Telegram* which are delivered to our home mean a great deal to our residents. Also, through the kindness of the *Star,* we are able to help our residents pay for their glasses. We are always grateful for the many donations of good and used clothing which we receive. Books, magazines and other gifts are much appreciated by our residents.

This organization, Mr. Chairman, after having received a report that it was in a deplorable and almost unsafe condition, put a proposition forward to Metro council. It came forward as report No. 11 of the welfare and housing committee, and was considered on June 21, 1968. I would just like to read parts of it.

The executive committee, on April 23, 1968, referred the following communication received from the secretary, board of managements of Laughlen Lodge, to me for a report thereon to the welfare and housing committee:

The board of Laughlen Lodge has agreed to approaching you with the following proposition which we hope will receive your sincere consideration.

Entirely without prejudice to our present or future status, but purely as an exploratory venture, we submit a proposition that may interest you in respect to Laughlen Lodge operating as a home for elderly persons who have limited financial means of support.

It then describes the location of the property. It gives a short history.

Incorporated as the house of industry by Act of the Ontario Legislature, dated August 2, 1851, to operate an institution exclusively to provide for the destitute poor and to promote and encourage habits of honest industry in the young, and for no other purpose whatsoever.

There was a legislative amendment in 1889:

And for the establishment and maintenance of an infirmary and dispensary, and for granting assistance to the casual poor.

If I may digress here, I do not know the difference between the destitute poor and the casual poor, but that is the way they worded it. There was a further amendment dated 1947, changing the name to Laughlen Lodge, Toronto. Then it states:

Approximately 100 elderly persons are in residence in Laughlen Lodge sharing the facilities as a communal home.

It is realized that advanced obsolescence has made it imperative that the future of Laughlen Lodge as a home for elderly persons be determined, either by

1. Razing the present building and constructing a suitable building on the site, that appears at the moment to be beyond the financial resources and capabilities of the present management.

2. Conditional transfer of the fee in the land to the municipality of Metropolitan Toronto for the unequivocal use as a home

for elderly persons, and no other purpose, for one dollar ($1.00).

Then they set out certain conditions, about which (d) is—

Constructing a new building on the described land within a period of 18 months from May 1, 1968.

There are other items like guarantee of employment of the higher personnel; agreement to appointment of an auxiliary committee for Laughlen Lodge; provision of suitable chapels, etc., etc.

They go on to say—

In all sincerity, we make this presentation that should be attractive to you for very obvious reasons, and in order that your involvement, if any, might be conclusive, frank and decisive, immediate consideration is respectfully requested. The undeniable fact is that Laughlen Lodge as a home for elderly persons is to be perpetuated but how this is to be accomplished has to be determined. That results in this particular approach to ascertain acceptability and the potentials of such a scheme.

There was a study of this particular site by the Metropolitan planning commissioner and he gave his report. He describes the environment, pointing out the usefulness of having a lodge at this site, and the end result was—

1. The proposal of the board of Laughlen Lodge to transfer the fee in the land to the municipality of Metropolitan Toronto for use as a home for the aged, for the sum of one dollar ($1.00) be accepted.

2. That the Metropolitan solicitor be requested to draw up an agreement between the board of Laughlen Lodge and the Metropolitan corporation on the terms and conditions as set out above.

Well, Mr. Chairman, everybody was quite pleased with that at the time. They thought that it was to be proceeded with. They learned a lesson in a hurry. Questions were asked of the Provincial Treasurer and this hon. Minister where the cuts came, the cuts of $400 million, that were discussed here. We could not get any word out of this Minister, but perhaps I can inform him. One of the cuts undoubtedly must have been with reference to this particular building, because on April 15 of this year, report No. 8 of the welfare and housing committee came up for consideration by the council of the municipality of Metropolitan Toronto. Item No. 1 was respecting proposed transfer, Laughlen Lodge, and construction of a home for the aged on the site.

The welfare and housing committee recommends the adoption of the following report (March 31, 1969) from the commissioner of housing:

The Metropolitan Council on June 21, 1968, adopted without amendment, clause No. 1 of report No. 11 of the welfare and housing committee, headed "Transfer of ownership, Lauglen Lodge, to Metropolitan corporation," which proposed a conditional transfer of the fee in the land owned by the board of management of Laughlen Lodge to the Metropolitan corporation on the understanding that the Metropolitan corporation would erect thereon a new home for the aged to be operated by the Metropolitan corporation.

One of the conditions of the above proposal was that construction of the new home by the Metropolitan corporation would commence within a period of 18 months from May 1, 1968, which period expires October 1, 1969.

As your committee is aware that the province will give no definite commitment as to the availability of capital funds with respect to the construction of new projects at this time, it has not been possible to proceed with the finalizing of the agreement with Laughlen Lodge.

I therefore recommend that the board of management of Laughlen Lodge be advised that until such time as the province will give a definite commitment respecting availability of capital funds for construction of new projects, the Metropolitan corporation is not in a position to proceed with the suggested proposal.

That beautiful corporation that has rendered service since 1851, in which all the different groups that I have mentioned have taken a deep, abiding and a lasting interest and to which they have given their time, will have to finally fail because this Minister does not see fit to come up with funds to keep it alive. And is it a fantastic sum, the sum that they asked of this Minister? When they were writing to him they said the new building would contain approximately 78,880 square feet of floor space and provide facilities for approximately 200 residents.

The estimated cost of demolishing the present building and the construction of the new building is $1,285,000—$1,285,000 for an edifice that in all probability under the maintenance that it has received to date,

could conceivably last another 131 years. This government is quick to give unforgiveable loans in sums of $500,000 and $250,000 to companies like Allied Chemical, and Kraft Foods, and other large multi-million and multi-billion corporations but in its rock-hard heart it cannot find $1,285,000 to set up a home for 200 aged people.

Now I say to you, Mr. Chairman, that is beyond contempt. And for the Minister to get up here, as he did this evening, and try to take upon himself all the praise and tell us that we have the finest old age home system in North America, when he cannot, as I say, find $1,285,000 for our aged people who, by the way, are not all charity cases.

This report indicated they are paying a minimum of $85 a month for their support there. And he cannot find that small amount. He has the consummate gall to stand in this House and tell us what a wonderful job he is doing. I say shame and that he ought to hide his face under that handkerchief the hon. member for High Park (Mr. Shulman) had here the other day.

Hon. Mr. Yaremko: Mr. Chairman, I would not want you to get carried away by the histrionics of the hon. member. He is so far off base that he is not even close.

I have walked by and been familiar with Laughlen Lodge for at least the last 30 years. Although I have no direct ties with it, I have a great affection for it because it is one of the historic landmarks of Toronto and I pay tribute myself to the outstanding service that the lodge has rendered through 117 years within this great city. That period has seen the whole scene of Toronto change.

My interest in Laughlen Lodge has been twofold; one, the fact that it should continue and should remain as a remembrance to the past, but that it also should symbolize that what in recent years has been appealing to people, this flight to the suburbs, does not have all the appeal for everybody, especially with our senior citizens. They want to be right downtown. They want to be where the action is. They want to be able to walk over to Queen and Bay or Queen and Yonge or wherever they may wish to go. They want to be right in the heart of things and this is going to be, I think, the trend for the future.

Now, the fate of Laughlen Lodge has not been decided. And when the hon. member talks in terms of positive refusals, he is away off base, because the matter is still under consideration. One of the earliest homes in which I took a direct interest was the fate and future of Laughlen Lodge and this has been a continuing interest. And tomorrow, I think, the director has a luncheon meeting with members of the board to continue this exploration and considering the future of Laughlen Lodge. It is true that we are taking a second look at things and we are going to assess all—

Mr. Ben: Every time we bring something up, the Minister is going to take a second look. Why does he not take a second look the first time?

Hon. Mr. Yaremko: We are going to assess all of Metro's needs and if the hon. member would care to go for a walk some day, you can now walk south, walk north, and I direct the attention of the member for Downsview that up at Belmont Home here on Belmont is probably the latest of the finest of the fine. The sod was turned by Mr. Keiller Mackay, the cornerstone was laid by the Prime Minister, and it will be officially opened, I believe, towards the end of the month.

The Belmont Home, a 130-year-old structure, has been torn down and a new one in the 20th century is going up. Now this I envisage, something along this line, but some time in the future. Here again I cannot state a date but it would be a pity to see Laughlen Lodge disappear from the scene and I have no intention of letting it fade or go away or disappear.

Mr. Ben: The letter makes that clear.

Hon. Mr. Yaremko: I am delighted that with us, as it happens, in the gallery is Mrs. Sifton, and I join in this aspect with the report that the hon. member read of acknowledging the outstanding service that she has rendered throughout the past 17 years.

An hon. member: Which is Mrs. Sifton?

Hon. Mr. Yaremko: The lady in the white hat. She has done an outstanding job and I also pay tribute to those community organizations and individual citizens who have played a role in making life worth living for our senior citizens. What the hon. member has outlined is what is being done, to a lesser degree perhaps, but to a good extent with our homes across the programme. Baycrest has an outstanding programme in this regard.

Mr. Singer: That is what I have been trying to tell the Minister for the last 20 minutes.

Hon. Mr. Yaremko: And other homes I am familiar with—I am always going to strawberry festivals, bazaars, concerts, movie shows, bingos, that are being put on, and our department has played a role and will play a role. We took bus loads of our senior citizens down to the CNE to see that wonderful film "A Place to Stand"—

Mr. Nixon: Big thing!

Hon. Mr. Yaremko: These 90-year-olds said to me they wished they could begin all over again in the province of Ontario. The hon. members paid a visit to the planetarium this evening, and we are attempting to see whether we cannot arrange suitable hours to have some of our senior citizens participate in the planetarium, because our programme does not mean only that we want to keep people living a long time, we want to make that life worth living.

Mr. Ben: Mr. Chairman, all I want to say is while we are concerning ourselves with the virtual existence of these people, all the Minister does is fill up pages of *Hansard* with platitudes to himself. While we are talking about people living and finding a place to live, he is talking about getting bus loads of them and taking them down to the exhibition to see "A Place to Stand". These people want a place to sit down and lie down. They do not need you or your people to take them up to the planetarium.

I have just read a long list of public-spirited citizens who will be very happy to take them there and elsewhere. They will even supply the buses to take them down to the Ex to see "A Place to Stand". But the point is you always say that you ae giving it a second look. The fact is that on the 18th day of March, 1969, you wrote Dr. Ross Cameron, after he had written to you:

> Dear Dr. Cameron:
>
> I wish to thank you for your letter of March 18th, 1969, and I am pleased to learn that you have since had conversations with our Director of Homes for the Aged, Mr. Crawford.
>
> You will, I am sure, appreciate the present position with respect to capital grants and proposals for a new development on the present site of Laughlen Lodge, 87 Elm Street, Toronto.

I do not know how you can be so sure that he can but anyhow that is what you write.

> On the basis of your discussion with Mr. Crawford, however, you will be making some preliminary plans for the long run, together with a few changes to accommodate certain requirements now for immediate safety in the homes.

If you are doing that I can appreciate that it is your intention to preserve this place for another 131 years. But I do not want to see it there for another 131 years, I want to see a new place.

> I want to congratulate you and your board for the extraordinary effort you have made over the years to vacate a home of this type and I hope that we can count on your continued public-spirited endeavours until other arrangements might be made.

Well bless me, I sure hope that we can count on your public-spirited endeavours because we cannot count on your money. Here a Metropolitan corporation is writing to these people and saying they have to pull out of the contract because they cannot fulfil the contract to construct this new place within 18 months; because they cannot get any capital money from the province of Ontario. And what does the Minister do. He makes platitudinous speeches and writes these letters that nobody can make head or tail of and has the gall to tell us he is trying to preserve this place.

Now look, if you are interested in having second sight or having another look at this place, stand up here like you should and say you will find the money for this place so that the Metropolitan corporation can take it over and ensure that this place will exist downtown as it has for the past 131 years.

Stop telling us this nonsense about taking a second look. All night I have been listening to you getting up when somebody criticizes you for not doing something and you tell us you are taking a second look, or that you just decided tonight or last night that you were going to do something about it. Why did you not do it months ago or weeks ago?

Mr. Pilkey: Mr. Chairman, I want—just for a moment—to echo the sentiments of the member for Humber and in terms of being somewhat critical of the Minister's answers which are not of a positive nature.

I recall asking him a question about the homes for the aged some time ago during the question period. I asked him when he expected to have a position on when these homes would go forward. He just stood up and said: "In due course". That was it! That was the answer that this Minister gave, and he is historically doing that in this House—not giving a positive answer to a

question and it seems to me that we have got to have something more than just "in due course".

An hon. member: In the fullness of time.

Mr. Pilkey: In the fullness of time, right.

I want to say, first of all, that if there is one area in this province that we ought to be meeting the human needs of people, it is in terms of homes for the aged.

This government has talked about priorities. I do not think we would have had to revert to priorities if this government had taken cognizance of my leader's suggestion during the Budget debate last March. We could have raised the resources to meet all of the needs of the people if those recommendations in the Budget speech were implemented.

Now the Minister says that they are going to proceed with the homes for the aged and I very frankly would like to know where he is going to get the resources. In the 1969 Budget, if my memory serves me correctly—I just cannot put my hand on it—there was something like $7,000,000 laid aside for capital construction in terms of grants for new and acquired buildings. But in this Budget of 1970, there is a cut of about $2.225 million. Two and a quarter million dollars less to meet a very urgent need in this province.

You know it makes me kind of smile. The government can make announcements like that palace pier they are going to put up in the lake out there for $13 million. We cannot find the resources to fulfil a human need such as homes for the aged, yet we can build this edifice out on the lake. I think it is just ludricrous that we find ourselves in that kind of position.

I am not suggesting for a moment that we ought not to do that project, but I think we ought to deal in priorities. Surely a home for the aged is a priority over that palace pier. The only difference, in my opinion, is that kind of a thing will not make the headlines, but the palace pier out there on the lake will make the headlines. In addition to that, it seems to me that this government wants to put Toronto in a competing position with Montreal. Well I do not think we ought to be participating in that kind of a game either.

If we are going to deal in priorities, then this government's priorities are badly out of focus. It is not good enough for this Minister to stand up and say that when the government handed their Budget down, this was a signal to stop and reconsider our expenditures, because I think we could have met all these expenditures.

The government alleges they are having economic difficulties and they said we ought to deal in priorities. Obviously the homes for the aged is a priority item. I think the Minister would agree with that. It is a priority item. But what is happening now is that we are getting a priority on a priority—if we could comprehend that incredible position.

Regardless of what the Minister says in terms of what has happened in the past—and I do not think there is any question about the facilities that have been constructed; they are good, they are being utilized and serve the purpose they were designed for—but I want to suggest to the Minister that the homes for the aged in the province are short of approximately 10,000 beds. Many beds are needed if we are going to meet the requirements of today.

You talked about 20,000 beds. Now I do not know how many senior citizens we have in the province of Ontario, but my guess is it would be somewhere in the neighbourhood of 300,000 or 400,000. Obviously they do not all need to be in homes for the aged, but I want to suggest that this is a very small percentage of beds in terms of the numbers of people in this province.

Now we saw cutbacks in hospital construction; we saw postponement of needed accommodation for emotionally-disturbed children; and we saw cutbacks in new and additional construction for the homes for the aged. I want to say to the Minister that, when he pointed out that none of the taxpayers complain about homes for the aged, he is correct.

He is right—they do not complain when we are providing that kind of a service that is badly needed in this province. I want to support that position by reading a letter into the record—but I want to point out a number of letters that I have received and I do not know how many there are in total—but I just want to show the Minister a number of letters that I have received from constituents in my riding deploring the government's position of not expanding the addition to Hillsdale Manor.

There are some 150 applicants for needed beds in that facility and yet the government is not prepared to participate in their 50 per cent of the capital construction. I understand that the municipality of Oshawa went as far

as to raise the money, even up to the point of calling the tenders, and that the government backed off at that point.

Let me read you one letter, from a Marjorie Gifford, 536 Greerson Street, Oshawa:

> I cannot express too strongly my feelings of absolute disappointment and astonishment regarding the action of the Ontario government in their proposal to cancel their subsidy for the addition to Hillsdale Manor, the home in Oshawa for our elderly citizens.
>
> The people of Oshawa and their families protest and resent very much any cut-back of funds from our government at the expense of our senior citizens, who with their families have built this community and this country.
>
> Please do try and see, as our representative of Parliament, that our displeasure and disenchantment is brought to the attention of our government.

Now there was a great number of organizations: the Minister of St. George's Anglican church, the Rev. Little; King Street United church; the Catholic Women's League of Canada; a ladies group from Kingsview United church; St. Gregory's church, the minister of St. Gregory's church; the executive board, Local 222 UAW; a controller—obviously I do not need to go through all of these letters, Mr. Chairman, to illustrate my point. But this is the concern of those people in Oshawa, in terms of providing a needed facility in that area.

Now I want to thank the Minister for sending me a reply to the letter from Local 222 UAW, but I do want to read it into the record, and I want to make just a couple of brief comments. The Minister says:

> I have received a copy of your letter on March 28, 1969, addressed to your member of the Ontario Legislature, Mr. C. G. Pilkey, MPP, with copies to the Prime Minister, the Hon. John Robarts, QC, and myself. This was in connection with the development of the proposed Hillsdale Manor extension in the city of Oshawa.
>
> You will, I am sure, appreciate that your provincial government has given considerable support to the city of Oshawa in the progressive construction and operation of the present excellent home for the aged in Hillsdale Manor.
>
> This support has been not only in terms of capital grants, and capital improvements over the years, but also in forms of substantial annual maintenance and operating subsidies. You will also be aware that we have recently joined with your union, Local 222, the civic authorities, Colonel McLaughlin and a number of other public-spirited groups in Oshawa to develop co-operatively the Oshawa senior citizens centre which opened as recently as February 27.

I want to stop just there for the moment, and say to the Minister that that is a fine facility, and I want to thank him on behalf of the residents and the senior citizens in the area. There is no question about that, I wanted to make that comment. Now in the next paragraph the Minister goes on to say:

> These steps, I am certain you will agree, are indicative of our awareness of the needs of those who built up our country, and they do show that we are continuously moving forward in the development of new facilities and services,

And, Mr. Chairman, the point I want to make here is that the continuity has ceased there. You say you are continuing, but you are not really continuing. It is not only in Oshawa that you have curtailed construction, as I understand it, because there were 17 communities in this province that have made application for homes for the aged—either new centres or additions.

Now you say that you have granted three within the last week, but there are a great number of other communities in this province that have made application to your department for that very needed facility. The Minister goes on to say—

> In earlier correspondence with Mr. C. A. Crawford, UAW Women's Auxiliary 27, I had outlined much the same position. I would wish to stress that I will be meeting further with the city of Oshawa municipal authorities concerning the proposed addition of or new facilities for Hillsdale Manor. We are endeavouring to review this for future planning, at the same time I regret that I am unable as yet to make any commitment on capital funding for this or a number of other projects until several other matters related to the overall capital programme has been resolved.

Now I ask the Minister, what does he mean by that statement? What are the other matters? It is rather vague in that paragraph what you are really talking about. But nevertheless, as I said initially, there are something like 150 elderly citizens in Oshawa who have need for proper accommodation.

The stark facts remain that we are confronted with a social problem that can only

be aggravated by this government's present policy. There is no question about that, it can only be aggravated.

Now, Mr. Chairman, there are something like 300,000 or 400,000 senior citizens in Ontario, and many of them exist on a monthly income of around $109.00. This, in my opinion, Mr. Chairman, is a national disgrace, and there have been extensive studies in this area that pointedly show that we need additional income. But even if we achieve that without the proper accommodation, I do not think that we have really accomplished a great deal in this province. I want to suggest to the Minister that he is the one that is holding back that kind of progress.

I want to suggest, Mr. Chairman, that this government has not kept faith with the older people of this province. They are becoming the forgotten individuals.

Mrs. M. Renwick (Scarborough Centre): Along with the children!

Mr. Pilkey: I read a one-sentence statement just about these older people—and I do not know who wrote it—but it was someone addressing a very young group. He was talking about senior citizens and he said:

> We are walking on the very bridges that they built. Yet, we find this government taking a very callous attitude to those people that have been really the pioneers of this province who have been instrumental in us reaching this so-called affluent society.

I want to suggest to the Minister that there are many older citizens who are living under appalling conditions. I also want to say that what we really need is a compassionate government that would provide adequate accommodation, medical and personal services in a home for the aged. Yet, we find instead of that, a government with a policy of retrenchment when we need to really initiate and intensify the present programmes. Surely, this province of opportunity can assure the elderly a life of comfort, security, dignity in the declining years of his life.

The Minister indicated earlier in the estimates as I remember, about going to the Treasury Board—and I suspect they must have turned him down. I do not necessarily agree with his policies entirely but when Mr. Hellyer was turned down, at least he had the courage to resign. If this Minister was turned down by the Treasury Board in regard to needed facilities in this province, then he should have had the courage to expose the government and resign from his position.

An hon. member: Oh, that is silly!

Mr. Pilkey: Well, it may be silly in your eyes. But I want to also say that because of the government's position of retrenchment, maybe the whole government should resign so we can go to the people and debate this whole question of needed facilities for people. Maybe we can really benefit from that kind of debate in terms of finding out where the money is going to come from because this seems to be the problem. The crux of the problem seems to be that the government cannot provide the resources for these much needed facilities.

Now I want to conclude by saying that if there is any one area in terms of social services that ought to be provided to people surely this is the area in which we can have a sense of compassion and provide the facility for those people in the declining years of their lives. There is a crying need for this facility, for extensions and new homes in this province as much as there is a crying need for additional moneys to take care of those people that are in a position of bitter poverty.

I would urge on this Minister to review his department's position. I would urge him to go back to the Treasury Board if necessary. In that regard, frankly, the government has upset the applecart. The balanced budget has gone right out the window so they should not be worried about that.

He now can go to the Treasury Board and ask for those additional resources. And at least, he could go to the Treasury Board and say to them: We ought to have as much in our budget for 1970 as we had in 1969. Surely that is not asking too much. If we had those kinds of resources we could provide a greater number of facilities than have been provided at this point in time. I want to suggest that this is not the time for cutting back in this area. This is the time to move forward and it is a time to show the people of this province that we are concerned about people, we are concerned about the human values and that we are so concerned that we are going to provide the necessary facilities to make sure that they have a sense of comfort, security and dignity in the declining years of their lives.

Mr. Ben: Mr. Chairman, would the Minister, since Mrs. Sifton is in the gallery, please assure us that before the 18 months run out, this government will supply the funds necessary to perpetuate Laughlen Lodge.

Hon. Mr. Yaremko: Mr. Chairman, I stated the positon of the department earlier in that—

Mr. Ben: That is not a position.

Hon. Mr. Yaremko: I do not think that any time limit is that rigorous. Mr. Chairman, in—

Mr. Ben: Then your answer is no?

Hon. Mr. Yaremko: Mr. Chairman, the hon. members evidently will not take my word for it. I will enlist the witnesses: Bruce county—construction completed to date in the 1968-69 period; Bruce county—Gateway Haven, Wiarton, 75 beds; Frontenac county, 96 beds; Hastings county in Bancroft, 104 beds—Bancroft, which might be considered up in the foothills of the eastern part of Ontario has as fine a home as anywhere in the province.

Mr. Pilkey: Nobody is disputing that.

Hon. Mr. Yaremko: I know, I opened it. Kent county—

Mr. Singer: I thought that Baycrest was the best.

Hon. Mr. Yaremko: They are getting better all the time. Kent county, Thamesview Lodge—

Interjection by hon. member.

Hon. Mr. Yaremko: Bruce county, did you say Bruce county was a Tory riding?

No, I have not been up in Bruce yet to see it so I cannot make a comparison. Kent county, Chatham, 160 beds; Strathroy, 80 beds; Sudbury district, Pioneer Manor, 40 beds. Under construction at the present time, Leeds and Grenville, 150; Oxford county, 158; Renfrew county, 150; Sarnia city, 40 beds; St. Thomas city, 142; Simcoe county, 150; Metropolitan Toronto, Cummer Avenue, Willowdale, 350; Welland county, Northland Manor—I guess that is completed now, is it not?—90 beds completed. That makes another 1,230 beds. And additions: Elgin county in St. Thomas, 50; Fort William, Grandview Lodge, 113; Lincoln county, Linhaven, that I am going to be opening up in a month, 100 beds, for another one.

Mr. E. W. Martel (Sudbury East): It is all Tory counties that are getting the 100-bed ones.

Hon. Mr. Yaremko: Then into the charitable institutions: in Barrie, 69; Maxville Manor, beautiful little Maxville Manor, a dot on the map of Ontario, 91 beds; St. Anne's Tower in Toronto, 178 beds; Carefree Lodge, Willowdale, 125 beds. Under construction: St. Joseph Villa, Cornwall, 130 beds; Sacred Heart Villa in Courtland, 53 beds; Thompson House in Don Mills, 150—I laid the cornerstone there or cut the ribbon, I forget—150 beds; St. Joseph Villa, Dundas, 350 beds; Trillium Home in Orillia, 75 beds; Belmont Home, that I referred to up the street here, a magnificent structure, a testimonial to the compassion and care that we are giving for our people of the province—nowhere, I say this categorically, nowhere on the continent can you walk up the street and see the kind of accommodation that has been provided in Belmont Home.

Mr. S. Lewis (Scarborough West): Nowhere in the world will you get such accommodation is no doubt your contention.

Hon. Mr. Yaremko: Mr. Chairman, the programme is going ahead. It is going ahead because I am like the average citizen: Care for our senior citizens, care for our children are the two uppermost things in my mind, and they are going ahead. I may say that, with relationship to Oshawa, to Hillsdale Manor, I have had the delegation in twice; we have discussed it rationally, sensibly. I have put forth the case of the department. One of the items that has concerned me is that their cost per bed is $14,000 greater than any other cost in the province, greater than the average cost. I cannot automatically approve of every home.

If the hon. member—if the programme he suggested could carry on, you would not even need a Minister because all you would have to do is just come up, file a set of plans and pick up a cheque. That is not the reasonable way to do business. I explained earlier how we are examining the programmes. These homes will be built. We are in the business. The department is still going to be around and I can assure you that it is the Minister's intention to be around to see that the programme is carried out.

Mr. H. Worton (Wellington): Mr. Chairman, while the Minister is in a generous mood I wonder if he would tell me what he is going to do for Wellington?

Hon. Mr. Yaremko: Mr. Chairman, Wellington county is, of course, as the hon. member knows—he led a delegation from Wellington county and I became familiarized with the situation. I have asked them to go back and take a second look. The fact that that home is a very old home need not necessarily mean that it should go out of business. We are going to check into it and see what can be adapted at the present time. The fact

that a home is old does not necessarily mean that we should rush in and tear it down. In some instances, such as Belmont Home, it is a very natural site. I can assure the hon. member I shall take a great deal of interest in that fine, early Canadian, stone structure.

Mr. Worton: Mr. Chairman, the Minister is a very hard man to get mad at but the way I feel about it is that your officials, and rightly so, go about telling the county council that they should start taking steps towards providing a new home. Now, I know the Minister says, "What is better than the old constructed building that is there now?" But I do not think he should use salesmanship unless he is sure, and after he has sold them a bill of goods to the tune of $135,000 to tell them to try and make do with what they have, I do not think that is good business.

Mr. Pilkey: The Minister commented on my remarks which I want to follow up. Well, I am going to anyway. The Minister alluded to all of the fine, good accommodation but I do not think anybody has been critical of the accommodation that you have.

Hon. Mr. Yaremko: You have been very critical of this government—that we lack compassion. This is the exact opposite, we do have great compassion.

Mr. Pilkey: What about those people who are living in one room, that are living in loneliness? What about those people who have their names in, or applications in, to get into those homes? This is what I am talking about. There is a great short-fall in terms of beds for people who have applications. Now you say that you do not need a Minister—all we need to do is come in and rubber stamp them. Well let me point this out to you, that as I understand it, the province pays 50 per cent of the capital costs. Surely the municipal councils have some integrity. Do you think they are all just rubber-stamping their 50 per cent? That is what you are saying, that the municipal councils have no integrity in terms of providing their portion of the resources.

Mr. Lewis: Are you asking us to choose between you and a rubber-stamp? Because if you are, you know the answer.

Mr. Pilkey: It seems to me that it is not just a question of rubber stamping the expenditure.

Hon. Mr. Yaremko: Mr. Chairman, just for the record, those words were the words of the hon. member. They were not my words. I was casting no reflection on the integrity of the Hillsdale Manor group. They came down to me. This is a matter which I say warrants us taking a look at the difference in costs to see whether some adjustment can be made when we are attempting to develop a programme within the limit of our funds for the overall programme of the department.

We should quite properly take a look at these things. As I said earlier, we have even changed the name to private home care to ensure perhaps that more and more people can live within the community at a reasonable cost under reasonable situations. That is a matter that can be referred to at some other time.

Mr. Pilkey: In your Department of Social and Family Services 36th annual report, you enunciated a great number of homes that have been built. You went from one end of this province to the other, even down into eastern Ontario. But let me ask you a question, if I can just locate that page in this document.

In any event, you list a number of homes for the aged here in this book that are contemplated. Now the question I want to ask the Minister is, when do you expect to complete the total?

Hon. Mr. Yaremko: I have already given approval to four for the coming year. We have the money and I will be giving approval as the year rolls around in accordance with the needs of the community and as they are approved. We are in the homes for the aged business and we continue to be there within the limit of these funds. I take the position that, as I pointed out to the leader of the Opposition, I am a much happier man today than I was a month ago because I see the light at the end of the road and I envisage being able to cope with most of the requests and demands in the immediate future.

Mr. Pilkey: Let me refer to page 42 and page 44—one under the municipal homes for the aged and the other one, The Charitable Institutions Act. You have got a number that you are contemplating—all I am asking you is when you propose to go forward with those that are contemplated as enunciated in this document?

Hon. Mr. Yaremko: I have not got the details in front of me, but I would imagine that those contemplated ones have by and large been completed by now. This report goes back to 1967 and I indicated to the

House the tremendous increase in beds in the last two years, either completed or under construction, so I would imagine that those contemplated ones have either been completed or at least well on their way.

Mr. Pilkey: I just want to conclude by reading two short paragraphs, just to indicate the government's interest and maybe two paragraphs that the Minister could use when he is talking to the Minister of—

Mr. J. B. Trotter (Parkdale): Lands and Forests!

Mr. Pilkey: He's cutting down those big volumes of money.

Hon. Mr. Grossman: The Treasurer!

Mr. Pilkey: The Treasurer, right. Thank you. Let me tell you what he said in 1968. He said:

> The message I bring to the members of this Legislature is a preview of the profound changes which lie ahead for us in the Ontario of tomorrow. It is a reflection of the great strength of our economy and the faith and confidence of the people in the future of this province. It is a declaration that this government is determined to play a purposeful part in the economic and social development of this province and our people.

Now that was part of his Budget speech in 1968. I want to suggest to the Minister that he could use that.

Hon. Mr. Yaremko: I would like to tell the hon. member that I already did this year.

Mr. Pilkey: You have used that?

Hon. Mr. Yaremko: Yes.

Mr. Pilkey: Well, let me give you the rest of this document anyway. He started off by saying:

> The Ontario of the 1970s stands before us in splendid array of opportunity and challenge—

Hon. Mr. Grossman: Hear, hear!

Mr. Pilkey:

> —although man will probably be on the moon by the time we enter that decade, we must continue to seek a good life on this earth.

I want to suggest to you, Mr. Minister, that there are a great number of elderly and senior citizens in this province that should have their place, their good life, on this earth and we need to provide that accommodation that gives them the good life. I make that comment because the hon. Treasurer has said that, and I would suggest to you when you go back to the Treasury Board to get that budget increased to what it was in 1969, you use those very statements that he enunciated back at the time he was introducing his budget.

Mr. J. P. Spence (Kent): Mr. Chairman, I would like to ask the Minister a question in regard to citizens whose cases are diagnosed as heart, cancer and convalescent hip fracture. I brought this to your attention a few weeks ago and you gave me a very satisfactory answer. After these citizens are refused admission to the homes for the aged, the next thing they do is they try to get into the nursing home. Those who have not finances to pay their way in nursing homes cannot in so many cases be approved under the Ontario Hospital Services Commission.

Now, Mr. Chairman, where are these people going to do? Is there a group of citizens who have no place to go? If they are refused admission to the home for the aged then they are unable to be admitted under the Ontario Hospital Services Commission in a nursing home? In those cases what takes place?

Hon. Mr. Yaremko: In those cases the person, if he has no means, can be admitted to a nursing home under the auspices of the municipality and then we share with the municipality in the cost of the nursing home care to $9.50.

Mr. Spence: Your department would pay 80 per cent of $9.50, Mr. Chairman?

Hon. Mr. Yaremko: Yes.

Mr. Spence: Thank you.

Mr. Chairman: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Chairman, we are very fortunate in the city of Hamilton to be able to find space and accommodation for many of our senior citizens in our fine Macassa Lodge and I know that the board of the Macassa Lodge certainly appreciate the invaluable services of your home for the aged branch and all the supervisory personnel right down the line.

One thing that I think is evident, Mr. Chairman, is the changing role in the care for the aged. I personally feel that the increases in old age security over the years has surely altered the admission rate to our local home for the aged in Hamilton to the point that I think last month there were approximately 19 vacant beds for men in the ambulatory wing of the Macassa Lodge. There was a small waiting list for the women. Now I think, Mr. Chairman, this reflects the fact that many old people today are being cared for

by other members of their family, probably for a good portion of their old age security. However, undoubtedly as the Canada Pension Plan begins to play an important role in the income of our senior citizens as they are retired in the future, there are going to be more and more old people able to find accommodation outside the custodial care of an institution such as the home for the aged.

However, Mr. Chairman, I think the big problem seems to arise when a senior citizen finds that he becomes incompetent or requires bed care. This is where the rub comes because accommodation cannot be found. I would like to know what guidelines, first of all, are laid down in the construction of these homes for the aged? For example, in Hamilton, we have a home that was a model of what a home for the aged should be architectually when they were constructed about 12 years ago—yet it is so designed that it is almost impossible to convert the male wing for females when we have a waiting list for females.

Likewise I can see that in another 10 or 15 years, there is going to be even a smaller demand for ambulatory bed care in these homes for the aged. I would like to know what guidelines there are in their design so that they can be converted when the need arises for bed care facilities. I would also like to know what the ratio is currently for new homes for the aged such as the Minister has just read us the list. What is the ratio between normal ambulatory bed care and ambulatory care?

Hon. Mr. Yaremko: Well the hon. member has very successfully pointed his finger on several of the aspects with which we are confronted at the present time.

There are many who by reason of good health are able to remain in the community either with their families or as we hope to develop, private home care. Here they will be technically admitted to a home for the aged, not for custodial care, but for all of the other administrative facilities they would have in a home. We have seen this changing emphasis in that people seeking admission to the homes are older and less able to look after themselves in a total way.

In approving plans in recent times we have focused the attention of those who have brought forward the plans to provide this shift in emphasis. We are trying to stress 30 per cent normal care to 70 per cent bed care—almost a complete reversal. It used to be 70 per cent normal and 30 per cent bed care and we have switched that completely around. This is the purpose that our rest home programme is to serve.

We hope, in the spectrum of care, to move from the care type of thing, the acute hospital, the chronic hospital, the nursing home, the rest home, the home for the aged, to private home care, and senior citizens' accommodation. Within the spectrum of all these facilities we will be able to meet the needs of everybody who is a senior citizen. There is no such thing as an old person. They are just as varied in all their human abilities as young people are. We want to tailor our complete spectrum of facilities to meet the complete need, and the hon. member has touched his finger on a very important point.

Mr. Chairman: The hon. member for Kingston and the Islands.

Mr. S. Apps (Kingston and the Islands): Mr. Chairman, in listening to some of the members in the Opposition, it appears to me that they are trying to point out the fact that there are waiting lists all over Ontario for people who would like to get in homes for the aged. I would just like to point out the situation as it is in Kingston. In the city itself we have Rideau Crest Home for the Aged onto which in the last five years two fine additions have been constructed.

We have a few more beds than we have patients to fill Rideau Crest and the elderly people in Kingston are being well looked after in accommodation in this very fine home.

The same thing applies in the County of Frontenac where the Fairmont Home for the Aged was just opened last year. It is a beautiful location, a very fine building. They also have beds available for the elderly people in Frontenac.

Mr. Martel: What do you call that? Patronage? If you do not vote Tory you do not—

Mr. Pilkey: Is that patronage?

Mr. Apps: I have listened to the member for Oshawa and the member for Sudbury East insinuate a lot of things and I think those insinuations are out of order. You should be ashamed of them. The people in Kingston have worked hard for these homes for the aged. They have worked hard in co-operation with the hon. Minister here, to obtain these fine buildings. Our elderly citizens are being looked after properly and we are proud of them down there. To say that you have to be a Tory to get into them is just a lot of hog wash, and you know it. It gets a little bit sickening to listen to some of

the accusations from over there from supposedly intelligent people. In many cases they do not act very intelligently.

Now, Mr. Chairman, I just wanted to point out to the Minister and to the House that the elderly citizens in Kingston and Frontenac County have accommodations of which they can all be proud. We still have a few beds available to those who would like to enter.

Mr. Pilkey: Mr. Chairman, the members who—

Mr. Chairman: The hon. member for Sudbury East was on his feet.

Interjections by hon. members.

Mr. Chairman: Order! The hon. member for Sudbury East has the floor.

Mr. Martel: Mr. Chairman—

Mr. Lewis: He deferred to the member for Oshawa.

Mr. Chairman: I heard no deferment.

Mr. Martel: Mr. Chairman, it is interesting to hear the member for Kingston and the Islands get up and spout off pious platitudes about how hard the people in Kingston work. Well I come from an area that has the hardest working people in Ontario—the hard rock miners. I know what work is about. We have a waiting list now of at least more than the Minister just announced we got in beds last year.

Do you know what it takes to get someone who is bedridden into Pioneer Manor in Sudbury? One year! I have a case of a woman at the present time who is living alone and cannot get out of bed. Her son goes over and cooks for her. I want to know how the member for Kingston and the Islands can justify that. Is he saying that our people in the north, or in other ridings such as that of my colleague from Oshawa, do not work hard? Or is it just your area?

Mr. Apps: It seems to me that the gentlemen over there do not like it when they find some areas in the province that are being looked after properly as far as elderly citizens are concerned. What I was trying to point out is the fact that the elderly citizens' homes in Kingston are looking after the number of people who want to get in them. There is no waiting list in Kingston.

Mr. Lewis: That is because Edgar Benson goes to bat for them.

Mr. Apps: Well that may be of help, I do not know. And also the same thing applies to Frontenac county. So let us not get the impression that there is a waiting list in every area of the province. I listen to you gentlemen all the time, and what I am trying to point out to you is that in my riding in Kingston they are being looked after well. I am sure they are being looked after well in many other areas of the province.

Mr. Pilkey: Why should there be a double standard?

Mr. Apps: There is no double standard.

Mr. Martel: The point is that we have a waiting list right at the present time in Pioneer Manor of at least 45. It takes from six months to a year, if you are bedridden, to get into Pioneer Manor. I want to know what the plans are to expand Pioneer Manor so that those old people in the Sudbury area have a place to go, a place where they do not have to be in one room by themselves, attempting to look after themselves.

It is just ridiculous to suggest that we are put off by the fact that some of the residents of Ontario are being looked after. Ridiculous!

What we are complaining about is that there are too many who are not being looked after yet. Maybe that is what the member from Kingston and the Islands should be on the floor doing, telling the Minister that there are other people who need assistance. We would not have got the hog-wash that we got from the Minister when he brought out his original statement that he had enough money for his programme for this year, because he does not. He has been trying to justify the cut-backs, the refusal to update the amount that people were given under Family Benefits Act, which has now been reduced to 93 cents on the dallor. He has been trying to justify the lack of expansion in Ontario. He has not got enough money. Why come in with a phoney lot of nonsense when all kinds of people in Ontario are living in destitute and dire poverty, alone, lonely and just completely forgotten by this government. I want to know before I leave, what the plans are for the Sudbury area.

Hon. Mr. Yaremko: Mr. Chairman, we do not initiate plans. There have been no proposals put forward to us at the present time for the Sudbury area.

Mr. Chairman: The hon. member for Port Arthur.

Mr. R. Knight (Port Arthur): Thank you, Mr. Chairman. This debate this evening has revolved on those senior citizens who are cared for in our special homes for elderly citizens. I just wondered if I could dwell for a moment on those elderly citizens, Mr. Chairman, who choose to end out their life in the dignity and independence of their own choosing, namely outside of these institutions. Certainly, those who would like to retard the time that they are entering these institutions at least until age, say 70 to 75.

Mr. Chairman, we are talking about a very elite group of people. I know you are aware of that but I would like to remind the committee, that if we are talking about a person who is 65 we are talking about somebody who was born in 1904, someone who took us through two world wars and a depression, someone who has had to come along and survive through the continually rising increase in the cost of living; people who have had to pay their own doctor and hospital bills; people who have had to educate their own children for the most part, and people who now, in many cases, find themselves without any money left. They are practically wards of society, and yet they still would like to be able to hold on to their little home, or even to rent a home.

I just wonder, Mr. Chairman—I wish I could put this in the way I would like to. Most of the senior citizens I talk to, and I am talking about the ones who do not have money. Persons who do not have money, not because they have squandered it all on themselves, but persons who perhaps have spent their money on the education of their children or on doctor's bills. You see, we are talking about people who are 65 or over, we are talking about people who are not going to be able to, have not been able to and are not going to be able to enjoy all the benefits that we will be able to enjoy when we are their age.

This makes them a very elite group of people. Old age pension? There is very little of that for them because it came along a bit too late for them. The benefits of student loans and university education is no good for them—they had to educate their own children. All of these other costs, Mr. Chairman, I cannot understand why we do not put them in a special group and do more for them.

For example, why could we not match this guaranteed income, perhaps 50 cents to the dollar, or 25 cents to the dollar, or try to accompany the federal programme in assisting these people. I do not think that what they get from the federal government—at least from what they tell me—is sufficient for them to live on, or, in many cases, to even pay their municipal taxes. I do not know how much thought this government is giving or this department has given to something along these lines.

In other words, I want to ask the Minister a couple of things. How much of this estimate is going to elderly citizens outside of the institutions, outside of the homes for senior citizens, outside the chronic hospitals, or outside ordinary hospitals? How much is being done to help these people to prevent the erosion of mind that leads to the erosion of the body, that leads to the filling of our hospitals, our chronic hospitals and our senior citizens homes? Mr. Chairman, I would like to know how much research this department is doing? I would like to know, for example, whether the Minister could tell me in the month of January, this year, how many persons who were born in 1904 or prior to that, who died, forgotten and forlorn, considering themselves an unwanted burden on society? How many men, how many women? How many of those people fought in the first world war? How many fought in the second world war? How many raised children through the years of the depression? How many educated their own children and are now broke because of that?

What I mean to say, Mr. Chairman, is does this Minister have his finger on the conditions, the living conditions of the senior citizens, be it 300,000, 400,000, in this province? Do they know that we are concerned, or do they think that we are just waiting to get them into another bed somewhere?

The people I talk to in that age group love it when you take the time to sit down and talk to them and listen to them. They feel unwanted, and a lot of them do not want to go into these places. They say give me a way to earn an honest living and I will not bother you. What are we doing to help these senior citizens to maintain this quality of spirit, this respectability, Mr. Chairman. I just wonder how much research this department carries on to find out what the collective mental attitude is and how it changes, of our people here in the province of Ontario.

I end on just one note. This is the land of opportunity. Yes, land of opportunity to those who have the youth and the health to take advantage of that opportunity, and anyone who does not fall into that purview, I think

deserves to be assisted to the highest possible point by those who can afford to pay our way in this society.

Hon. Mr. Yaremko: Mr. Chairman, the maintenance programme, with relationship to our senior citizens, is now purely, almost in total, a federal matter because they have progressively taken over. Until this year, I think the class of 1904 was taken over completely. We do have a Minister's advisory committee on geriatrics which is making the study in relationship to the problems of aging because this department not only has the homes for the aged, residential care, but also the office for aging. There is a department within the government and inter-departmental and advisory committee on aging made up of various departments and they consider all the matters related to the problems and plans for the aging. We have within our homes for the aged, we have a very full programme developed through our adjuvants to keep the people occupied and busy and make life interesting for them. We are embarked in expanding our senior citizens centres which are fulfilling a need and I pay tribute to the Oshawa undertaking—along with the hon. member for Oshawa.

The Oshawa undertaking was very large in scope. The local people were very generous with their support and as a result we were able to come up with that kind of a scheme. Actually, we are moving into an era in which the number of lonely, unwanted individuals should be fewer and fewer because more and more the community is extending its hand to those who need all the facilities I referred to and who wish to stay in the community. I think the picture that the hon. member painted is not as bleak as it would appear although, of course, even one person in those circumstances is not very happy but this is a matter in which our office on aging will continuously have under review.

Mr. Knight: Well Mr. Chairman, is the policy of the department to get senior citizens to go into these institutions or to help them stay out of them?

Hon. Mr. Yaremko: No, no. It is to provide the kind of facility necessary for the individual. If he needs care and attention he should properly go into a home for the aged. If he does not need that kind of care we want him to stay in the community because it costs less for a person to live within the community than in a home for the aged. This is why the bill that I introduced today has—we have changed the name of the so-called foster home programme, which has the technical name of special home care programme, to private home care so that people will be technically and legally admitted to a home for the aged, but they will be living within the community subsidized to the same extent as in the home for the aged programme so that they will receive the best of both worlds: the facilities of the home for the aged and living within the community.

Mr. Knight: Well, Mr. Chairman, just one more question. Does the Minister's department subsidize the senior citizens' sunshine clubs or centres, and to what extent?

Hon. Mr. Yaremko: Thirty per cent on capital construction under The Elderly Persons Centres Act.

Mr. Knight: And the condition for that, I suppose, is that this would be done through the municipality; would it be on the endorsement of the municipal government?

Hon. Mr. Yaremko: Yes. It is done hand-in-hand with municipality and private agencies who also participate in the programme.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Chairman.

Mr. Chairman, may I ask of the Minister the average *per diem* cost for individuals in a home for the aged?

Hon. Mr. Yaremko: I know that in charitable institutions we share 80 per cent up to a maximum of eight dollars and that, by and large, takes care of most of the homes across the province. Now, not all; there are some that provide a standard of care that is costlier than that.

Mr. B. Newman: Mr. Chairman, if we assume that eight dollars was the average *per diem* cost, would we be fairly accurate in that?

Hon. Mr. Yaremko: I would think so. Just a quick glance at figures here shows they range from $5.84—I will just read quickly—$5.84, $6.50, $6.15, $7.19, $7.41, $6.99, $4.06, $9.02, $11.66, $9.27, $4.55, $6.25, $6.19, $6.57, $5.70, $4.35. The range is in that area.

An hon. member: Mr. Chairman, where would that be?

Mr. Chairman: The hon. member for Windsor-Walkerville has the floor at this point.

Mr. B. Newman: The average then, Mr. Chairman, would run into approximately seven to eight dollars. Now, Mr. Chairman, the average senior citizen receiving only old-age security with the GIS, gets approximately $109.20 a month or little less than four dollars.

Now here you cannot come along and feed and house the senior citizen for less than approximately eight dollars, and you expect him to live on less than four dollars. Mr. Chairman, I think that the Minister should, under such conditions—those senior citizens who have attempted to get into old age homes or homes for the aged, and were not able, because the waiting list is fairly lengthy, and because these same senior citizens may have the most difficult time paying rentals—your department should be subsidizing them the difference between the $109.20 that they receive for old age security and guaranteed income supplement and the minimum at least, that the department pays for homes for the aged. If you cannot keep them in subsistence for less than that amount, how do you expect them to be able to take care of themselves?

Hon. Mr. Yaremko: Mr. Chairman, the cost in a home is far greater than within the community because of the range of services and the type of care provided and that is why we are going to have an emphasis on private-home care because we hope that the cost in private homes will be considerably less than both the investment necessary for capital costs and maintenance within a home.

An hon. member: How can it be less?

Mr. B. Newman: This is quite all right, Mr. Chairman. I was in conversation with a party back home just yesterday—total income, $151 a month old age security; rent, $125 a month. Now those two people would just as soon be placed in a home for the aged. They have $26 a month on which to live.

It is all right for you to come along and say that they can—that it is quite costly to operate some of these homes, but then the senior citizen finds it extremely costly to rent likewise. So it behooves the Minister, Mr. Chairman, to make up some of these differences. You will say that he can get the $20 extra from the local municipal welfare officer. He can try to get that. But he cannot necessarily get it. There are times when he will get that. However, I will leave that with you for the time, Mr. Chairman, and I imagine someone else would like to get on to that topic.

Back in my own community in 1963, an editorial of the local newspaper said, "Another Provision Required to Care for Aged and Infirm". And it goes on at some length dealing with some of the topics that have been mentioned here; the final paragraph says:

> There is nothing particularly new in this problem. It was discussed a decade ago.

So ten years ago, in 1953, they were still talking about a problem and nothing actually has been done. I know you will come along and lay blame on the municipality for probably not pushing the problem but if you can recall my own municipality in 1956, when the Ford Motor Company decided to move to Oakville we had at one time 14,000 unemployed in the community; and it is good that the federal auto trade pact has been able to lessen and practically diminish the problem that we had then.

But, Mr. Chairman, with a long waiting list for people wishing to get into Huron Lodge, with the Riverview Hospital in the community thinking of being turned into a home for the aged, providing the Minister of Health would assist in the construction of a new facility, a new hospital in the community, we could have the problem in the community solved. But the problem can only be solved if the Minister of Social and Family Services and the Minister of Health get together and assist the community in overcoming the problem of accommodations for the aged.

Now, Mr. Chairman, the Minister made mention earlier this evening of the so-called foster home programme. I think that that may be a partial answer to the thing. One week ago, Wednesday, April 23, a Mr. D. H. Rapelje, the Welland administrator of a home for the aged in his area, made mention that we are not placing enough emphasis on what I term preventive programmes that assist the older person in the community. He makes note that in Britain 4.5 per cent of those over 65 are in institutional care while in Canada, more than 7 per cent are receiving this care. And the higher statistics in Canada do not reflect better care than in Britain because of the extended range of home services the elderly are given, the opportunity to remain in a home much longer than in Canada.

It is about time we extended our thinking to incorporate any type of care, any type of service, any type of programme that assists the older citizen or will provide the necessary

aid so that he can return to his home or remain in his home. He felt that one reason that so many older persons are institutionalized is because they are forced to use the services of the community because of the lack of home care and other built-in services in a community and he strongly recommends the services of a homemaker, meals on wheels, and even the Victorian Order of Nurses services, including any other services that would assist the senior citizen to be able to stay in his own home in his own community. That type of approach that you are introducing now, Mr. Chairman, I think, will be the partial answer to the solution of the problem.

May I ask the Minister at this time if he has provision in his budget for a grant to the Windsor senior citizens centre? I understand it is the first senior citizens day care centre or centre of its kind in the province of Ontario, originally set up in 1962 and successfully operating since then, and it is a type of a centre that really could be said to be a God-send to many senior citizens, a place where they can come and spend profitable hours either in some type of hobby, maybe simply in conversation with one another, engaging in various types of choral groups and miscellaneous other types of activities, so that they can get some pleasures out of life. Approximately what is the grant for this year to that centre, Mr. Chairman?

Hon. Mr. Yaremko: Last week I sent them a cheque for $5,000.

Mr. B. Newman: For $5,000?

Hon. Mr. Yaremko: Yes.

Mr. B. Newman: Has the grant been increased according to the cost of living over the past year or has it remained stationary?

Hon. Mr. Yaremko: It is the same amount, $5,000.

Mr. B. Newman: Well, may I respectfully suggest to the hon. Minister, that any cost of living increase over a year be reflected always in a corresponding increase in grants, because it just costs that much more to operate the centre one year later than it did one year prior?

May I ask of the Minister at this time, why salary increases for supervisory staff at the Sun Parlor Home in Leamington were turned down after the Essex county council made a fairly good and reasonable presentation to the department requesting that they be given salary increases?

Hon. Mr. Yaremko: Those salaries were considerably out of line with the salaries across the province and accordingly were not given.

Mr. B. Newman: They were not in line with other salaries? How did they get to that position in the first place then, Mr. Chairman? They have to be approved by this department.

Hon. Mr. Yaremko: Their initial increase had not been approved and they went ahead and gave another increase without even getting the first approval. They just went ahead on their own.

Mr. B. Newman: Are their salary changes subsidized by the Minister's department to some extent?

Hon. Mr. Yaremko: Yes.

Mr. B. Newman: So the Minister actually did subsidize them in previous years. In spite of the fact that they gave salary increases, you still paid your percentage share of the operational costs?

Hon. Mr. Yaremko: I think in that instance it is the senior salary that is under review, not the other salaries. I think there has been a settlement with respect to those.

Mr. B. Newman: Well, Mr. Chairman, I made mention of salary increases for supervisory staff at the Sun Parlor Home, Leamington. So they are still under review, are they, or have they been turned down?

Hon. Mr. Yaremko: That is still under review. When the member uses the term supervisory I do not know how many that includes. We know of the one senior one.

Mr. Newman: All right!

Mr. Chairman, I will send this over to the Minister and then he can perhaps look it over. It is a communication from the office of the county clerk of the county of Essex, dated February 7, 1969.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister about the estimated costs for capital costs this year in the light of what they were in the last year's estimates. I notice that charitable institutions are down $1.4 million; homes for the aged, the capital costs are down $2.16 million; elderly persons centres down $50,000. I would like to ask the Minister what building, what specific

buildings or what maintenance was cut in order to bring in this new economy?

Hon. Mr. Yaremko: Of course, Mr. Chairman, the maintenance was not cut. For the operation and maintenance of The Charitable Institutions Act, there is an increase of over $1 million and for the homes for the aged and rest homes there is an increase of over $2.25 million, so there is almost a $3.5 million increase in the operation and maintenance funds provided.

With respect to the other, the figures do not reflect that certain institutions have been cut, because it just means that for the future we will have that much less money to spend in this immediate fiscal year.

Mrs. M. Renwick: Mr. Chairman, it was the capital that I was referring to. Is the Minister not using the current figures?

Hon. Mr. Yaremko: Yes, the hon. member is quite right about the capital costs, they are down, as she pointed out. Compared to last year they are down $3.5 million.

Mrs. M. Renwick: Could I ask, Mr. Chairman, what buildings or what maintenance has received this cut in order to make this economy?

Hon. Mr. Yaremko: We have not cut anything. The hon. member is using capital and then she is using the word maintenance. Maintenance is a separate item. In operation and maintenance for the two types of institutions we have provided an additional $3.5 million over last year with respect to maintenance. With respect to capital, we will spend $3.5 million less in the immediate year, but that does not mean that we cut out homes.

We have not started to approve all the homes for the money we have available. They will be approved during the course of the year, to provide a cash flow, as I referred to earlier.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister also what the criterion was in deciding which homes for the aged would go ahead, in choosing the three homes that are going ahead? What established that they would be the three homes to go ahead, other than the other homes?

Hon. Mr. Yaremko: It is a combination of the progress that the homes-for-the-aged planning has made together with the needs of the community. On the question of the John Noble Home, they actually went ahead and stepped on that shovel and began to lay bricks. Upon a review of the file, I came to the conclusion—I gave them the benefit of the doubt—they had *bone fide* proceeded with the construction.

Accordingly when I was able to begin making approvals, that was one of the first to get the approval. With the Welland and the Dorchester, the delegation attended upon me and provided me with statistics relating to the waiting lists and the urgency of the matter. The fact that other facilities within the area were not available, to the degree that some had been closed up so that any slack that would have been taken up by the new addition had been set aside by the fact that other facilities within the community had been closed. Therefore the urgency of their needs became greater.

The other home had been in the planning stage for a considerable period, back and forth, and I was involved in this planning right from the beginning. These are the criteria we are using. As I say, it is my hope that the funds made available this year and funds which I trust will be made available next year, will continue the stream as it has been in the past, perhaps not at an increasing accelerated rate, but at least at a very reasonable rate.

Mrs. M. Renwick: Of course, Mr. Chairman, the Minister knows that in the Welland situation the rest homes were closed on The Department of Health's orders. The people in the Welland thought they had their foot on the shovel too, like that other home for the aged the Minister was speaking about. Only they found that someone had taken away the opportunity to use the shovel.

I would like to say to the Minister that surely, in his reply to the member for Port Arthur, all the elderly people were now being cared for under The Federal Assistance Act. This somehow writes off the problem of those people. The problems of those people are something that this Minister has to deal with as long as they live in this province, even if they are provided with an amount of money each month federally. And I think I would like to ask the Minister, has he done any research or has any thought been given to meals-on-wheels to assist the elderly to stay in their homes in these years where there is really a lack of incentive to prepare food for oneself and so on. We talked about this on the last estimate. Has the Minister been able to take any interest in that programme at all?

Hon. Mr. Yaremko: Mr. Chairman, one of the things that we are going to have to do in this department, I propose to let the people of this province know of the programmes we have because we are moving ahead with varied programmes. I have in my hand a bulletin prepared in November, 1968, "Guide on Foster Homes for the Aged—Special Home Care."

Now as I reiterated, it is not necessary for a person to be admitted to a home for the aged to have the advantages of actually residing in a home for the aged. That—

Mr. B. Newman: With the $4 a day allowance too?

Hon. Mr. Yaremko: Yes. The person can be in a private home care and we will subsidize the costs in the same extent, to the same degree as if the person were actually in the home for the aged. We save money because of the fact that we do not have to spend the money on the capital costs involved, which of course is not shareable under the present programme of the federal government. I am going to see to it that every hon. member gets a copy of this and any other material as we produce it. The member for Windsor was referring to Mr. Rapelje from Welland who has been a great exponent of this and who really set the pattern in this field. We have consulted with him and with others in developing this programme. We are bringing to the attention of administrators across the province the value of this.

Mr. Newman: That is a baby bonus in reverse.

Mrs. M. Renwick: I would also like to ask the Minister, Mr. Chairman, his view on an item in the petition to the Minister in March from the Association of Mayors and Reeves on the matter of welfare services. The Minister's view on the paragraph where the brief points out that the present subsidies towards construction costs of rest homes amount to only 50 per cent while capital grants to hospitals are approximately 66 per cent. Has the Minister given any thought or time to work out the same sort of assistance for rest homes as there is provided by this province for hospital beds?

Hon. Mr. Yaremko: The matter of capital costs is under review by our department. To make a comparison of the subsidization of expensive hospital facilities with rest homes is not really quite proper. We are hoping to develop some methods whereby the capital costs will be reduced so that even if the sharing is not increased, less money would have to be used at both levels.

Mrs. M. Renwick: And, Mr. Chairman, under the movement of the department to move into the private home care for the elderly are there in fact any homes operating in this way municipally now? Private home care for the elderly?

Hon. Mr. Yaremko: Yes, there are a number in municipalities which developed this programme.

Mrs. M. Renwick: Could I ask the Minister how many there are? How many there are in Metro Toronto? What criteria is set out for the requirements of that type of residence? Is it covered under the Act?

Hon. Mr. Yaremko: The regulations under the Home for the Aged Act deal with it and the Act I introduced today. All it does is change the name of special home care, which was known as foster home care, to private home care which I think will have an attractiveness to both those giving the care and those receiving the care. I have an idea that some elderly people do not like the words foster care, it seems to be appropriate to children but not so for senior citizens.

We are, though, going to be laying a great deal of emphasis on the development of this programme in the immediate period.

Mr. Chairman: The hon. member for Durham was on his feet first.

Mr. A. Carruthers (Durham): Mr. Chairman, I realize the hour is getting late and I do not wish to prolong this debate. But I do feel that I, as former chairman of the committee on aging, should say a word in support of the department and the Minister, particularly to him, for the Office of Aging.

There has been considerable criticism, Mr. Chairman, tonight of the home for the aged programme, but may I say to you, sir, that I as a member of that committee visited homes for the aged throughout this province and in various jurisdictions across the North American continent; we can be very proud of our homes for the aged programme in this province of Ontario.

I do not know what the situation is in Oshawa or Sudbury but I do know a great deal of responsibility rests with the municipalities. Many times during our visits I hope, and I think we did, light a bonfire under municipal officials to do something about the situation that existed in respect to the local home for the aged.

I do wish to congratulate the Minister on the work that is being done. I believe there are about four municipal homes for the aged that we visited that we considered to be obsolete—

Mr. Pilkey: All you have to do is light a bonfire under that Minister.

Mr. Carruthers: And you want to light a bonfire under the municipal officials—

Mr. Pilkey: They agree. He is the hold-up. He is the guy.

Mr. Carruthers: Well I do not know what the hold-up is, but I know that a great deal of responsibility rests there. So often we found that there is a lack of interest in the welfare of our senior citizens—

Mrs. M. Renwick: Lack of money at the municipal level is the problem.

Mr. Carruthers: Lack of money at the federal level too. On so many occasions we found so much being done for the youth of the community. I can recall one community, Mr. Chairman—and the member for Port Arthur would be interested in this I am sure—they had built a brand new swimming pool, a beautiful swimming pool, for the younger generation in that community, and they allowed the senior citizens for their recreation centre an old abandoned CNR freight building down by the docks.

Mr. Lewis: Typical of this government.

Mr. Carruthers: Typical of the community, typical of society as a whole today as it applies to our senior citizens. And it is about time we gave a little more consideration because you and I and everyone of us will reach that age where we are going to look for assistance as well.

Mr. Lewis: This is special pleading night.

Mr. Carruthers: Mr. Chairman, I was pleased to learn today of the programme for private home care. I do not speak in this House very often. On so many occasions, on visiting private homes for private care, the elderly people in those homes said never let me be taken out of here, these people are so kind and so good to us. These are ideal facilities for the care of senior citizens and I would urge the Minister to promote this programme to a great extent.

I realize that there is a lack of initiative on the part of municipalities and it appears they are opposed to expanding the homes for the aged programme.

Mrs. M. Renwick: Or nursery schools.

Mr. Carruthers: Well, I am particularly interested in the senior citizens at this moment, but basically it is a question of economics. I can think of two individuals today. A gentleman phoned me last night, this man and wife have been getting along very nicely on an income of around $5,000, now after she has been in the hospital for over a year, she is forced into a nursing home and they are becoming desperate as far as maintaining that home is concerned.

There is a real economic problem and perhaps we share that responsibility in this House. Society shares that responsibility and certainly the federal administration ought to be ashamed of themselves, the attitude they take towards our senior citizens and the pittance they give to our elderly people.

Mrs. M. Renwick: You had better check your own government's allowances. They give less under general welfare and family benefits.

Mr. Carruthers: I say we share a responsibility but certainly, from the old age pension point of view, the responsibility lies with society as a whole.

An hon. member: Both wrong!

Mr. Carruthers: That is right!

But there is one facet of the senior citizen programme, Mr. Chairman, that I am particularly interested in. I realize a great deal of work has been done at the Western Hospital and a great deal of work has been by Dr. Riddle, Dr. Stewart, and Dr. Charles Harris in respect to geriatric centres.

Last year I understood that the Rotary Club of Toronto was very interested in establishing a geriatric centre and they were willing, I think, to provide a considerable sum of money to further that programme. I am wondering whether any further action has been taken in that respect because I believe this is one of the most important features or one of the most important facilities that we must provide in the days ahead for our senior citizens. Geriatric centres must be provided where they can get physical examinations and be treated for minor ailments. It is a place where a great deal of research could be carried on.

Certainly through our office of aging, there has been a great deal of work done in this respect. I give a great deal of credit to the Director of that branch of the Minister's department. But has there been any further

action taken with respect to a geriatric centre in the city of Toronto??

Hon. Mr. Yaremko: Actually, no; no definite action. Some time ago this Rotary club proposal was discussed in a general way, I think in conjunction with the continued use of Lachlen Lodge. I do not think that that has gone ahead. The geriatric centre, of course, is down in the Lambert Lodge. It is to hoped that when Lambert Lodge some day gets a new lease on life that the geriatric centre might go along with it. I know that they—

Mr. Lewis: It depends on the board members.

Hon. Mr. Yaremko: They are doing a great job under a rather difficult situation. I have been there on a number of occasions and I have seen the very worthwhile work that they are doing under handicap. I certainly am taking a personal interest in that. I think there has been an interest taken by the Hamilton area in conjunction with the development of a geriatric programme and we look to an expansion of this programme in the years ahead. But, as to the exact form of direction I cannot say at this time.

Mr. Chairman: The hon. member for Prince Edward-Lennox.

Mr. N. Whitney (Prince Edward-Lennox): Mr. Chairman, I appreciate this opportunity to speak on this very important subject and I agree in great measure with what the hon. member for Durham has stated. It was my privilege to also serve on the select committee on aging and I do feel that this committee did learn a great deal and that the report that was submitted reflects very much of what they learned.

I do feel however, on the other hand, that a great deal of the assistance that is available to senior citizens is in a great many cases, unknown to them.

I refer for instance, to the municipal tax assistance. It is available to them under certain conditions and a lot of senior citizens do not seem to be aware of this. Because old age security cheques come from an office of the federal government in Toronto, I repeatedly get questions and letters from people who think that because the letter they received in which notice is given that the supplementary assistance is cut off or reduced, that it is the Ontario government that is operating old age security.

The thought in my mind, is this: perhaps The Department of Social and Family Services could have a certain official in each district, who might through local newspaper announcements and different things, make a social call on those people who have celebrated 50th or 60th wedding anniversaries, their 90th birthdays or something of that kind. He could talk to them, gain their confidence and advise them of anything pertinent in our legislation, either federal or provincial. It might be helpful to them and I think that that might be a great service because as I have said, I do believe that many of our people are unaware of the services that are presently available to them.

It is really quite difficult to get that point across. Now I know that we, as members, try to be as helpful as we can. But every now and then, a specific case comes to us that we would have been able to help maybe a month before had we known about it. We were not advised and did not know.

I think that that is one of the difficulties: that there is not that communication. Sometimes these people might be deceived by salesmen or something of that kind happens needlessly. If we had good public relations officers that could see and talk to these people and gain their confidence, it would be of great help in what might be done in the future.

Mr. Chairman: The hon. member for Humber.

Mr. Ben: Well, Mr. Chairman, I rise again to speak under this section because of mention that the Minister made of Lambert Lodge. Lambert Lodge was in the riding that I represented before redistribution. I recall the night that I was elected in the by-election, I was asked what was the first thing I hoped to accomplish now that I was elected as the provincial member. I said: Do away with Lambert Lodge.

Lambert Lodge is located now in the hon. Minister's riding and this makes it very important because he now is in a position to do something for his riding, if he expresses an interest in so doing.

Lambert Lodge originally, if my memory serves me correctly, was a cash register factory. I think it belonged to the National Cash Register Company some time before the first world war—or was it a peanut factory? It was a factory anyway. At any rate sometime during or after World War I, it was turned into a veterans' hospital by The Department of Veterans' Affairs or whatever the department may have been called at that time. Subsequently, it was found to be antiquated for that purpose and Sunnybrook

Hospital was built and the military hospital —Christie Street Military Hospital as it was then called—was turned over to the city of Toronto.

It was supposed to be a home for the aged for a very short time but it has remained there since World War II. It was antiquated 50 years ago; it was antiquated 25 years ago; it was antiquated 10 years ago—but it is still there. I guess this hon. Minister wants to have the distinction of having in his riding an old-aged home which is older than Laughlen Lodge. I would like to see him live that long, because I like him, but I sure would not want to have that place remaining there that long.

I remember I was criticized for making that statement because some of the dear souls there were frightened that they would be evicted and sent out to what then was the boondocks—out on Kipling, or out in Scarborough—where they were constructing homes at that time. I had to go there and allay their fears and tell them I was interested in replacing Lambert Lodge with a modern, up-to-date community downtown because I firmly believe that the senior citizens should spend their declining years in the community in which they grew up, the community to which they contributed their efforts for 60, 70 or 80 years, God bless them. But Lambert Lodge is still there and I have a sneaking suspicion it is going to remain there, although just quite recently, I think this year or last, a Doctor Rosen, I believe, said he has set himself a goal to get rid of Lambert Lodge because it is old and antiquated.

Just a block up we have Hilltop Acres. At least we have some acres around the Hilltop, we have grass. There are a lot of portables that have been housing the senior citizens, and have been housing them there as long as I can remember, 10 or 15 years, ever since it was taken over.

It was also a military hospital, by the way, not a hospital in a true sense, it was a Red Chevron hospital, I think, for veterans. It seems that all this government is providing for senior citizens is military cast-offs. Anyway, at least there they have some acreage, they have green grass. At Lambert Lodge there are factories to the one side and railway tracks on another, big smoking chimneys on another, I think they have got—well, to the north of it I must say they are not surrounded by factories, there are some residential areas to the north, but on three sides they are surrounded by factories.

Inside the dormitories are so set up that they try to get the light coming in through the windows. This necessitates making use of the space in the centre so it is used for recreation areas and does not have any natural light. I do not know what you would call them—foyers, they are not foyers in the true sense of the word—I guess they are just surplus space they could not rearrange so they put a television set in there and a few chairs and there these people sit in semidarkness because, as I said, there is no natural light.

Is this the kind of treatment we give to our senior citizens? Look, Mr. Chairman, if this Minister is as concerned about our elderly as he claims to be, if his government is God's gift to elderly people as he claims that it is, why not give consideration to really doing something for our senior citizens?

Mr. Chairman, out in Mimico we have the old railroad yards, a considerable acreage there, 500 or 600 acres. Take that land and build a real senior citizens' community. It could consist of low rise and some high rise apartments. It could consist of a lot of cottages, maisonettes, or town houses—whatever you call them these days—with one or two bedrooms, even bed-sitting rooms. Then a lot of the senior citizens who are presently occupying two- or three- or four-bedroom houses would be able to move into this community and have a little cottage if they so choose—a bedroom, a living room and a sitting room would be fine for them.

They would then be able to vacate these houses which they occupy, one senior citizen or two senior citizens taking two or three bedrooms, and make these available for the housing, of people with families with children. The elderly people could elect to either live in a cottage if that is what they please, or they could elect to live in an apartment. If they lived in a cottage they could prepare their own meals but would not have to prepare them all the time. There could be a large central dining room, and if they so wished they could simply, by calling up the dining room by 10 o'clock in the morning, or two or three hours before a mealtime, dine in that dining room. They could have their lunch there or they could have their dinner, or they could have their breakfast, but if they wanted to prepare their own meals in their own little cottage they could do so.

You could have chip and putt courses for them, you could have walkways with flowers; fantastic things you could do for our senior citizens. But you have to have the will and the desire to do it. Do not cry here that you

cannot raise the money—do you know that the Minister sitting on the end there, the Minister of Trade and Development (Mr. Randall), do you know that in the first year under this equalization of industrial opportunity programme he gave away $10 million to big, million-dollar corporations that have fantastic earnings? He gave away $10 million.

Mr. G. Bukator (Niagara Falls): Yes, he said he gave away $10 million.

Mr. Ben: In one year. Now, can you not give some consideration to doing something for these people? Something to show that they are still human beings, that they are not like the Eskimos used to be, as soon as a person reached a certain age and he could not contribute to the community, he was put on an ice flow and shoved off into the Arctic.

Mr. Lewis: You are not serious.

Mr. Ben: That is what they did. It is about the only thing we cannot blame on this government.

Hon. Mr. Grossman: Try harder!

Mr. Ben: They deserve something more. Just think of the number of homes that you could make available to families with young children if you set up such a complex there. I understand there is some talk about trying to utilize some of the land at the Lakeshore Psychiatric Hospital, but you have all this acreage where the railroad yards are; you have the surplus land around the Mimico reformatory that was discussed here earlier and which the Minister of Correctional Services has declared surplus.

Why do we not create such a community? You are not doing anything for these people by sending them out to Kipling Acres, beautiful as that place is as a residential area. They want to live downtown. This is what this report on Laughlen Lodge stated. They want to be where the facilities are.

Let us see how much concern you have. Let us hear an announcement this week or this month that you are going to do something of that nature. At least have the decency and the consideration to replace Lambert Lodge with something deserving of the people that are in it. Just show some consideration for the people in your own riding.

Hon. M. Yaremko: Mr. Chairman, it is a good thing the hon. member made that speech. If I had made that speech somebody might have thought I was playing favourites in turning my eye to one particular area. I may say that the kind of vision that the hon. member has seen does not necessarily entail a move out to Mimico. In fact, I am almost sure that just as the people at Laughlen Lodge want to be where the action is, if they cannot be that close to the action or as close as Belmont Home, they like the location of Lambert.

And the smokestacks and the railways have nothing to do with the site, because 100 yards away from the site of Lambert Lodge there is a proposal for three high-rise luxury apartments. So, if it is good enough for somebody to contemplate developing three luxury-type high-rise apartments, I can assure you that the residents also know a good site when they see one. In fact, I have examined it in length and breadth. I know that a building could go up in one corner. When that is built the other building can go down. There could be landscaping. I have seen drawing plans for the last two years in my mind's eye.

I want to pay tribute to the administrators of the past, and the present administrators of the home. I know the shortcomings of the home and they have been pointed out from time to time by various people. There are administrators there who have used their imagination and I invite the hon. member if he wants to see how the light of day is being let into Lambert Lodge he could go down there and see how at this very moment one wall is being ripped out and the light is flowing in. And between the light of the sun and the colour schemes on the wall the administration is proving that brick does not have to be brand new in order to create an environment. I may say this, that the happiness on the faces of the men and women in that home is something to behold. It is a delight to leave the difficult atmosphere of downtown and walk through the corridors.

Mr. Lewis: What do you think about the happiness on the faces of those on the waiting list?

Hon. Mr. Yaremko: I just want to say that the residents in that home are very contented; you can walk down the corridors and it is very cheerful. I see more happy faces within the four walls of Lambert Lodge than I do sometimes within this House.

Mr. Ben: Mr. Chairman, when I spoke with those persons in Lambert Lodge they were fearful of being moved from the downtown area.

Hon. Mr. Yaremko: We would not want to do that.

Mr. Ben: I pointed that out. As a matter of fact my first suggestion when I was elected here was that the land occupied by the Canadian Carbon Company – where these high-rises are now going—be expropriated and used for the erection of a replacement of Lambert Lodge. In other words, I was trying to keep the people in the area where they grew up.

I am not for one minute suggesting that you move these people to Mimico. I am saying that you used Mimico as a pilot project to create this kind of an area, because I also said that you get people moving out of homes where there are two or three bedrooms occupied by one or two people to move into this new project. Obviously, people in Lambert Lodge are not going to be vacating homes that have two or three bedrooms. It is a pity that the hour is getting late, for the hon. Minister of Correctional Services cannot hear that well—neither can the Minister of Social and Family Services.

Hon. Mr. Grossman: I can hear you!

Mr. Ben: But as I say, the first time I brought up this suggestion, I suggested you expropriate the land where the high-rises are now going up. You could have had that land, and you could have been using it for a new Lambert Lodge. I only pray, Mr. Chairman, the Minister will at least replace that wall he knocked down with something to keep the elements out.

Mr. Lewis: Well prayers will not do it.

Mr. Ben: I also wish—

Mr. Nixon: You need a little faith.

Mr. Ben: I am appreciative that the Minister is always, as he put it, drawing plans in his mind's eye. I think the members of the Opposition would sleep much better if he at least gave the assurances that he is now starting to draw plans on paper, and not just in his mind's eye.

Mr. Chairman: The hon. member for Niagara Falls.

Mr. Bukator: Mr. Chairman, I would like to get involved here. My name was mentioned earlier in the night by my leader.

Hon. S. J. Randall (Minister of Trade and Development): What was the name again?

Mr. Bukator: You are a pretty keen old man.

An hon. member: Lambert Lodge for you!

Mr. Bukator: Why do you not go to Japan? I think they need you there. How many millions of the province's money are you going to spend in Japan that could provide houses.

Mr. D. C. MacDonald (York South): Enough for ten senior citizens' homes.

Mr. Bukator: That is right. That would take care of a few problems if the Minister had it. Maybe you can persuade him to give you a few more millions, because it is badly needed.

I wanted to get involved because I feel that I have some information that this House ought to have.

I was invited to attend a meeting with Douglas Rapelje of Sunset Haven in Welland back in October, and they had a brief made up. They drove me over—at least I went over with them and they submitted this brief to this hon. Minister, dated October 21. But I believe it was the 22nd that they attended.

The chairman of that committee is Arthur J. Mackinley, who happens to be working with me in my office, in my business, but he is also the chairman of the Welland county system, and I might say doing a good job, more so for the Sunset Haven than he is doing for my office. The man is interested in his work and doing a good job. I thought maybe he might go out tomorrow and sell a house for me when he heard what I said about him.

On October 29 I found that this was an interesting subject and someone should get on to the job. I called Doug Rapelje and asked him for the correspondence he had had with the government up to that date. He sent me photostatic copies of the correspondence with Mr. Drew of the Minister's department. He informed me that there were many waiting to get into these homes.

That was on October 29, and we came into the House a short while after that. Frank Miller, the mayor of Niagara Falls, took an interest, and I worked very closely with the hon. member for Welland (Mr. Morningstar). I am sorry he is not here this evening, but I worked very closely with him because we are former county councillors, and we work well together. I took the matter up with him and the next thing that I heard about Dorchester Manor was that it was turned down. It was in *Hansard* No. 36, page 1243.

The member for Hamilton East asked a question of this Minister, and I was quite pleased that I was getting some help with the problems in my riding. The question was: "Why was the decision made to cease construction of the home for the aged, Dorchester Manor, in Niagara Falls?" The Minister was prepared with his answer, and among other things he did say that Dorchester Manor is a proposed rest home, not a home for the aged. And he went on to say: "I might add that the county of Welland will open on February 28, a 90-bed rest home in Port Colborne."

Your department, Mr. Minister, was good enough to invite me to this opening. Mr. Crawford represented the Minister there that day. I was asked to thank the gentleman. I did not. I got involved in a political discussion with a group of people. This is always my problem. When there are a few people around I want to make a political speech. So I took the opportunity to tell the member from Welland of the figure that he quoted, $1.8 million from this province, to assist in building the homes. I took it on myself to say that while I was to thank the gentleman who spoke, I might say that if $1.8 million was given by the province, I knew another $1.8 million came from the people sitting in that audience.

And since $1.8 million came from the people anyhow, I suppose most of it was paid by them, so we in government, we in authority in these conditions, handle the money of the public and we give them some back. I think that in the process some of that money is expenses, and they do not get value for their dollar in every case. But in this particular instance, in this fine home, I thought it was a good contribution to the system in Welland county.

I was there when the original home was taken apart, so to speak. Mrs. Canning was the administrator at that time, and it was a home for the aged. It was an old folks' home and, I might say, a deplorable place for any old person to live in. She would come down the corridors and if the elderly people were out in the hall, she would clap her hands and they would head for their rooms because she handled them as though they were small children or animals.

The administration there was terrible.

So, being in the county council at that time, I, my colleagues and the member for Welland before he came to this Legislature, decided to sell off portions of that home farm to build an addition. We made $155,000 from the home farm, and this province matched it dollar for dollar. That was the first addition towards a better type of living for the people who had made a good contribution to this province. They have taken a few steps just a few years before us, to make it better for the ones who came after them. I say that every citizen in these homes has made a good contribution to us and for us and for this we are indebted to them. We are not giving them anything, they are getting only what they are entitled to.

When this was opened, I was pleased, but I too said that since Mr. Crawford at that time mentioned that you had meals on wheels, it would be easy to buy some of the motels that are sitting vacant, and your units with meals on wheels be delivered to them in the motel units. I find no problem, and immediately, Mr. Chairman, providing more homes for the aged through that particular facility that you have now, close to some of the new homes, something would be better than nothing for many of our citizens. So, I have stayed close with this particular project because I have found that by dealing with the Minister or his department heads, or the people in the municipality, this is our job as politicians and I see no reason why one should walk about with a reporter, saying to the reporter: "Look at what I have tried to do", or "look at what I have done".

Having said that to you, the work went on by many of the citizens in Niagara Falls and many of the citizens throughout the province. I might say for this question that was asked of you, whether it came from the NDP or anybody else—and I do not know why they are so interested in my riding—there is not a man or a woman in this House who has not sufficient problems to take care of in their own back yard without bothering the people in my riding. If I am not doing the job, then I think maybe they have something to do. But in the meantime, I want to relate to you through history, through the facts as I have them, that this particular problem as I saw it was well handled by the citizens and I thought by the government until you very firmly said "no, the money is not here", at that time, October 21 or 22.

Following up on that, this home in Port Colborne was opened and I was looking for the unit in Dorchester Manor. Let me tell you, nearly every voter in that city, as they met me, said: "Why not Dorchester Manor?" I said, "The time will come, I hope, and I hope soon." Because they had me, naturally, over a barrel.

"What is our member doing for us?" This is what someone said.

Interjections by hon. members.

Mr. Bukator: I say to you, that if some of our vocal friends to the left would keep their "bazoom" shut and do their work as they ought to, the work of this province would continue and get on a lot better than it does today and people would be better served.

Mr. MacDonald: Mr. Chairman, on a point of privilege for a moment, the member has made an interjection at this point which prompts me to reply to an earlier question as to why we stuck our noses into it." We stuck our nose into it because the promoters of the lodge came to see us in Toronto and I will leave the hon. member to contemplate why they did that.

Mr. Bukator: That was an excellent contribution, that was one of his better ones.

Mr. Nixon: That was another gratuitous insult.

Mr. MacDonald: It was not.

Mr. J. E. Stokes (Thunder Bay): It was a point very well taken.

Mr. Nixon: Not a point of order.

Mr. Lewis: A point of personal privilege.

Mr. Nixon: Oh, nuts! A point of brass politics.

Interjections by hon. members.

Mr. Bukator: Listen who is talking now, if you will; the professional, he thinks. He thinks he is getting you off the track, but I have all night and I am going to tell you exactly what happened down in Niagara Falls.

Mr. Nixon: The bare facts.

Mr. MacDonald: The member is obviously very disturbed.

Mr. Bukator: Disturbed? I am very pleased; we have our home. I say to the hon. member, that does not disturb me.

Interjections by hon. members.

An hon. member: They are excited over there.

Mr. Bukator: I tell you they are enjoying themselves, let them have their fun.

Mr. Stokes: The member does not appreciate our assistance.

Mr. Bukator: Any time I want some help, I will not be asking you for it. That is, if I want results.

Mr. Pilkey: But the people of the riding might.

Mr. Bukator: They do not indicate that when they vote at the elections.

Mr. Lewis: Your decades are numbered.

Mr. Bukator: A very interested citizen in our riding—and I like to give credit where credit is due—her name is A. Gertrude Doherty. She took this very seriously, she talked to many people. The president presented a resolution to the city council. They took it up through their church, a fine organization too; the president of that particular group, the Rachel unit of the Southminster Centennial United Church women was Frances L. Green; the secretary, the chairman of the visiting committee, was this Mrs. Doherty of whom I spoke. I have before me another letter from St. Paul's United Church in Chippawa, from a very good friend of mine, Reverend John Kitchen. He did write to the Minister and that was on January 26. The one previous to that, was from the women from the Southminster Church of January 25. Reverend Kitchen and I spoke about this and the hon. Minister replied to his letter and said that he was well informed of what is taking place and he would like to—it says:

> Dear Mr. Kitchen:
>
> I wish to thank you for your letter of January 26.

And then he says in the last paragraph:

> You may be assured that your member for that area, Mr. George Bukator, MPP and Mr. Ellis Morningstar, MPP have maintained acts of representation on behalf of the citizens of Welland County and that I have been in touch with the committee of management in Welland county for the aged and rest home and the council of the city of Niagara Falls.

The Minister replied on several occasions to people who have written to him in the same manner. Reverend Michael M. Mandich, the gentleman from the same church, whom I did not meet until just within the last week, a fine young man. I had a chat with him only within the week. I see the Minister has replied to him in the same way, stating that

he had been in touch. I might say on behalf of those who are here to hear it, I do not know how often I have spoken to this Minister about this very matter, telling him our problems, asking him what can be done, and I do find that he is not hard to talk to.

I have another letter here written to Ray Wilson, the secretary of the Niagara Falls and District Labour Council. Ray Wilson ran for the NDP, a fine young man. He is with the Niagara Falls and District Labour Council. He wrote the Minister and sent me a copy of the letter, spoke to me about this particular problem, and I naturally have a similar letter in reply to him from the Minister.

What I am trying to establish here is that we have kept on this thing constantly from October 21 or 22. I found out from some people in this House that they can read letters for hours and I thought I might take a few minutes and put some of the facts on the record, because these are exactly that.

I have an editorial here from the *Review* entitled "Still the Old Folks Wait." Well they will be happy that they will not have to wait much longer.

I have another letter from the Southminster United Church and copies were sent on to the Prime Minister, the hon. member for York South, the hon. member for Welland, the hon. member for St. Catharines, the hon. leader of the Opposition and myself, the Provincial Secretary (Mr. Welch) and member for Welland South (Mr. Haggerty).

You people visit there once in a while and I suppose they remembered your names. Mr. Hollywood, the manager of the chamber of commerce, took it upon himself to write an exceptionally good letter, I thought, to the Minister and I have a copy of that.

My friends I have listened to so many letters and so many words from that side of the House that this is only a small sample.

Mr. Hollywood got the same courteous letter from this Minister, and I find through this particular file that one of the people who was so involved decided to, according to this, join the New Democratic Party because they were not getting results from you; not me, I was just a member of the Opposition. You cannot pick on a member of the Opposition because I can be critical of you, bawl the devil out of them and still be right with my people.

Mr. E. A. Winkler (Grey South): And irresponsible!

Mr. Bukator: Is that right; is that right?

Mr. Winkler: Yes.

Mr. Bukator: Well let me tell you something—I can tell you something about you but I will do that in the hall, in the gutter where you are accustomed to doing it. You perform better there.

Mr. Winkler: That is your duty my friend.

Mr. Bukator: Some people have been privileged to come into this House and I think they should have some respect and some dignity. And there are some who have forgotten that particular policy.

Mr. MacDonald: Sermon number five.

Mr. Bukator: How do you like it? Was that not a good one?

Mr. MacDonald: I am enjoying it.

Mr. Bukator: I have listened to you for ten years, my friend, and your contributions are not that great.

Mr. MacDonald: Somebody put vinegar in your coffee at supper tonight.

Mr. Bukator: Last week I met the Minister. He said that he had some information and he would like to talk with the committee. He made the arrangements. I was privileged to be there Monday at 11:15; at 11:30 we were in this Minister's office —

Mr. J. W. Snow (Halton East): I thought you went to church on Sunday at 11 o'clock?

Mr. Bukator: At 11:30 we were in this Minister's office and when we left I can assure you, Mr. Chairman, that I was not too much encouraged with what the Minister had to say. As a matter of fact our local people did not seem to give us too much of a chance to get what we were looking for.

But I want to say that my leader did not know that, as of last night. Unofficially I heard that the chairman of that committee was getting a letter and within the month he would get his approval and within this year they would build that house. Now, if that is going to be accomplished, I need not say any more except that I think, if the people of Niagara Falls get this, the representatives of that area have made a small contribution to bringing that about.

Mr. D. M. Deacon (York Centre): Mr. Chairman, the member for Durham made some comments about lack of interest in some municipalities about aging people. But in the

county of York I know they have been endeavouring to get a new county home for the aged. In the village, now town of Markham, there is one which has been negotiating with the department for some time. In the village of Unionville, a police village, there is also one; and I would appreciate learning from the Minister the status of these three projects.

Hon. Mr. Yaremko: Actually, Mr. Chairman, we are very keenly aware of the situation in York county and very sympathetic to the problem there. I am very much aware of the names. Under the circumstances of the past affluent years and the direction of consederable sums of money in this field, I imagine we would have proceeded with all three. Now that we are in this phasing stage we have been communicating with all groups. We have brought them together. This is one of the areas in which the area's needs will be determined and the methods by which they would be met.

To show the kind of thinking that can evolve from a situation which may be a problem, I think it was one of those associated with one of the private projects that put out the idea that somehow a charitable organization should get together with York county at the municipal level to try and work something out. This was a very interesting proposal and I think that we will be pursuing this aspect. I assure the hon. member that we are very much aware of the present needs of York county in relationship to the needs throughout the province and we will endeavour to meet their requirements as quickly as we can. But I cannot, at this stage, say which of the projects will receive an immediate go-ahead.

Mr. Deacon: Mr. Chairman, the project in Newmarket—I listened on the homes for the aged—York Manor, but I am not fully informed of the situation there, it is in the riding of another member of this Legislature. But I am quite well informed with regard to the two projects in Markham and Unionville. In the case of the home in Markham, it has been in the past, and still is, a nursing home which they have converted to a charitable institution; they have incorporated under The Charitable Institutions Act so that it can build a new home for the aged. The problem that it faces there is that The Department of Health under which the home is now operating, has set out standards of accommodation which cannot be met in the present building. It had been a private home, as I mentioned; it was recently converted to a public charitable institution. But for them to continue an operation for the people now receiving care there, they must have new accommodation or be put out in the street or be forced to find other accommodation by a deadline which The Department of Health has given to them. This is causing great anxiety and concern on the part of the residents and that is one project that I would feel that the Minister should give a decision to very quickly or make arrangements with The Department of Health that they do not enforce the regulations they have been endeavouring to enforce until the new home can be built.

I would appreciate the Minister's view on that particular situation and how we can alleviate the concern of the residents of Markham.

Hon. Mr. Yaremko: First, it is the responsibility of the Minister of Health to see that the requirements of his regulations are carried out. He and I have had discussions along these lines and he is sympathetic to my problem and I am sympathetic to his problem because he does owe a duty to the residents in the event that some very unhappy situation might arise because of the lack of standards being met.

As I say, within the York county area, though there is an overlap between the member for York North and the hon. member who was just speaking. We are trying to evolve a plan to meet the needs of the people on an area basis. During this period of time, I do not think that everybody can hope to operate their own show or have their own idea take precedence if some scheme can be worked out. I say to the hon. members that York Manor, Unionville and Markhaven are part of a package deal and that I am trying to arrive at some satisfactory solution.

Mr. Deacon: Sir, may I remind the hon. Minister that the York Manor and Markhaven are some 35 miles apart and they are serving really quite a different area. Markhaven is already serving a large number of patients and it is a matter of future accommodation for those patients. They have a problem with regards to options on lands, things like that, faced by them as well. They thought they had a firm commitment from the Minister last spring and then when they tried to get with it, it was found that they did not have one and they have been stalled since and quite concerned. Of course, many of the residents of the area and their relatives have been pressing me—and pressing the Minister, I am sure—for an answer for many months

and it is difficult for them to understand why no definite answer has been given prior to now.

I think it was in December, no it was in November, when the Minister indicated that he would have an answer by the end of December; and the time has been deferred and deferred, and I am sure he can see that he is not giving them satisfaction in alleviating their concern.

The situation with regard to Unionville is even more desperate in that the Minister gave his indication in a letter in February, that when they put in their detailed plan it would have his approval; and he indicated to them that they should proceed. They proceeded to purchase the land; they have undertaken obligations with regard to that; they then proceeded with the architects and some expediture of $66,000 in fees; they have a mortgage on the land—they paid $20,000 approximately on the land; they have a mortgage for sixty odd thousand dollars facing them. They have payments on that mortgage to meet.

I understand they now have a suit from the architect for his fees of some $67,000. They have raised, through participation of citizens, some $20,000 in walks. One of the walks, "Walk of Ages", which they held last year, involved some 700 local community people and raised over $20,000. One of the men participating and completing the walk was an 80-year-old gentleman.

It has really been of great concern to this community to be written a letter from the Minister that they should now proceed to develop this land and get on with this home, and now to say to them, I am sorry, these plans do not fit in, you cannot go on your own, you have now got to work with the York Manor or Markhaven or something else. This is not really good enough and I cannot understand the Minister's feeling that these people can tolerate any longer a deferment of a decision.

I think the Minister should say to them, I am sorry we do not believe Unionville or Markhaven is a sensible thing. The Minister's department has been looking at this matter for months and I think they must tell these people that they have got to forget about it or we can promise you that this fits in with our long-term thinking; you make some temporary arrangements to carry yourself through the period and we will come through. We can assure you as a line of policy in this department, we will come through with our help eventually. We cannot now because of pressing capital shortage, we cannot help you at this moment.

But at least the Minister must say now to these people how they are going to deal with their long range problem. It is very frustrating to them to have this continual deferment after deferment after deferment and the situation now is such that they cannot put off law suits or people not knowing where they are going. They are going to be pushed into the streets because of The Department of Health regulations.

Hon. Mr. Yaremko: The easy way out for me would have been for me to have said a categorical "no" but that is not within my nature because the answer I want to give is "yes", and that is the answer the people want The people do not want any answer, they want a "yes" and that is the answer I try to evolve for them. If the hon. member is implying to me that they would have accepted a "no" last October, then he assesses the situation in a different way. What they want is an answer "yes". What I am thying to give them is an answer "yes" but this sometimes takes a little bit of working out and we are working on that at the present time.

Mr. Deacon: Well, Mr. Chairman, I suggest the Minister's statement to me earlier was that he is now thinking in terms of a coalition, one home, one programme, for the whole county. That is the way I understood the Minister's statement when I first asked this question. If the Minister's statement is yes, we agreed there should be accommodation in Markham and there should be accommodation in Unionville, as well as in Newmarket. But if he says we cannot see, programming in 1969, accommodation in both Unionville and Markham and not Newmarket, it will have to come over a staging and need will be the priority, I think this is acceptable to people.

All the Minister needs to say is, either give up these plans or not. This is what is really pressing us. They are so concerned about the payments in the case of Unionville, are they going to just declare themselves bankrupt and disband, let the land go back to the original owners, lose the money that has been raised by the community? This is what is facing these people. They cannot raise additional funds in the community without knowing whether this is a feasible long range project or not.

They are in the position where it would be better for the Minister to say, no, we want no more part of it. We changed our minds

since the letter I wrote to you in February. That is no longer the case. We have changed our long range planning. It is better for the Minister to say that it is a mistake that he made and a mistake, therefore, that they made to go ahead with the project. But to say it now, or to say we will fit you in, we cannot give you a firm commitment right now but we will put you in our 1970 programme, subject to approval by the situations at that time. They must be given an indication, I submit.

Mr. Chairman: Anything further under this programme? The hon. member for Sudbury East was on his feet.

Mr. Martel: I have one short question. I would like to know if the Minister has approved the application by the Northern Ecumenical Maternity Homes for Unwed Mothers under The Charitable Institutions Act, something I drew to his attention some months ago.

Hon. Mr. Yaremko: I may say the member for Sudbury East is the one I have heard a good deal from in conjunction with this and I think I sent a letter yesterday, or within the last couple of days, which although it did not say "yes", should be treated as a very encouraging letter to the recipients.

Mr. Chairman: The hon. member for York South.

Mr. MacDonald: Mr. Chairman, the question I want to put to the Minister is—he has announced today that during the past week there have been, as I recall, appropriations for four new homes. Is that covered in the $4.84 million that is in the appropriations or is this another supplementary estimate?

Hon. Mr. Yaremko: It is covered. The $4 million has not been allocated yet. That is the money which will be available to the Minister in order to make approvals during the coming year.

The reason why I am a happier man today than I was back in October is by reason of the fact that we had arrived at the end of the fiscal year and we were able to pay out of last fiscal year's moneys which will not have to be paid out of next fiscal year's allocation and that will give me more elbow room to meet with the requirements of this coming year.

Mr. MacDonald: I now understand why we had a week's delay in the estimates. I think the Minister was making himself happy so that he would not become unhappy in the debate.

Hon. Mr. Yaremko: I would say to the hon. member that I speak to the House leader daily and say let us grind out the estimates day after day until we wind them up.

Mr. Chairman: Is there anything further under this programme? The hon. member for Scarborough Centre.

Mrs. M. Renwick: Just two points, Mr. Chairman, two questions of the Minister, and an observation. The observation first. I was quite understanding the sentiments of the members for Durham and Prince Edward-Lennox when they spoke with such nostalgia for the select committee on aging as they might speak of an old friend who had gone out of sight never to return.

I believe we had an interim report on that committee in 1967. We have had no final report, and, Mr. Chairman, during the last estimates I listed only seven of the thick volume of 100 and something recommendations, the pertinent recommendations, which of course have not been carried out.

But also the number for Durham spoke of his concern for the aged about the hard heartedness of the federal government in this matter. I agree that old persons certainly need more money than is being supplied, but I would like to point out to the House that the member for Durham could well speak for the fact that in the province of Ontario the same people under The Family Benefits Act would be short $43 per month from what they receive under the old age assistance plan from the Ottawa government.

The question which I have for the Minister, Mr. Chairman, is an annual question of mine. It is regarding section 2 of The Homes for the Aged and Rest Homes Act where it states that:

> except as otherwise provided in subsection 2 or in section 5, every municipality not in a territorial district shall establish and maintain a home for the aged.

I think the Minister knows what I would like to ask him. Except under the arrangements of section 2 and 5, which is where two municipalities can join together and have a home for the aged, do we yet have a home for the aged in every municipality in Ontario?

Hon. Mr. Grossman: The hon. member for Scarborough Centre is nagging.

Mrs. M. Renwick: No, two questions, then I am finished.

Hon. Mr. Yaremko: All the required municipalities have a home for the aged.

Mrs. M. Renwick: All the required municipalities have. Might I ask the Minister also, how many briefs or submissions he has on hand now from municipalities for homes for the aged?

Hon. Mr. Yaremko: I have not got the exact number but I would imagine about a dozen or more communities. This is a very healthy exercise both from the Minister's point of view and from those who come with the briefs. We have discussion back and forth and we are learning a good deal from each other.

Mr. Chairman: Anything further under this programme?

Mr. Pilkey: Just one question; I just want the Minister to comment on the Budget where the government said that it would not increase the maintenance subsidy to 80 per cent. Has the Minister any idea when the government will be bringing in that programme to increase the subsidy? In due course?

Hon. Mr. Yaremko: It will be in due course, depending upon what priorities have to be taken care of within the department. It was decided this year, in meeting the budgetary requirements of the department and of the Treasury, that there was not the necessity for that item at this present time.

Mr. Chairman: Anything further under this programme?

Vote 2002 agreed to.

Hon. Mr. Welch moves that the committee of supply rise and report and asks for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will do second readings.

Mr. V. M. Singer (Downsview): Mr. Speaker, before the motion is put, are we going to pick up with the Attorney General's bills? We left one in the middle the other day.

Hon. W. D. McKeough (Minister of Municipal Affairs): Be prepared, be prepared!

Mr. Singer: Oh we missed the Minister all night. I am glad he is back.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12.10 o'clock, a.m.

No. 104



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Friday, May 2, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969



Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Friday, May 2, 1969

Presenting report, Mr. Welch 3889

Imported atrazine, questions to Mr. Dymond, Mr. MacDonald 3889

Burwash industrial farm, questions to Mr. Grossman, Mr. Martel 3889

Ontario Hospitals for mentally retarded, question to Mr. Dymond, Mr. Shulman 3890

Regulations Act, bill to amend, Mr. Wishart, second reading 3890

Sheriffs Act, bill to amend, Mr. Wishart, second reading 3899

Surrogate Courts Act, bill to amend, Mr. Wishart, second reading 3899

Trustee Act, bill to amend, Mr. Wishart, second reading 3899

Law Enforcement Compensation Act, 1967, bill to amend, Mr. Wishart, on second reading 3900

Motion to adjourn debate, Mr. Ben, agreed to 3902

On notice of motion No. 6, Mr. Braithwaite, Mr. Kennedy, Mr. Peacock, Mr. Ben, Mr. Carruthers 3902

Motion to adjourn, Mr. Robarts, agreed to 3912

LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 2, 1969

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: Our guests this morning, in the east gallery, are students from LaSalle secondary school in Sudbury; later this morning we will have, in the east gallery, students from Kirby Centennial Public School, RR 1, Orono, Ontario; and in both galleries, students from Smithfield Public School, Rexdale.

Petitions.

Presenting reports.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the 1967-1968 annual report of The Ontario Department of Labour for the fiscal year ending March 31, 1968.

Mr. Speaker: Motions.

Introduction of bills.

Before the orders of the day I would like to inform the members, that on behalf of the members of the assembly I have extended to the director of the Royal Ontario Museum and Colonel R. S. McLaughlin, the benefactor who gave the funds for the planetarium, our thanks—particularly on behalf of those members who were able to attend last night, with the attendants and pages—for the generous hospitality and a wonderful view of a new facility for the general information and knowledge of the public. I am sure the members would join me in this expression which I have extended.

The hon. member for York South has a question.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a two-part question for the Minister of Health, who is not here—I am sorry, he is here!

1. What were the reasons for recent regulations forbidding the use of imported atrazine by The Department of Health?

2. Was this question considered and such action recommended by the pesticides advisory board?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, before answering the hon. member's question may I crave your indulgence to say that even though I have been on a diet, I did not think I had faded away to the point where the hon. member could not see me.

The regulations controlling atrazine affect regulation 84-65 passed in April 1965 stating that only products registered for use in Canada under The Pest Control Products Act of Canada were permitted for use in plant or animal production in Ontario. In April 1969 the regulation was amended but the intent of the regulation was not changed; it was made more specific, requiring that the pesticide product bear the registration number assigned by The Pest Control Products Act of Canada. The Pesticides Advisory Board was made aware of this amendment and there was no disagreement. The regulation is not specifically designed for atrazine only, but applies to all pesticides alike.

Mr. MacDonald: The reason I was looking and could not see the Minister was because I realized that this is very much of interest to the Minister of Agriculture and Food (Mr. Stewart) who is not here this morning.

However, is the Minister of Health aware of the widespread feeling among some sectors of the agricultural community that the decision was an abrupt one and places them at a distinct disadvantage in terms of costs, because they feel that they can get equally good pesticides at less cost, imported from the United States? I am sorry if I used the wrong word—the new regulation places them at a disadvantage now.

Hon. Mr. Dymond: I have just been made aware of this and we are looking into it to see if our regulation is working a hardship on them.

Mr. E. W. Martel (Sudbury East): A question for the Minister of Correctional Services.

Is a swimming pool included in the plans for the new social centre at the Burwash Industrial Farm? If not, why not?

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, there is no swimming pool planned.

The answer to the second part of the question is, of course, that there are many more higher priorities than swimming pools.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): I have a question for the Minister of Health, Mr. Speaker.

What is the *per diem* cost of maintaining a patient in Ontario Hospitals for the mentally retarded? What is the cost per day in the private nursing homes to which certain retarded patients have been transferred?

Hon. Mr. Dymond: Mr. Speaker, $10.57 *per diem* and $9.50 *per diem.*

Mr. Shulman: I have a second question, Mr. Speaker, which I thought I had directed to the Attorney General (Mr. Wishart). I do not know whether the error occurred in my office or whether it has been redirected. I see it is now directed to the Minister of Health. If the Minister can answer it I am quite happy, but I think—

Mr. Speaker: The questions that have come to my office on paper from the hon. member's office are all directed to the Minister of Health, as they now appear, without change.

Mr. Shulman: I will place the question and if the Minister wishes to redirect it to the Attorney General, perhaps he will do so:

Did city ambulances take a body directly from the Malton train wreck on April 20, 1969, to the morgue? Had this body been seen by a physician or coroner before it was removed from the scene? If not, why was the body not taken to a hospital to determine whether it was dead or alive? If it was known that the body was dead, why was the body transported in an ambulance rather than the deadwagon? Does the Minister believe that it is good practice to transport dead bodies to the morgue in the same ambulance that is used to take the sick to hospitals?

Hon. Mr. Dymond: Mr. Speaker, I would ask to take the question as notice.

Hon. S. J. Randall (Minister of Trade and Development): Never a complaint yet.

Mr. Speaker: This perhaps might be a good point for Mr. Speaker to say that when he does redirect questions there is always some discussion with the member as to whether the member knew where he wanted to ask the question and the Speaker knew where it should go. We had the problem the other day, when the hon. member for Scarborough East (Mr. T. Reid) was directing questions to the Prime Minister (Mr. Robarts) which Mr. Speaker redirected.

I would like to point out that normally I allow the member's discretion—whether it be through an error in his office or otherwise—to rule me unless there is an obvious misdirection. So, in this case while I suspected that perhaps it might be answered by another Minister, I felt it best to let it go. The hon. Minister is now taking it as notice.

Orders of the day.

Clerk of the House: The 14th order; resuming the adjourned debate on the motion for second reading of Bill 125, An Act to amend The Regulations Act.

THE REGULATIONS ACT
(Continued)

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, last day when I was up on this matter we were discussing the problem of the scope and method of the legislation involved. There was some contention between myself, as I understood it, and the hon. Attorney General (Mr. Wishart) as to precisely how this thing ought to be handled. He will give himself accolades for succinctness; and I will criticize him for the failure to spell out his meaning. I would refer the hon. Attorney General to what they do in Australia under this head—at 372 of McRuer—where they actually lay down the basis for the examination.

This is an amendment to The Regulations Act and I think it may be a little anomalous that you would pass regulations to The Regulations Act. I am wondering too, by way of a committee of the Legislature, what the ambit of its powers are with respect to setting its own guidelines. When most select committees or committees of the Legislature are appointed, there is a fairly good determination of precisely what their role and function is. The scrutiny committee is a new concept being brought forward in Ontario and I rather suspect that a greater determination ought to be placed upon its role of powers apart from simply saying that it must not assess the merits of the legislation itself or review a policy. I am, of course, wholly in agreement with the latter.

In the Australian case, the basis adopted for the examination of that standing committee was to scrutinize regulations to ascertain: (1) that they are in accord with the statute; (2) that they do not trespass unduly on personal rights and liberties; (3) that they do not make rights and liberties of citizens dependent on administrative and not judicial decisions; and (4) that they are concerned with administrative detail and do not amount to substance of legislation which should be a matter of parliamentary enactment.

That is a fair spelling out, and I again return to 378 of McRuer where he lays down the guidelines. What they have done in Manitoba is, I think, along the lines that the Attorney General himself prefers rather than what I am suggesting—namely, that when the legislative committee was set up, the rule (it was passed according to Rule 68 of that assembly's rules) contained no terms of reference for the examination.

The first standing committee adopted the following principles to apply in assessing the regulations, and they set out about eight of these principles which they adopted. I just wonder what the validity of that is, whether it is not subject to being returned to the Legislature to be approved. I do not doubt that anyone ever questioned the guidelines set out by the committee for its own deliberations, but I wonder if that—within our parliamentary system—is quite proper either, since it seems to be no great infringement upon the liberties and privileges of the House. It does not come under scrutiny.

But, I think that a scrutiny committee ought to come under scrutiny with respect to its own forms. This is a cause of Caesar's wife being completely virtuous. I throw it out for what its worth, in any event.

On a secondary and rather minor matter, which falls under subsection 4, provision is made for an examination of any member of the Executive Council or any public servant. But, it is not again spelled out or made determinate that in accordance with McRuer, in recommendation 7, the committee should have the power to ask for explanations, written or oral, from the department concerned. I say it is a minor point, it is again brought under the Australian situation at 373. By 1960, the committee had scrutinized over 400 regulations. Sometimes it calls for a written explanation of the regulation or it may call for witnesses from the department concerned. I want to advert again to the remarks made by the hon. member for Sarnia (Mr. Bullbrook), under this heading, as to the scope of the people who may be called in for some review under these regulations. I would ask the Attorney General to give consideration to that too.

In all the parliamentary jurisdictions in this world which deal with regulations along the lines promoted here, there have been two approaches—the one an affirmative approach, and the other a negative one—neither of which is of particular application to this province. The affirmative approach to regulations is that they must be laid before the Legislature for approval before becoming effective, and the negative approach is that they are subject to resolutions of the Legislature, which could disapprove of them after they became effective. Many jurisdictions, if we run through them, have either one or the other, and I think it is interesting background in establishing this new procedure to point out that neither one of these—because of the times of our sittings, and the length of time that we sit, although a new precedent may be set this year and we would be able to revert to what other jurisdictions may do under this head—because the Ontario Legislature sits six or seven months a year, according to page 367 of McRuer, neither procedure will work here.

He says:

> The regulations passed between sessions of the Legislature would either have no effect until affirmed, or would be temporarily effective but subject to disapproval. In the former case, prompt action under the regulations would be impossible, and in the latter case, the risks of disapproval would attend any action taken under the regulations.

So it is simply turned over to the special committee to work on it, without approval or disapproval from that point of view, reporting back here when they take exception, or submitting reports, reviewing the work of the regulations.

I notice too, Mr. Speaker, that no provision is made—and I think perhaps one should be if there is no good reason to the contrary—at least nothing is said here about this committee meeting during the recess. In all other jurisdictions it is deliberately set forth in the supporting bill that it can meet at such times. True, one can come along with a special resolution to have it do so. I suspect that the job we have before us here on regulations, since they have never been reviewed previously, is going to extend well beyond the parliamentary session itself, and even if it did not, I think there will be some obtuseness

from some members perhaps to be appointed to that committee. With the volume of work we have got to cover here from hour to hour and day to day, to have to sit on a regulations committee while a dozen other committees attract our attention may be just too onerous a demand of members of this House, particularly as the members on the regulations committee are quite likely all to be lawyers, as is recommended again by McRuer, although I trust that would not necessarily be so.

A couple of other things that are not in here that should be mentioned to the House, Mr. Speaker, are that in the British domain the chairman of that committee is a member of the Opposition—I think it is the British, although I have not checked it carefully, but certainly it is mentioned here. It is apparently somewhat traditional that that be the case, as in the committee on public accounts, and I would ask that some thought be given to that too. The other day I asked that in accord again with the recommendations, namely recommendation No. 5 of McRuer at 378, just how the committee is internally functioning. Perhaps the Attorney General does not think it has to be set out in the Act itself that counsel will be supplied to the committee and that it has adequate staff. Perhaps he feels that it is enough to have the committee self-constituting in this regard, or at least to determine its own procedures within a meeting—and then we come back.

I would prefer, if coming back is necessary, that we do it *hic et nunc*, that we get it over with. The bill is before us; let us clarify any benefit or any requisite, any exigency that may be necessary and that we can envisage now, let us do so. As the hon. Attorney General knows, McRuer says the committee should be assisted by counsel:

> The legislative counsel or registrar of regulations should not act; these officials may have been involved in drafting the regulations.

That is a matter which I would like to hear the Attorney General comment on as to its benefits going one way or the other.

I feel, as does McRuer, in our present circumstances that tabling of the regulation is not, strictly speaking, necessary since they are published in the *Gazette* in any event, although again, it is historical and traditional in the British House of Commons and in other jurisdictions that tabling be done. But because of our fairly lengthy recess it is not felt that that would be too effective in the circumstances here.

That pretty well winds the matter up; there is the business of the report but I think it pretty well speaks for itself. There are some remarks made as to the handling of this in Manitoba at 374-376. I will just mention the report:

> The Attorney General of Manitoba has directed that the legislative counsel assist the committee and that a report from him should accompany all the regulations laid before the committee.

In his report he comments on regulations that he thinks require special consideration. At the beginning of each session of the Legislature, the legislative counsel reports on all regulations referred to committee since his last report, and the committee examines them with particular reference to those upon which the legislative counsel has commented. If it cannot review them all during the session, he may ask the House for authority to sit during the recess. There is someone ferreting out in advance of the situations, in advance of meetings, the regulations to which it is particularly desirous to give surveillance—because some may be more obviously questionable than others, and again I anticipate a mountain of work in this particular area.

There are far more regulations to be dealt with than there are statutes. They are nicely worded and they are very long very often; and they require a considerable knowledge of the statutes themselves and their internal workings, in order to see just how effective they are. So whoever takes on this monumental task—and it is the worst kind of task for a legislator; I do not care who he is, however dedicated he may be, because it is a thankless task, completely thankless. There is no fame to be derived from this. If this is the hard bare bones of our democracy, the people who are willing to give their time and effort to this sort of thing are to be highly commended. I am doing my best to avoid that possibility right now; that is, of engaging in that particular task. It is something that causes one to shake one's head as to the enormous amount of work involved.

Therefore, if we get assistance from legislative counsel or from some other source, if we get assistance in the ferreting out of what is for one reason or another questionable—as derogating from the power and deemed perhaps an abuse or a piece of inaccuracy or distortion of the processes of the subordinate legislative jurisdiction which is a very jealously guarded thing, perhaps too jealously guarded.

I much prefer Willis' position in this regard against McRuer, whose judicial temper and legalistic intent is much too obvious compared to the rather more sensible approach of Professor Willis, whose experience with administrative tribunals of this kind is such that he accepts them as a necessary and official part of the modern world.

He does not look down his nose at him—he thinks there is a good deal to be said. But I understand there will be a debate on these two relative positions in the private members' hour very shortly. I will not labour it here today.

That fairly well winds up what I have to contribute towards the coming into being of this new committee. I want to congratulate the Attorney General again on moving forward with McRuer, in taking the incentive, acting on the lure, bringing in a thing which will again preserve the civil liberties of the people in this province.

Mr. V. M. Singer (Downsview): Mr. Speaker, I have listened with care, attention and interest to the remarks of the hon. member for Lakeshore and he has presented an excellent review of what McRuer has had to say about regulations and how to review and control them. I think he has touched on most of the substantiate points with a good comparison of what McRuer says and what the statute recommends.

Mr. Lawlor: The hon. member is becoming graceful.

Mr. Singer: I am always graceful when I think the member is right, and I think he is right—

Mr. Lawlor: So! A change of personality; the butterfly comes out of his cocoon.

Mr. Singer: No.

There is one point, Mr. Speaker, that bothers me very much. I am afraid if the statute is passed in its present form that it will emasculate all the opinions given by McRuer and eliminate the objective—or what appears to be the objective—of this statute.

McRuer says—and the hon. member for Lakeshore agreed and I agree with this—that the terms of reference for the committee should exclude from review any consideration of the policy of the parent Act or of the merits of the regulations.

That is correct and I do not think we can rightly say that a committee set up to review regulations can discuss or should debate or report on whether or not the Legislature was right in taking the course of action that it did; or, secondly, that whoever is charged with the power of making regulations in accordance with the strictures laid down by the enabling statute, can have the merits of what they do questioned.

However, somebody put in the word "objectives", into this statute, and subsection 3 of section 12, the person who drafted the statute says: "But without reference to the merits or the policy or the objectives."

At that point, I think we have made a very serious departure from McRuer and I think we have presented a statute that is quite meaningless. As you read McRuer and listen to the debates, the member for Lakeshore, my colleague, the member for Sarnia, and others, say: "Yes, this is a good committee; it can serve a useful purpose."

The reason for it is to examine these regulations and to see if certain guidelines have been observed in their passing. What are these guidelines? McRuer outlines some of them on page 378 and he says:

> The following principles should be laid down to guide the Committee in its examination of the regulations:
>
> (a) They should not contain provisions initiating new policy, but should be confined to details to give effect to the policy established by the statute.

You pick up a regulation and you say, what is its objective? Is it to lay down a new policy? Now, according to the wording of the statute, you cannot examine this objective. The second thing McRuer suggests is:

> (b) They should be in strict accord with the statute conferring the power, particularly concerning personal liberties.

Is the objective of the regulation some interference with personal liberties? The third suggestion he makes is:

> (c) They should be expressed in precise and unambiguous language.

Perhaps that some line of argument does not apply to that one. But it certainly applies to the next one:

> (d) They should not have retrospective effect unless clearly authorized by statute.

And surely the committee, if it is carrying on a meaningful function, is going to have to enquire as to whether the objective is that the particular regulation they are examining is going to have a retrospective aspect or not. Then he goes on to say:

> (e) They should not exclude the jurisdiction of the courts.

Is this the objective of the regulation? That the jurisdiction of the courts should be excluded or included? It goes on:

(f) They should not impose a fine, imprisonment, or other penalty.

(g) They should not shift the onus of proof of innocence to a person accused of an offence.

(h) They should not impose anything in the way of a tax (as distinct from fixing the amount of a licence fee, or the like).

(i) They should not make any unusual or unexpected use of delegated power.

(j) General powers should not be exercised to establish a judicial tribunal or administrative tribunal.

Each one of those guidelines that McRuer suggests relates to what could well be and probably is the objective of the regulations. If the committee is going to be tied in to an examination which will exclude the consideration of the objectives of the regulations, it is my submission, Mr. Speaker, that the committee cannot function. So that we would have paid lip service to setting up a committee that apparently is going to be able to protect the rights of the people of Ontario in this important aspect, but really will not be able to.

Now the Attorney General is going to answer me, as he has in similar matters raised in this way, suggesting that what I am saying is a possible interpretation but that no reasonable person is likely to do it in that way. I have heard him say that on many occasions. But we are going to come to another bill very shortly that deals with compensation for victims of crime, and we stood in our places in this House and made the same sort of point to the Attorney General and he said, "Oh, don't worry, everything will be fine," except that when we were faced with cases everything was not fine. Two of the people who were supposed to have benefitted by the provisions of the Act—and we had the assurance of the Attorney General if that sort of case arose, everything was going to be fine—were deprived of any benefits. Now, sir, I have been around here long enough to recognize—

Mr. S. Lewis (Scarborough West): The member gives him more than his due, he did not say that.

Hon. A. A. Wishart (Minister of Justice): No, I think on a point of privilege perhaps I would say that is not what I said. What we were introducing in the compensation for victims of crime was only a first step, that we would go further; that is what I said. And having introduced in this Legislature a bill to take the matter further and cover those cases, which we did not see fit to deal with on the first round, I have carried out the government's undertaking.

Mr. Singer: Well be that as it may, that was the impression I gathered. The Attorney General is very plausible when you hear him standing in the House defending one of his statutes. He refused to yield to our entreaties to amend the statute dealing with compensation, so that it would take care of the cases that we thought it should be able to take care of.

He certainly gave the impression, Mr. Speaker, whether he meant to or not, that there should be little worry in our minds because the statute, as he presented it in the first instance could take care of most reasonable things expected to rise in line with that particular kind of an incident.

That is the kind of an argument that I would expect the Attorney General is going to give us today. But I started to say as well, sir, that I have been around here long enough to recognize that, notwithstanding all the good intentions in the world, the Attorney General has said—and if he says he has, I am sure he has; he is an honourable man and he certainly would not mislead us—that some day we are going to get a chairman of this regulations committee who is going to say:

"Well, the statute says we cannot consider the objectives of the regulation, and it is too bad, Mr. Member, that you are concerned that the regulation has a retrospective aspect, that is one of its objectives. The statute that set up the committee says you cannot consider the objectives and if it is retrospective or not, too bad. You can't consider it, you cannot report on it and any discussion among this line is *ultra vires* of the powers of the committee and you are proscribed from doing that by the provisions of the statute that set up the committee."

There are other thing—imposing imprisonment, barring jurisdiction of the courts and that sort of thing. The word "objective" is the objectionable word in there. The other things, I think, can be dealt with in a different way. The question of counsel for the committee, I would think it would be sufficient as part of the debates that if there is a commitment from government that competent counsel will be made available to the committee, that is fine.

Methods of reporting and meetings in between sessions and that sort of thing, I think

a commitment quite apart from what is in the statute. But if we allow this statute to go through and set up this committee and the committee is told it cannot discuss the objectives of these regulations, then we are setting up a toothless and useless committee and I just do not see why there is any point in putting forward the statute with that exclusive in it.

Mr. Speaker: Is there any other member who wishes to engage in this debate?

Mr. J. Renwick (Riverdale): Mr. Speaker, I want to comment on two or three points, extremely briefly.

The point which has concerned me about the preparation of the regulations has been the introduction of bills providing wide power to pass regulations in difficult areas when the regulations are not available at the time the bills come into the Assembly. Now, I do not know whether, as a result of the work of the committee as proposed by this bill, that ultimately there will be some solution to the problem, but that is one of the major defects in our legislative process.

To put it another way, the statutes are becoming couched in more and more general language, so general that in fact the principle and objectives of the bill are very difficult to ascertain. I think it is (a) the pressure of work and (b) the long period of custom which indicates the statute is drafted and then the regulations are drafted anywhere up to a year or two years afterwards.

That is a matter which I think the Attorney General must direct his mind to, apart altogether from this bill. Because I think hon. members will find this committee will definitely recommend that that kind of activity in the introduction of bills, to introduce the bill and the regulations, will go a long way to reduce the burden of work imposed upon the proposed special committee.

The second matter that I want to comment on is that I think the Attorney General must say, yes, there is going to be a counsel or a counsel secretary or a qualified secretary to be a permanent staff for this committee. It is just not possible, even with the best of intentions in the world, for a committee of this Legislature to do the kind of work which is required by the proposed committee without the benefit of the guidance by the proposed committee without the benefit of the guidance, selection and exposition by a permanent person who is qualified and is a member of this staff, separate and distinct from any other activities which such person might otherwise have.

The third point I want to make, Mr. Speaker, is simply that I just do not agree with the proposition that it is wise to have a committee composed solely of lawyers. I think that it becomes too much a specialized game of a particular form of professional jargon which comes into these regulations.

Hon. Mr. Wishart: There is nothing in the Act to that effect but I think I agree with the hon. member very heartily. I just point out that I have not got that in the legislation. I would not contemplate that kind of a committee. I think you need a point of view that is a little wider perhaps, if I may use that term, than the legalistic point of view which a committee composed entirely of lawyers might take. I go along with the hon. member, as he can observe. I have not got anything like that in the Act.

Mr. Lewis: The Minister would not get past the first regulation.

Hon. Mr. Wishart: I hope it would not be that bad.

Mr. J. Renwick: I am pleased that the Attorney General feels the same way that I do on that matter.

The next point that I would like to comment about is whether the Attorney General would consider—not necessarily now but as an additional responsibility of this committee—that other aspect of the activities of the executive branch of the government, namely, the inclusion of orders-in-council in the work of this special committee. I think the Attorney General is undoubtedly aware that part two of the Canada *Gazette* publishes substantially all—perhaps all, but certainly substantially all—of the orders-in-councils passed by the government in Ottawa as well as the regulations.

Again, the same question arises concerning the proper exercise of the authority, apart all together from this difficult question—that the member for Downsview, the member of Lakeshore and others have adverted to—of where is the line from the scope and authority of the regulation that is passed. But I think it is most important that we bring more into the open, the orders-in-council which are passed by the executive branch of the government.

My understanding is that at the present time, for practical purposes, most of them are posted up in the Privy Council offices. I have never been too clear as to when they were posted up, at what time, but apart from that, there is little, if any, public knowledge of

what is passed by the government by way of orders-in-council.

Having made those very brief points, I would like to say that I do not think we should get this committee out of perspective. I think it is going to be a useful addition to the work of the committees. The registrar of regulations and the staff of the Legislative Council's office, who are involved in the area of the drafting and promulgation of regulations, have done, in my judgment, a first class job over the years within certain limits. There are going to be obvious improvements that can be made in the system. There certainly is a need to have a body in this Legislature that provides a surveillance function in connection with the regulations in order to make sure that, inadvertently or otherwise, there is no unnecessary infringement of the civil rights of citizens when they come into contact with their government.

Therefore, I think that what we must try to do, when we set up additional committees of this Legislature, is to make them efficient and economical so far as time is concerned, because time impinges heavily on the members, and try not to create any impression that we are establishing by this special committee, some new branch of the legislative assembly. I get the impression that there is a tendency, in the comments I have heard so far in this debate, to perhaps blow this committee out of perspective in terms of the vigilante operation that it is going to perform. I think it will be a valuable adjunct. It is a matter with which I am sure, were the former member for Woodbine in the House, he would be delighted, because he had pressed for many years for a committee such as this one.

I think the distinction, which causes us concern and which has been voiced by the other members who have spoken and which is phrased in sub-clause 3 of the proposed section 12 of The Regulations Act, has to be made. I think no matter what language we select, it is going to be subject to criticism. I do not think for one moment that the government can introduce a bill which would give this committee some overall right to rove all over the field of policy which is involved in the statute, when the statute itself provides this delegatory power.

So long as policy which is not authorized within the statute is not involved in the regulations, then I think that it is quite proper that the government should rule out a second rehash of the policies involved in the statute and give us a second go-round when this special committee meets.

Mr. Singer: They do that by using the word "merit".

Mr. J. Renwick: I suppose on Friday morning I have not expressed myself clearly. I think it is very important that the government do rule out any discussion of the merits of it and the policy—

Mr. Singer: I agree; quite right.

Mr. J. Renwick: —the policy that is involved in it.

Mr. Singer: You get two objectives, that is too much.

Mr. J. Renwick: And regarding the use of the word "objectives", maybe the semantics of it escape me, I find the distinction is in the absence of being able to phrase different words, in order to accomplish something which will be closer to the concern which we have spoken about. Then I think we are going to have to accept these words because you are going to have to have something equivalent to, or with somewhat similar connotations to the word "objectives". I do not think it is simply going to be as easy as has been suggested, that we can delete the word "objectives" without substituting some word which more accurately expresses the concern which the member for Downsview has expressed.

Mr. Singer: Why does the word "merits" not do it by itself? Why do we need anything in addition to it?

Mr. J. Renwick: We can come to that when we come to the committee of the whole House. In substance, along with the member for Lakeshore and this party, we support the formation of the special committee. I would ask that the Attorney General direct his mind particularly to the possibility of the legislative counsel's office and the ministry when they introduce bills into the assembly, endeavouring to introduce at the same time or during the committee stage of the House, the regulations which will be made under the bill. I would think in that way we will begin to get away from this problem that we have of being too general in the statute and too detailed and specific in the regulations, and incorporate within the statutes some more clear and adequate statement of what is intended to be the purpose of the bill and the principle of the bill.

Mr. Speaker: Does any other member wish to speak to the bill? If not, the hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I am particularly indebted on this occasion to the remarks which have been made by those who have spoken on this legislation. I think the arguments put forward have been reasoned and very pertinent to the legislation.

I would like to deal with the points that have been raised, and I would say that generally our approach to this matter was to take, as we have done in quite a number of pieces of legislation particularly this session, the recommendations of Mr. McRuer in his report and attempt to implement them, and to implement them, I think, quite fully. I have tried to say on one or two occasions that I do not altogether always agree with Mr. McRuer. I think that is fair. I do not think any one man can contain within his brain all the knowledge and all the wisdom of a subject so wide as rights. But I think we have implemented very fully in this particular case those things which he has recommended.

The objective, I think, which he set forth, is contained in his language where he describes the creation of such a committee to examine the regulations. In the way he says it, he rejects the suggestion that any single person such as the Attorney General or any specified official be charged with the review of the regulations. That seems very sensible; no one person could possibly do it and do it adequately. Then he says:

> The supervision of subordinate legislation is a function of the Legislature. The non-partisan views of the committee of the Legislature should carry great weight with any department of government.

The proposed committee would have power to sit, he says, during recess. We have at the moment rejected that. It would sit and report periodically to serve three purposes. These are the three purposes that I think you will find in this bill—(a) More care will be given to the forming and content of the regulations. This has been the experience of other jurisdictions. (b) Requirement that the committee consult with the departments before making an adverse report, should lead to the immediate rectification of any ill considered provisions.

It has just occurred to me, as I was looking at this and thinking about it and looking at this Act, I do not see that we have actually set that forth in this legislation. There is no requirement here that the committee shall consult the departments. I do not know that that might be done in instruction, but perhaps we should have that in the legislation. I just mention it in passing.

Thirdly, Mr. McRuer said: "(c) When the committee reports"—and this I think is the significant thing—"debate on the report should have a salutary effect on the process of legislation by regulations."

Now it is that power to report back to the Legislature and the debate on the report which I bring to the attention of members of the Legislature. The effects of errors or departures from what should be the scope of the regulations and the language we use, the scope and method of the exercise of that power which government has exercised by regulation, the debating of that report and those defects being pointed out by that committee, will have a very salutary effect, I am sure. As Mr. McRuer says, that has been the experience.

I want to deal particularly with what the hon. member for Downsview seems to think is a wrongful use of language in subsection 3 of section 1.

> The special committee on regulations shall examine the regulations with particular reference to the scope and the method of the exercise of delegated legislative power."

He accepts that.

> "But without reference to the merits of The policies or objectives to be effected."

He, I think, takes exception, as I understand it, to the word objectives.

Certainly Mr. McRuer says you should not delegate your government responsibility on policy to a committee. I think we all agree with that, and I appreciated the remarks of the member for Riverdale on that matter. I would like to examine that and use an example to show what I think is meant by objective.

Let us say that the government has a policy of encouraging industry in a certain area of the province. Then, in its regulations following legislation of that subject, it passes some regulation which furthers that objective. It is not for the committee, set up under this Act, to be critical of that objective. It is not its business; that is the business of the government.

Let us say that the government has a policy of encouraging regional government and legislation is passed to encourage that policy—that is an objective. If a regulation passed

pursuant to that Act encourages that objective, it is not for this committee to be critical or to deal with that objective. In its report, the committee may say: "We think you have gone too far in the scope of the exercise of this power by regulation." But, they are not to say: "Your policy is wrong and we do not agree with the objective you are proceeding to achieve." They can say that in the House during the leglation debate.

I think we must be practical people. No matter how we may limit the language of this legislation and the activities of this committee, I am sure that in its report—particularly if we adopted the suggestion of the hon. member for Lakeshore, the Chairman would be a member of the Opposition—and that may be the way to go—the committee will roam perhaps a little widely around. I think we will find some pretty pointed comments in the reports which this committee will make from time to time.

I would like to take to demonstrate that we followed the recommendation of Mr. McRuer. His recommendations are on page 1274 of the report and I would like to indicate how we have dealt with them.

The first one is number 126, a committee. He says a quorum of three. We have set up a committee, but have left the quorum up to the Legislature and the committee to establish. Number 127—regulation to be permanently referred to the committee. That is implemented by subsection 2. His 128—terms of reference should exclude from review any consideration of the policy of the parent Act or the merit.

Mr. Singer: That is right. But he does not use the word "objective".

Hon. Mr. Wishart: No, he does not use the word "objective", but I am not limited to his words.

Mr. Singer: Of course the Minister is not. But I am suggesting that when he excludes them—

Hon. Mr. Wishart: Oh no. I thought I made that pretty clear in my examples. I think objective goes along with policy. If policy is designed to achieve some objectives, you cannot segregate an objective and a policy that clearly. Any policy that any organization has, has to be designed to achieve some objectives. If you are going to exclude policy, I think you necessarily exclude the objective.

I am not limited to Mr. McRuer's words, and I say we have accomplished what he says in 128. In 129, he sets out guiding principles. We did not attempt to set those forth in the bill. I do not think they were intended to be included for legislation. I think that when the committee is appointed, the Legislature will—within the terms of this Act and perhaps a little beyond—set forth its direction and the way it shall work. In any case, I am sure that the committee would use every yardstick to measure its conduct and its activity. What Mr. McRuer has said in this recommendation 129 is not legislative material.

In 130, the provision of counsel is likewise mentioned. I am sure that when the Legislature sets up the committee it will say: "You may have counsel." I think Mr. McRuer, at some point, says that they should not be legislative counsel who have been charged with drafting regulations. This would be a conflict to place such counsel in an invidious position. I am sure we make provisions for counsel.

So we pass to 131: to sit during recess. We have studied that and feel that perhaps the committee could accomplish the work it had to do while the House is in session. I think there is some advantage to them doing their work at that time, if we found that that is impossible, that the burden is too great, with the other duties of members of the House, I am sure that we could perhaps look at that again. But, I would urge that the bill go forward as it is drafted on that point.

Mr. McRuer gave another recommendation. Should a power to ask for explanation, written or oral, from the department concerned? I mentioned earlier that he says they should not make a report until they have actually consulted the department. We have not confined them to that, at least in the legislation, and I suggest that any committee has the power to ask for explanations. We have provided that the committee can call upon the Minister, so I submit that we have carried out that recommendation.

Now, we have not dealt with 134—that the rules of the legislative assembly be amended. I do not know what amendments are necessary, but if they are necessary I am sure the Legislature could get to that. So, Mr. Speaker, we have, in presenting this legislation, carried out the recommendations of Mr. McRuer almost completely. The member for Riverdale, in suggesting we could deal with orders-in-council was not really talking to the principle of this bill.

I did not want to interrupt him at the time, but I think we are going beyond the scope of this legislation when we talk about including orders-in-council. I am indebted to him

for the suggestion; it is something to think about. Perhaps some other legislation would deal with that but I do not think that it can be contemplated within the scope of this legislation as regulations and orders-in-council. While they are similar in that they are passed by government in the sense that it is the cabinet, they are widely different in their implications and in the reach that they have to the people, and to the government policy generally. Orders-in-council are more or less specifically detailed things. Regulations reach out over the whole field—the same in many respects as a section of a statute. I think that would have to be dealt with in different legislation. That, I think, Mr. Speaker, is all I have to offer with respect to this bill.

Motion agreed to; second reading of the bill.

THE SHERIFF'S ACT

Hon. Mr. Wishart moves second reading of Bill 126, An Act to amend The Sheriff's Act.

Motion agreed to; second reading of the bill.

THE SURROGATE COURTS ACT

Hon. Mr. Wishart moves second reading of Bill 127, An Act to amend The Surrogate Courts Act.

Mr. Lawlor: Just a word on this. The increase from $400 to $1,000 is a very beneficial thing. I would like to see it made more evident to the general public that they do not have to obtain legal advice on small estates up to $1,000, that it can be worked through the surrogate court clerk. But, just how that is done, or the legal profession themselves making it well known to the public in this regard. In other words, I do not think the benefits under the Act are sufficiently known, and in a way, I would like to know, possibly in the committee of the whole House, the number of applications that are processed in this way in the past.

Mr. Speaker: Does any other member wish to speak to the bill? If not, the hon. Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I appreciate the comments of the hon. member for Lakeshore. He is right that perhaps this is not well enough known. The principle of the bill is simply that we extend the amount to meet the dollar value today, or to approach it as it changed from what it was at the time it was fixed at $400, to $1,000. Perhaps we can do something to promulgate the fact that persons whose estates are small, or under this amount, can have the work done without expense, by the officials we provide in the surrogate court office.

Motion agreed to; second reading of the bill.

THE TRUSTEE ACT

Hon. Mr. Wishart moves second reading of Bill 128, An Act to amend The Trustee Act.

Mr. Lawlor: Just one word again on this one. It is substantive enough; it is very fair and reasonable; I do not think it has to be elaborated upon. The business of going from two thirds of the property to three quarters of the value of the property for mortgage loan purposes is something which, I trust the Attorney General has taken up with the hon. Minister of Trade and Development (Mr. Randall) and pointed out that possibilities of the mortgage market have been extended in Ontario, which is all to the good. Also, the extension of the type of share and prices of securities on which moneys may be invested is a matter I think which has been mooted for a long time in the profession and by financial houses wanting to extend the range and availability of funds, instead of having them lying tied up and dormant, especially when the public need, especially in housing is so great. This measure makes some small significant move towards helping out in that situation.

Hon. Mr. Wishart: Mr. Speaker, I would just reply briefly and say, that of course, the provisions here have been made known to all my colleagues, particularly the hon. Minister of Trade and Development. These provisions bring the matter of the investment of funds in an estate into line with what trust companies are doing with funds generally. This bill relates to funds in the hands of a trustee who may be the executor for the estate, maybe the trust company, maybe an individual as named in a will. It permits the investment of funds on the basis designed by these two sections—that is, raising the amount, where the money may be invested on a first mortgage, from two thirds to three quarters, after proper evaluation. It removes the requirement of getting the consent of the court on application where you have a specified and well-delineated list of investments which

the trustee may use—sort of blue chip things, debentures guaranteed by government, or debentures of a municipality, or certain equity stocks which have had a history of dividend payment unbroken over a period of time. These are all delineated, and trustees, or trust companies, generally have been permitted, by amendments made to their legislation, to invest in this sort of thing.

The trustee who is handling estate funds had to go to the court, and delay and expense was occasioned, although he was limited to a very select number of investments—really a blue chip situation. So we have seen it wise—this is a recommendation that had been made to us some time back—to adopt the amendments, or propose the amendments, as suggested here. I think they are very wise and proper.

Motion agreed to; second reading of the bill.

THE LAW ENFORCEMENT COMPENSATION ACT, 1967

Hon. Mr. Wishart moves second reading of Bill 131, An Act to amend The Law Enforcement Compensation Act, 1967.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Mr. Speaker, the introduction of this bill is a case of the chickens having come home to roost. I know the Attorney General would expect us to say we told him so—we did tell him so, he had a bad Act the last time and now he has to bring in the amendment. It is a pity, Mr. Speaker, that two citizens of the province of Ontario have had to suffer because the Attorney General would not accept the very good advice that came to him from this side of the House. He did not choose to do it then and now he is closing the barn door after the horse is gone, but along the way he is still neglecting to provide a remedy for Botrie and for Lindzon, who are two people who have suffered and who now will be covered by the provisions of the new Act.

Hon. Mr. Wishart: The member wants it retroactive?

Mr. Singer: I want it retroactive. Mr. Speaker, I know exactly what the Attorney General has in mind, he is going to point out that I objected to the word "retroactive" in another statute that he has before us. I did, because it was very broad, it was far too broad, there were no limitations on it at all.

In this case I think this statute should be made retroactive either to a specific date or retroactive sufficiently to cover the two cases that we know about. Then there can be no doubt in anyone's mind as to the effect of that retroactivity. I am sorry, I should have let him make his point and then come back at him because the general use of the word, "retroactive", without any limitations is a very dangerous thing. It is not as though this was something new; there are two specific cases in mind, Mr. Speaker, and I think they should be covered. I can see no excuse for their not being covered and I am sure the Attorney General, being a reasonable man, is going to be happy to introduce that amendment himself. If he does not we will have one here at the appropriate time in committee.

Having said that, Mr. Speaker, I just wonder if we should not have a good look at the title of this Act. It is called The Law Enforcement Compensation Act and it would seem to me that a far more appropriate description of this statute would be as something designed to do what it does—The Criminal Injuries Compensation Act. I think it would be more appropriate and more descriptive and really strike closer to the objective that the statute, when it is eventually worked out, is going to achieve. And I would commend that to the Attorney General's specific attention.

There were a couple of other points that I think are worthy of some consideration and that is the whole question of the necessity of a hearing since we are having another careful look at this Act. In England, Mr. Speaker, as the Attorney General knows, there is a hearing only if the board, having first made an offer, has had its offer refused. There is power in the English statute to allow the board to make an offer when they become aware of the circumstances of a particular matter. I think there is substantial merit in this idea of proceeding, because it would have the time of the sitting of the board. It could allow an offer to be made, it could eliminate a lot of red tape, and I would think that a power given to the board to consider matters as they come to their attention, and a power to make offers without the necessity of a hearing, could be a greater expediter and could be a great help in the carrying on of these proceedings.

The final point I want to make is this, sir: We have talked from time to time about some type of legislation that, for lack of a better descriptive phrase, might be called "good Samaritan legislation". If a citizen comes to

the the aid of another citizen—and it is not necessary that there has been a crime committed—if someone is injured in an automobile accident, or someone is drowning or that sort of thing, and it occurs to citizen A to come to the aid of citizen B and in the course of doing that he is injured or suffers damage, or worse than that is held liable for something that might happen, it would seem to me that along the general line of thinking that we have in this statute there could and should be some arrangements made to look after that. I grant you, sir, that I am stretching the principle of the debate on this bill a little far at this point but I throw that to the Attorney General for his consideration.

The main point though, as I say, sir, is the principle of retroactivity that should be introduced into this bill to cover the two specific cases and it is not as though this is something new. If the Attorney General tells us he does not like retroactivity, and he is not going to have it in any of his statutes in any way, that is fine, but I think under these circumstances and in view of the fact that we can say with great authority "we told you so", that what we predicted would happen did happen, the Attorney General has to have another look at what this statute is going to do and to broaden the sphere of application of this statute in order to cover the cases of these people or their families who have suffered.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, I would like to add to what has already been stated by the hon. member for Downsview. I also took objection to the first legislation enacted by this government to compensate victims of crime. There was a very broad loophole and the Minister would not pay attention to the advice we were trying to tender. I suggested to the hon. Minister that again he has left a glaring omission or loophole.

The Act—he proposes to amend it—will compensate people injured or killed by any act or omission of any other person, and these are important words, "occurring in or resulting directly from", and then it continues to describe the facts—but it must "occur in or result directly from". In other words it must be a *causa causans* as distinguished from a *causa sine qua non,* I think the Minister understands what I am trying to say. Then: "(a) a commission of an offence, etc. (b) unlawfully arresting or attempting to arrest an offender or suspected offender while assisting a police officer therein. (c) preventing or attempting to prevent the commission of a crime or suspected crime or assisting a police officer therein."

Now what if we have a situation where a citizen suspects that a crime has been committed. He is uncertain who committed the crime, but he apprehends a citizen and attempts to hold him for the police, so that the police can investigate? In other words, it is not an arrest, Mr. Speaker, we are dealing with a legal statute here and we must give a legal interpretation to the words used, "lawfully arresting". Arresting must be given its proper term—it is not apprehending, it is not holding, not imprisoning, it is arresting in a true sense of the word.

Hon. Mr. Wishart: Or attempting!

Mr. Ben: Or attempting to arrest. But the person is not attempting to arrest, he may just be uncertain and he may just be holding for investigation or interrogation by the police. Now what happens there, Mr. Speaker, how do you cover that situation?

Hon. Mr. Wishart: In the next subsection, "preventing or attempting to prevent"—that is pretty wide.

Mr. Ben: An offence has been committed, a citizen hears a commotion, he sees an individual running, he suspects that a crime has been committed, he does not even know by whom, so he tries to apprehend the man running; unless the Minister is trying to say that escaping from the commission of an offence is an offence. The only kind of a crime that he could be trying to prevent—because the crime has occurred—therefore—

Hon. Mr. Wishart: No, no, may I—

Mr. Ben: Please, I would be very happy to hear the—

Hon. Mr. Wishart: I think the language—if the hon. member would look down at subsection (c). I do not know how much wider the member would want legislation to go, "preventing or attempting to prevent the commission of a crime or suspected crime." So that if he is doing anything to prevent—even something he suspects—how much wider can one wander in the field than that? I do not know how much wider the member wants to go.

Mr. Ben: I would ask the Attorney General to listen carefully. Section (c) talks about preventing or attempting to prevent. What if a crime had already been committed? This is what I am trying to point out to the Attorney

General, Mr. Speaker, that it does not cover the situation where a crime has been committed and a citizen holds or tries to hold, for interrogation by the police—

Hon. Mr. Wishart: That is subsection (b).

Mr. Ben: No. It says "lawfully arresting or attempting to arrest" and I am suggesting that there is a situation where the citizen is trying to do neither, where the citizen is not trying to arrest—rather, does not arrest or does not attempt to arrest, because arrest has a particular legal connotation. The citizen is merely awaiting the arrival of a policeman to decide whether or not the person being held—

Hon. Mr. Wishart: Excuse me, Mr. Speaker, for my inattention, I am trying to make some arrangements to fly away today.

Mr. Ben: I would ask for his forbearance because I am not talking for the record, I am talking for the benefit of the Attorney General. I have two minutes left, and I am trying to stress section (b) which covers the situation where a citizen arrests—

Mr. Speaker: May I just point out to the hon. member that the time left is so short that perhaps since he has an important point he would care to adjourn the debate and then he could bring it to the Minister's attention when he is not trying to fly away.

Mr. Ben moves the adjournment of the debate.

Motion agreed to.

NOTICE OF MOTION

Clerk of the House: Notice of motion No. 6, by Mr. Braithwaite:

RESOLUTION: That this House recognize the reality of noise pollution as a factor in the daily lives and welfare of the people of Ontario.

Mr. P. D. Lawlor (Lakeshore): Where is the Minister of pollution?

Mr. Speaker: The hon. member will please move his resolution before he makes his address.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I move, seconded by the hon. member for Humber resolution No. 6 standing in my name on the order paper.

Mr. Speaker: The member for Etobicoke, seconded by the member for Humber, moves resolution No. 6 standing in his name on the order paper.

Mr. Braithwaite: Coming as I do from Etobicoke, I have a special interest in the resolution which is standing in my name, and, quite shortly, I want to bring the issue home and relate it to the welfare of my constituents.

But before I do that, I want to review the problem broadly because this matter is of such general seriousness that it has impelled Dr. Vern O. Knudsen, a physicist and sound researcher at the University of California in Los Angeles, to remark that "noise, like smog, is a slow agent of death."

The president-elect of the American Medical Association, Dr. Gerald D. Dorman, said in Chicago April 27: "There is no longer a place to hide." Just look at the average day. A jet flies overhead to disturb your final hour of sleep. The garbage men are at work below the bedroom window. The next-door neighbour revs up his automobile. The alarm rings, or the clock radio comes on, and the day begins.

Pity the man or woman who chooses to sleep an extra 20 minutes. Toilets flush, showers run, people clatter about.

On the way to work the diesel trucks roar, horns honk; while back at home, the clothes and dishwasher are operating at a sickening 70 decibels each, worse because their low frequency noise goes largely unnoticed by the conscious mind. All the natural sounds, which seem designed by the Almighty to relax the nervous system—the sigh of the wind, the song of the birds—are drowned out by noise pollution.

The noise of the vacuum cleaner is particularly irritating in the home. The noise of the subway is set at 100 decibels on the average—just 40 db below the threshold of pain. A taxicab in traffic emits about 80 decibels. The sounds of construction reach 110 decibels, especially if pneumatic tools are in use. A youth's souped-up motorcycle can emit 110 decibels too, if the muffler has been tampered with or removed. Even in an average office, the noise level is 50 to 60 decibels throughout the day.

After work, why try to relax when a power boat or snowmobile both hit 90 db, a power mower and chain saw about 95 db, a model airplane close to 100 db, a blender 100 db, a rock-and-roll band over 100 db? A recent measurement in a teenage club gave a higher noise level at the bandstand—120 db—than that experienced at the press site during the

Saturn V launchings. Dr. Pollock, who conducted the experiment, is a University of Florida researcher, and he found hearing losses of between 15 and 35 decibels in teenagers exposed to this kind of music.

When I knew that there would be an opportunity for this debate, I had our research people send away for the report of the committee on environmental quality of the Federal Council of Science and Technology, which I had been advised had just been published. I found this report to be an eye-opener. About 16 million workers in the U.S.A. are now exposed to industrial working conditions that must inevitably damage their hearing. Yet most people are apathetic, even though they may be very concerned about air and water pollution. "You can always move out of the noisy area," they say. But the fact is that you cannot escape noise.

The real danger then becomes that the body adapts to noise from which it cannot escape, and the adaptation takes the form of hearing loss. We have a great deal to learn from the construction of older buildings, with their larger rooms, heavier doors, drapes, rugs and carpets. We are talking a good deal about modular construction now, and I see that Stelco has a proposal for prefabrication. I hope that due note will be taken of recent findings that floors and ceilings should not be solidly bonded to the joists, and the walls should not be rigidly studded. Otherwise all the acoustic tile in the world will not prevent the transmission of noise.

The Owens-Corning fibreglass sound laboratory at Granville, Ohio, has done all this research already, and I suppose that the Minister of Trade and Development (Mr. Randall) should have these findings circulated to the building trade and to architects and engineers throughout Ontario as a public service. I also want him to arrange for the publication throughout Ontario of the results of the study now being conducted in Los Angeles by the U.S. Department of Housing and Urban Development. In this pilot project, Norman I. Pederson, architect and engineer, who has specialized in sound-proofing Hollywood studios, has been engaged to scientifically insulate houses that border on the Los Angeles international airport by using calibration methods before and after the installation.

At the same time, I hope it will be possible to look into the idea of using a catapult, as aircraft carriers do, rather than lengthening the runways of airports, particularly at Malton. A report in the *Financial Post* of April 7, 1969, suggested this to be feasible, since the aircraft can then climb to a height of several thousand feet before it is necessary to advance the engines from "idle" to "thrust". We have to do something urgently, and this brings me to the effect of noise in my own constituency.

As a member of the board of the Etobicoke General Hospital, I concurred in its construction with apprehension, but we need this $20 million project even though its site, on Highway 7 just south of Albion Road, lies directly in the path of one of the runways now being extended at Toronto international airport. OHSC shared my reluctance, and called for what amounted to a $500,000 bond from the borough before it would authorize the go-ahead.

It's not going to be easy to raise the one-third of the cost, about $7 million from a community which is as concerned with noise pollution as Etobicoke is at the moment. We may have to look at a higher price for improved sound-proofing, and, in any event, it seems all wrong that we should have to isolate a hospital from the outside world before it can function, when the better remedy would surely be to eliminate the source.

I have promised to read in the record of this Legislature, a representative number of letters from my constituents, in the hope that *Hansard* will be read by the two higher levels of government. In all of my replies I pledged:

> For my part I will continue to make the federal government fully aware of your views. Further, I intend to do everything possible to see that any ameliorating influence that the government of Ontario can wield is brought to bear on the federal government at Ottawa as quickly as possible.

This speech is in fulfilment of that pledge. Since time is short, I will condense the texts and pick out the meat of the matter in each case.

The first letter comes from Mr. G. M. MacLean, 3 Pergola Road, Rexdale, who writes:

> I am extremely disappointed to learn of the proposed extension of the northern runway—23 right, 05 left—at Toronto International Airport.
>
> According to information I have received from the West Humber area residents' association, my family, including three children ages nine months to five years and I, will be subjected to noise levels

comparable to a riveting machine, a pneumatic peen hammer, a cut-off saw, an electric furnace area, and a casting shakeout area.

After 20 years of industrial experience, I feel quite sure that these noise levels would be detrimental to physical and mental health of my family. In addition, structural damage to the houses in the area is inevitable.

I urge you to reconsider the "interim" expansion plan and to conclude that the only reasonable solution is to proceed immediately with the second airport.

The second letter comes from Mrs. J. W. Fitzpatrick, 42 Masseygrove Crescent, Rexdale, and she writes:

In my view, the expansion has not been proved necessary. In addition, we do not want a new noise area. We will find ourselves in a 95-decibel area, where until now we have been in a low-50s area. In our specific case, our eight-year-old perceptually handicapped child will be adversely affected, as well as disturbing us.

The next letter, Mr. Speaker, was addressed to the Premier (Mr. Robarts) with a copy sent to me—and others. It came from Mr. Renato Saidero, 15 Alicewood Court, Rexdale, and was worded as follows:

We live in the area that will be affected by the new noise from the northern runway which is slated for extension according to an "interim expansion plan".

This means: big passenger jets directly overhead; noise that the DOT admits is "unfit for human habitation"; pollution; risk of plane crashes; taxes to soundproof schools and other public buildings.

This is of great concern to me and the residents living in northern Etobicoke area because: the extension has not been proved necessary; we don't want a new noise area; let's get on with the second airport.

As a member of the West Humber area residents' association, I want my objections heard.

My next letter is written by Mr. G. W. Vaughan, 27 Ludgate Drive, Rexdale, who says—

Mr. Speaker: Order! I would point out to the hon. member that the rules of this House are very definite. Repetition is not allowed and following the precedent which I think was correctly established by the Chairman when he was in this chair the other day, I would rule that the hon. member has now read a representative selection of letters and that any further letters would be mere repetition of the points made in his original speech and the points made in the letters which he is now reading.

Mr. Braithwaite: Thank you, Mr. Speaker.

Mr. Speaker, the last letter I was going to read was from Greg Rambo, a student of West Humber Collegiate and it really was representative of many of the facts that I have brought to the attention of this House.

I have here a scientific abstract which is perhaps more frightening than even the other sources I have mentioned. It comes from a German source, page 1100 of a house publication, No. 18, 1968 of the *Versicherungs Wirtschaft*, which translates I suppose, as the Federal Department of Safety and Security, perhaps the equivalent of a Department of Industrial Safety here. Here's the translation:

Does noise endanger health? Whereas disturbances at a low noise level are physically conditioned, high level noises affect the nerve system directly, independent of whether they are consciously experienced as an unpleasant irritation or even as a pleasant sensation. Psychologically there is no acclimatization to the noise, since it affects directly the vegetative nervous system.

Studies have revealed that the body reacts to noise disturbances with a contraction of the blood-vessels, but without any rise in blood pressure. The whole system receives therefore a reduced blood supply, which can lead to oxygen deficiency in main organs and thus be fatal for people with heart disease.

The important thing in that abstract is that there is no acclimatization other than the increasing deafness I mentioned earlier.

Members will have noted that the 300 homeowners of St. Therese-en-Haut are among a total of 800 homeowners whose homes are not now to be expropriated for the St. Scholastique Airport, the new jumbo jet and international airport for Montreal. So these unfortunate people, whose homes lie less than three miles from the site of the tragic Air Canada crash, which took 118 lives in 1963, are to have to endure living in the flight path or getting out without compensation.

Since, because of the separatist troubles, five-year-old modern homes in this community are already selling, if at all, for around $14,000, it is reasonabe to remark that the people of St. Therese-en-Haut are paying far

more than any community should, for the march of so-called progress. I am determined this shall not happen to my constituents in Etobicoke.

Unless action is taken now in respect of aircraft noise, Etobicoke residents will be subject to a regular dosage of 65 to 80 decibels of noise, as will the people of St. Therese-en-Haut, who have my sympathy. Worse still, from time to time, the level below the flight path can be much higher.

The decibel scale by which noise is measured is not a linear scale, but a logarithmic one. It leaps up faster than the numbers would suggest. Thus at 70 decibels, only the hardy can sleep. At 80 decibels we really notice the difference, as communication by speech becomes impossible. At between 90 and 100 decibels we must don ear-muffs. Even so, at 120 decibels physical frustration sets in and also mental confusion. Brain work is hard or impossible. At 140 decibels, physical pain is experienced, often followed by depression some hours after the experience. At 160 decibels, the eardrums may rupture and mechanical damage to exposed parts of the body can occur.

I ask myself are we, through apathy, going to allow the tolerable limits to creep up? Or are we going to put our foot down now, and say; this is it! This is as much noise as we will stand! For me, the time has come to advocate the second course, and to make appropriate moves to do something about it.

Many of my constituents who will be affected by the proposed runway extension are not aware that airports are strictly a federal matter coming under the jurisdiction of The Department of Transport at Ottawa. We at the provincial level can only urge the federal government to become more aware of the serious problems which the runway extension will bring.

Yet I feel that this government here at Queen's Park, through the office of the Premier, could bring in appropriate legislation in connection with noise pollution. Further, it should and could bring pressure on the responsible individuals at Ottawa to urge that the proposed extension of the northern runway—23 right, 05 left—be scrapped and that the commencement of a second airport be proceeded with, with all dispatch.

I therefore propose the following programme of action for the consideration of the government of the Premier at Queen's Park. I hope that legislation will be introduced this session so that some of the proposals may become law at the earliest possible date. Here then are ten points of proposed legislation:

1. Occupational health noise limits be established by regulation.

2. Community noise levels be established by regulation.

3. Noise-testing equipment and personnel for community and occupational surveys be expanded.

4. The government provide audiometric testing for workers, especially in small industries unable to provide such service.

5. Research be undertaken into the health effects of noise exposure particularly in the psychological and annoyance areas.

6. The government expand audiometric testing programmes in schools.

7. Construction standards be drawn up dealing with sound-proofing of buildings, particularly apartments.

8. Manufacturers be required to take steps to reduce noise in power equipment such as power mowers.

9. A land-use compatibility map be published as part of a plan for Ontario.

10. Promotion of the concept of hearing conservation be undertaken by The Department of Health.

As the summer approaches and the power saws echo through Algonquin Park, perhaps vacationing members, trying to sleep in their tents, will recall this debate, and contemplate the remark of Dr. Leo Beranek, a leading acoustics expert and former professor at the Massachusetts Institute of Technology:

> In all probability the noise level will not only grow in urban centres, but with increasing population and the proliferation of machines, noise will invade the few remaining havens of silence in the world. A century from now, when a man wants to escape to a quiet spot, there may be no place left to go.

Mr. Speaker, in the early part of the century, nobody recognized the importance of silicosis and the possibility of miners being hurt by lung damage. Just recently, we have become aware of the fact that air and water pollution are very, very important and have a great deal of bearing on our lives. I bring this resolution before the House this morning, Mr. Speaker, solely because I feel that noise pollution is something that we as citizens of Ontario are not fully aware of. Those of us who live in places like Etobicoke and have jet fly overhead know what it is like to be

awakened early in the morning by the rumble that shakes the house and prevents any further sleep.

Other members will be speaking on the aspects of noise as it affects our daily life. For all these reasons, Mr. Speaker, I would ask the other members of this House to join with me and support this resolution.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, in following the member for Etobicoke, I would say that I too have had experience with relation to the proposed airport expansion at Malton airport and the noise that now exists. In contributing to this resolution, I went back to basics and of course came to the immediate conclusion that the Lord gave us a couple of ears as one of the main mediums of communication, the sense of hearing. So man was supposed to be subjected to a certain amount of sound. So, very simply, in these terms, the only thing that happened is that it is a matter of degree. We are now in modern life engaged in many excesses, and noise is one of these in which we indulge.

Mr. Lawlor: The Tories are excessively silent about a lot of things.

Mr. Kennedy: That is the silent, strong party, Mr. Speaker.

The subject of noise, as the member for Etobicoke has stated, received dramatic emphasis last fall when it was learned of the proposed expansion of Malton airport. I reflected that when the previous expansion took place, some 14 years ago I think it was, at the present airport, I do not recall that there was a single objection raised from any quarter insofar as the aspect of noise was concerned. I will say that there was an engineering study carried out and it recommended, as I recall, that there be no residential development within seven miles. But this was not originated by residents, this was a technical study. So there was some slight recognition but no public clamour over it. It will now be seen that there has been a profound recognition of the problem of noise because of the 1968 proposal for expansion. In fact, it has received the most sustained and most prolonged opposition, mostly because of the noise factor which would be under the flight paths, of any issue that I can recollect.

At that time, there were numerous reports and representations made, including one to this government, I would like to set out a few items in this report, just briefly, which were presented by a group of homeowners, associations and residents of the town. It was led by Dr. Borgiel. If I might just quote from this report, Mr. Speaker:

> It is understood that the noise and pollutants from aircraft that lies with the proposed expansion of Toronto International Airport could produce physical and mental disorders. Medical evidence shows that noise is not only irritating but is an insidious and sometimes deadly enemy of human energy.
>
> It can prevent restful sleep, disturb thinking, threaten health. The noise and intensity anticipated can bring about permanent deafness and insanity. At best, we have learned, it can affect tempers, accuracy and concentration.

They make reference to a medical study by two doctors in the United States Department of Health, in which tests of noise levels were conducted at two major airports and in noise-sensitive residential areas. These were located four to six miles from the main runway take-off point and perceived noise values that were twice the level that interfered with speech, so that definite difficulty was encountered in having telephone conversation and even face-to-face communication beyond six feet.

Lord Horder, Physician to the Royal Family, told a recent medical association convention that doctors are convinced that noise wears down the human nervous system so that both natural resistance to disease and natural recovery from the disease are lowered. Our own Department of Health acknowledges the adverse effects of steady doses of 100 to 125 decibels of sound for several hours a day. This is corroborated by Harvard and Washington Universities Schools of Medicine.

They make reference as well to high noise levels being linked to psychological illness, allergies, upset stomachs, headaches, heart trouble, fatigue, suicide, and so on. In fact, there is a *Globe and Mail* article this week that made reference to upset stomachs and some other disturbances created by excess sound. The point is, Mr. Speaker, there has been a profound recognition and a dramatic shift in public opinion, of no recognition a few years ago to the present opposition that has affected this multi-million-dollar development around Malton.

This is only one facet of the noise problem. There are many, many sources of noise, all irritants, bothersome and hazardous to hearing as I have indicated. Now the gradual build-up of noise, I think as a layman, has resulted in some immunity both physical and mental being built up to the degree that we more or less accept noise as part of our

modern way of life. But I can recall being objected to the sudden passage of a train when I was visiting a friend. I was not used to trains, and it certainly disturbed me, but the person whom I was visiting never heard the sound. This illustrates the point, I think, that society has accepted noise as part of our way of life.

Other noise irritants that bother me, and it has been referred to on previous occasions, are various types of self-inflicted noise. I think of the television commercial. Normally the TV, I think, in the average home is kept at a pretty high level—when it cuts in, is several degrees louder and certainly grates on the nerves and ears. I think that this is something that government can very easily control by setting some noise standard and keeping even the levels of sound emanating from the TV and, of course, the same applies to the radio commercials.

I was interested in an article in the *Contemporary Review* of September 1967. It is a British publication and it makes reference to the decibel range, as the member for Etobicoke has done. A still night out in the country—and I do not think many people would know of this other than in the rural residents creates 15 decibels, a vacuum cleaner in your home about 69, a steel riveter about 130.

Noise beyond 85 to 90 is likely to be damaging. There is reference in this article to a band using amplifying equipment and one sentence in it says that at one New Year's Eve party—it must have been quite a party—the highest was a steady 110 near the loudspeakers, where 20 or 30 young people were clustered in dazed immobility. So these are some of the self-inflicted noises which we presumably enjoy, Mr. Speaker. Beyond this we have the normal noise of—

Mr. Speaker: I would just like to draw to the hon. member's attention that there is another minute of his time left, and while he is doing that, perhaps the party Whips might like to look at the members of their parties who are here.

Mr. Kennedy: Thank you, Mr. Speaker, I will just conclude. I could make reference to the other noise of traffic, transport and motorcycles and so on and the noise in apartments. It should be a very simple thing to revise standards so that apartments are either soundproofed or at least, the level of noise between adjoining apartments greatly reduced by some form of insulation. It might sound a bit illogical, but I would say, Mr. Speaker, there must be many people who have never experienced the sound of silence and so, I would certainly endorse remedial action and efforts to control noise pollution.

The state of California is making efforts to reduce noise. The California article that I read urges the co-operation of manufacturers, management, labour and government toward effective legislation and enforcement as needed to deal with the broad area of anti-noise pollution. I would just conclude by quoting from this *Contemporary Review* which says:

> Silence is golden but never more so than in this day and age of mounting racket.

Mr. H. Peacock (Windsor West): Mr. Speaker, it gives me a great deal of pleasure to join with the hon. member for Etobicoke in supporting his resolution, that this House recognizes the reality of noise as a pollutant in our daily lives. We can do no less in this hour, in one of the few quiet moments that this Legislature enjoys in its weekly business.

I must say that it is exceedingly appropriate that this resolution has been introduced in the name of the hon. member for Etobicoke because I think of all the constituencies in this House none is delineated more by volume of noise, than is the constituency of the member for Etobicoke. It has major traffic routes surrounding it and the noise of aircraft above.

Mr. Speaker, I also want to make reference briefly to the article which appeared recently in the *Globe and Mail* reporting the words of Dr. Gerald Dorman, who has recently been chosen president-elect of the American Medical Association, a group in the United States which we, in this party, do not find ourselves quoting with approbation. But the president elect recently stated, as reported in the *Globe* story of April 30:

> We recognize that noise is as much of an environment pollutant as the noxious gases, chemicals and wastes that befoul our air, water, crops and soil.

This indeed represents some progress in the United States in giving recognition to the impact of noise pollution on the environment. If the American Medical Association and its spokesman can be convinced of that, then surely the government of the United States, the state governments and perhaps even the government of this country will take note as they do invariably when the American Medical Association speaks on other matters.

In that same report, there is a further reference to the impact of what is termed "unexpected or unwanted noise" by Dr. Samuel Rosen, a New York ear surgeon. He

stated that the physical reaction to such noise results in the dilation of pupils, the skin pales, the mucous membranes dry, there are intestinal spasms and adrenals explode secretions. I cannot help but interject, Mr. Speaker, that members of this House can well confirm Dr. Rosen's observations because they themselves are often subject to the same kind of reaction to unexpected and unwanted noise.

But seriously, Mr. Speaker, the kind of pollutant we are speaking of today is found more outside this Chamber than in it, a general pervasive pollution of our environment. I want to deal particularly with one aspect of it. That is, the generation of noise pollution by traffic—a subject which has not been touched on too much in this debate so far. It has been dealt with, though, at some length in debates on the estimates of the Minister of Transport (Mr. Haskett), but it has yet to inspire from this government the kind of recognition that the urgency of the problem calls for. In several exchanges in this House, the Minister of Transport has exhibited an indifference to the problem in discussing the efforts of the municipality of Metropolitan Toronto to control noise, in discussing suggestions for the establishment of provincial standards for the control of noise levels in the movement of traffic and generally, in exchanges with members of this House in respect to the jurisdiction of his department over the generation of noise pollution by traffic.

The Minister has stated on several occasions that there is no good measuring device for noise emission by motor vehicles that is useful in enforcement, and he has relied on this excuse to put off any effective concrete action in dealing with the problem.

The contribution of traffic to noise pollution is well established, Mr. Speaker. In many surveys, one of which was undertaken by the American Transport Association several years ago and discussed in the papers of the National Research Council by Dr. G. J. Thiessen of the division of applied physics of NRC, the studies showed that no truck noise exceeded the noise limit of any existing bylaw of any jurisdiction in the United States.

Another survey discussed by Dr. Thiessen showed that the bylaw noise limit could be exceeded in every case only by removing the muffler of the vehicle, which was subject to that bylaw on noise levels. In other words, limits on noise levels had been set at such a point that it was virtually impossible to exceed them without stripping all of the noise reducing equipment on the vehicle. Dr. Thiessen pointed to the analogy of the setting of speed limits to show how noise level limits tend to be set by such bylaws.

It has been found that when surveys are undertaken to establish traffic speed limits, the speed which is fixed upon as the limit is that which is exceeded usually by 20 per cent of the motorists driving along the route on which the limit is to be imposed. In other words, the motorists set their own limit, and it appears to be very much the same case in respect to the setting of noise level limits, that those who make the most noise tend to be the ones who finally establish the noise level limit which is set by bylaw.

There may be some logic in the way in which speed control is arrived at in the case of motorists, because they can be said to have an interest in moving from one point to another at the quickest possible speed, always given the factor of safety, some influence on most of their decisions as to how fast they will go. There is, however, absolutely no logic whatever in using the same kind of determination in setting noise levels, because noise makers have absolutely no legitimate purpose in making noise, and will have no incentive to curtail or reduce that noise unless fines or taxes are imposed upon them. The noisiest operators should not be allowed to set the limits.

Mr. Speaker, it appears that The Department of Transport still is not prepared to come to grips with the imposition of province-wide standards of control. In the 1961 report by the committee of The Ontario Transport Department which dealt with motor vehicle noise, it was argued that the subjective effect of a noise could not be accurately assessed from simple instrument readings. As I pointed out earlier, the Minister of Transport has continued to rely on that for all these years. However, the trend today is away from such efforts to measure the pollution caused by noise subjectively and is much more towards the use of instruments which have some virtue of objectivity.

Dr. Thiessen, in another paper, has stated that this point of view—the one leaning towards objectivity, as opposed to the qualitative—is gaining ground in most countries. He affirms this in the appendices set out to his study. He flatly rebuts the position taken by the committee of The Department of Transport and the position taken by the Minister of Transport.

He says that such instruments used in noise measurement need not be expensive or difficult to use. Objections to a simple sound level meter as stated in the report of the

committee of The Department of Transport of Ontario can be answered by the statistics and material he sets out in appendices to his study.

Mr. Speaker, my time has just about expired, and I would conclude by suggesting that The Department of Transport now has, as a result of the work of the National Research Council and the efforts of other jurisdictions in the United States and in Europe, the technical expertise to set out objective criteria for the control of the emission of noise pollution in our province. Thereby it can make some inroads on this growing problem of environmental pollution that is becoming so injurious to the public health in this province.

Mr. G. Ben (Humber): Mr. Speaker, I would like to join in congratulating the hon. member for Etobicoke, and the members for Peel South and Windsor West, in supporting the resolution of the hon. member for Etobicoke. I think it has been adequately established by those three hon. members that noise is, indeed, as much of a pollutant as the noxious gases, chemicals and waste that befoul our air, crops, water and soil. Big jumps in noise pollution are the prospect with increased automobile traffic and introduction of supersonic transport planes. In fact, environmental din is expected to be doubling in intensity every decade. The hon. member for Windsor West read to this House the effects of unexpected or unwanted noise as described by Dr. Samuel Rosen, the New York ear surgeon. I would just like to add some of the effects that were described by Dr. John A. Parr, a British physician. He stated that our muscles tense, and we jerk. Our abdominal blood vessels contract to drive extra blood to the muscles and produce that feeling of the stomach turning over. In an instant, the liver releases stores of glucose to provide fuel for the muscles. This internal upheaval, if repeated again and again, is exhausting physically and mentally—and ultimately can cause a nervous breakdown.

Dr. Keith Neely, of the Defence Research Medical Board, is concerned with hearing conversation in the Canadian Forces. He told a course in audiology at the Toronto General Hospital last year how noise destroys hearing. Hearing is destroyed first by noise in the high frequency range. Since this does not affect the understanding of conversation, the loss is not noticed by the person. It is only when the continued exposure to noise begins to destroy hearing in the lower frequency ranges that the individual realizes that he is having trouble understanding conversations and he goes for aid. One of the shameful aspects of this situation is that few realize that their loss of hearing could be attributed to their employment and that they should apply for and receive disability compensation from the workmen's compensation board.

One is also tempted to ask oneself how many others were also entitled to compensation for nervous disorders caused by the excessive noise at their place of employment. As a matter of fact, a workmen's compensation board report shows that they do have a special department now that seems to handle cases that do not fall under any other category. Maybe this may be the reason.

Experimentation has established that at noise levels of 85 to 100 decibels a person should wear ear plugs or muffs if subjected to the noise for more than four hours a day. From 100 decibels to 130 decibels he should wear ear plugs or muffs for any exposure. Noise of 130 decibels is about the intensity of sound when you are standing ten feet away from an idling jet airliner.

A quiet room without conversations rates about 40 decibels. An office with 15 typewriters and a telex creates about 50 to 75 decibels. The hon. member for Etobicoke described the decibels of sound produced by taxis, subways, blenders and bands.

A study at Aetna Life Insurance Company employing equipment using sound shields and noise reducers, showed that overall office efficiency rose 8.8 per cent over two years, decreased typing errors 29 per cent, and cut machine operators' errors by 52 per cent. The most dramatic improvement over the two-year period was a 47-per-cent decrease in turnover rates.

The hon. member for Etobicoke discussed noise in relation to airports and suggested some actions to abate this harmful nuisance. I should like to emphasize the need to compel industry to take action to protect the hearing of its workers.

(1) The workmen's compensation board or The Department of Health should set up a scale of maximum permissible noise levels for various industries.

(2) Every industry should be required to test new employees when they start work to set a baseline, and then give subsequent hearing tests at regular intervals to detect any hearing loss.

(3) Every industry should install sound shields and noise suppressors where required. They might even give consideration to having

some drapes or tapestries—without the ornamentals on them—to suppress noise.

(4) It should be a requirement that all workmen be supplied with ear plugs or ear muffs where required with the assurance that surroundings will be safe for their use. I make that addition there, because having their hearing interfered with by the ear plugs or ear muffs can get them into an accident. The surroundings should be safe so that they can use these ear plugs.

(5) Compensation should be paid for loss of hearing even though such loss does not result in reduced earnings. The loss of ability to hear acutely, or to hear music with high fidelity, in my opinion should be compensable.

Aside from the foregoing the government should also enact a noise control Act which would protect the public from unnecessary environmental noise during everyday activities.

The municipality of metropolitan Toronto enacted bylaw number 835 to prohibit the driving or operating of vehicles creating undue noise within the municipality of Metropolitan Toronto. I believe the hon. member for Windsor West referred to it very briefly. The shame of it is that the Minister of Transport made it impossible to enact a bylaw with any teeth in it. This particular bylaw was watered down to the point where it became ineffective. In fact he made it farcical.

I would ask you to listen, Mr. Speaker, to the involved and very restrictive list of conditions which must apply to the time and place at which the noise level meter required to be used by the bylaw is to be operated. Listen to this, please:

> The section of street at which the noise is to be measured must have negligible grade. The surface must be smooth and unbroken and free from streetcar tracks or railway tracks. The permissible speed limit must be 30 miles per hour and there must be no building or structure within a radius of 100 feet from the microphone.
>
> In addition, at the time the measurements are made, surrounding noises must be at a minimum, the temperature of the air must be 60 degrees Fahrenheit; there must be no rainfall; in fact, the sky must be clear or slightly overcast, and the wind velocity must be less than 10 miles per hour.

Consider these restrictions, including if weather permits:

(1) Most north-south streets have a grade and therefore cannot be used. There is a marked elevation between the lake front and Eglinton hill and north.

(2) It is almost impossible to find a smooth and unbroken stretch of roadway in Toronto. An unwritten law requires a utility to turn up within one month of a new roadway being laid and break it up to repair or to install utilities.

(3) Not even on University Avenue, the widest street in Toronto, could you set up a noise meter and not have a building or structure within 100 feet.

(4) You cannot set up a meter on Lakeshore Road because the permissible speed is 40 miles per hour. The same restriction would rule out the Frederick Gardiner expressway or the Don Valley expressway, and in fact University Avenue.

The question then arises, where in Toronto can you set up a noise meter to enforce this bylaw? For this reason it has just been sitting on the books. It is an absolute farce, it is preposterous, ridiculous. It is time that this government stopped making a fool of itself and in that way making fools of these municipalities. I think all the members who have spoken have established that noise pollution is a very serious problem and that we have to face it four square.

I am suggesting, Mr. Speaker, that heed should be given to this resolution and it is time the government stopped being deaf to the pleas of the people for action which would save their hearing. Thank you.

Mr. A. Carruthers (Durham): Mr. Speaker, as one who has wakened to the sound of wild geese honking as they go north to their northern haunts, the sound of tulips blooming and the whisper of the breeze through the roses in a small rural community, it is rather difficult for me to recognize the problem exists that has been outlined by the hon. member for Etobicoke.

Arriving in this large municipality of Toronto it is not difficult however, to recognize that there is a problem existing with respect to noise. Noise has been defined as any undesired sound. The sound of church bells may be music to one person and may be noise to the other.

Hon. A. Grossman (Minister of Correctional Services): Noise of the Opposition, for example.

Mr. Carruthers: Sir, I was just going to say that to some people a speech in this House would be music; to others a five-hour speech may become noise, and certainly become very

irritating to the nerves and to the mental outlook of the individual.

The law says that noise is an excessive, offensive, persistent or startling sound. And, as has been mentioned, noise is measured in decibels which actually are called the sound pressure level. A decibel is equal to 20 times the logarithm of the ratio of the sound pressure in air to an established reference sound pressure.

Decibel is to sound, I might point out, Mr. Speaker, as degree is to temperature. Outdoors, the sound decreases six decibels each time the distance between the source of the sound and the microphone or the listener is doubled. Indoors, of course, the acoustics of a room greatly modify this rule.

As has been pointed out by the other speakers, certain noise does have adverse effects on a human being. It may annoy him —certainly it annoys him in this Legislature sometimes, long speeches do annoy us.

It can disturb his sleep, and perhaps this happens in the Legislature as well. It can interfere with his ability to converse with someone else; this may happen in the Legislature too. It can damage his hearing, and this is serious and is a problem in many industries where it is becoming a very common occurrence.

Mr. V. M. Singer (Downsview): What does the member think of Sonar?

Mr. Carruthers: I do not know. Some damage to hearing, Mr. Speaker, may evolve from the noise of a blast or explosion. Gradual damage may result from continual exposure over the years—for example farmers working with tractors day after day may develop hearing problems. Other factors being equal, a steady sound such as that of a textile mill will be less likely to damage hearing than one that is impulsive, as that of a pneumatic hammer. Those who work around jet aircraft, in boiler shops, in drop-forge shops, or those who use metal cutting, chipping, and shaping tools are most likely to suffer gradual loss of hearing.

I think we must recognize the fact that noise from transport, industry and people make this the noisiest age in human history. Noise levels vary from a still night in the country, as I mentioned, of 15 decibels, to steel rivetters where the level is 130 decibels; 140 decibels is considered to be the threshold of pain, while 85 to 90 and upwards are dangerous noise levels.

A test carried out on teenagers celebrating New Year's Eve with a party, revealed the lowest sound of 90 decibels near the edge of the dance floor, and the highest, 110, near the loudspeakers where 20 to 30 youngsters were gathered in dazed immobility.

The new supersonic aircraft—and I believe this is the chief concern of the member for Etobicoke—such as the Concorde, the new aircraft developed by the British and the French governments, will create a carpet of sound, an atmospheric tidal wave that will roll across the earth in the wake of the flight path of these massive aircraft. These planes create a streamlined airflow around the plane, piling up, and creating conical shock waves that radiate from the object very much like the bow wave of a ship. Experts estimate that supersonic aircraft, crusing at 64,000 feet, will at ground level create a wave of sound 64 miles wide. Anyone in its path will hear a detonation after the plane has passed in flight. Several solutions have been mentioned with respect to the problem.

I understand that in the new Institute of Science and Technology, one exhibit deals specifically with sound and its effects on human beings. One room is equipped with highly-technical equipment which, by controlling air waves, creates a completely soundless environment. A person standing next to you and speaking could not be heard because the sound waves have been levelled out or deadened through the use of this highly technical equipment. Perhaps, like air conditioning, the method in modified form might be used to alleviate noise in industry or legislative assemblies, or other facilities where noise is a problem.

In seeking solutions, may I suggest that a number of factors should be taken into consideration.

First, the source of the noise should be considered with a view to substituting a quieter machine. It is possible the noise intensity could be reduced through the use of resilient pads beneath the noisy device. Consideration should be given to the use of a muffler, if practical.

Secondly, the path from the source of the noise to the listener should be considered. Is it possible for the source or the listener to be readily moved in order that the two are further apart? Should a barrier be erected between the source and the listener? Is a total enclosure for the source required? Will the addition of an absorbing acoustic material result in significant reduction of noise? Can the worker be induced to wear ear plugs or noise reducing cushions or helmets? Can he be enclosed in a booth or other quiet space?

A great deal has been done. I think the workmen's compensation board has done a great deal in this respect, and certainly, the research that has been done and will be done through the new Institute of Science and Technology, as I pointed out, will do a great deal to alleviate this problem in the future. As the other speakers have recommended, may I suggest too that both community and occupational noise levels be established by regulation under The Health Protection Act.

Mr. Speaker, I do not know whether we require provincial legislation in this respect. Certainly, on the municipal level and industrial level we do require some type of regulations governing noise pollution.

But noise-testing equipment and personnel for community and occupational surveys should perhaps be expanded to a greater extent, and more research be undertaken. I repeat that a great deal is being undertaken through government agencies. The government should expand audiometric testing programmes, establish standards dealing with sound-proofing of buildings and particularly, apartment, because this type of a problem does exist in our complex world. Manufacturers should be required to take steps to reduce noise in powered equipment such as power mowers.

Silence is golden, Mr. Speaker, but never more so than in this day and age of the mounting racket. Noise pollution has come to be recognized as one of the most unwelcome accompaniments of any industrialized commercial society and I feel we should do something about it.

Mr. Speaker: This concludes the private members' hour.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Monday I would like to go to committee of the whole House to deal with quite a list of bills that are on the order paper under the second order. I would like to start with Bill 118, An Act respecting the city of the Lakehead so that we may give it its complete progress through the House and get it into effect. Then we will deal with the other bills listed there. There is also the private members' hour. If we complete all those bills that are in committee, then we will go back to second reading. In other words, we will not leave the order paper on Monday afternoon or evening. On Tuesday we will resume the estimates of The Department of Social and Family Services.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

No. 105



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, May 5, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, May 5, 1969

Ambulance services, questions to Mr. Dymond, Mr. Shulman 3915

Indian children's education, questions to Mr. Robarts, Mr. MacDonald 3915

Provincial takeover of assessment, questions to Mr. Robarts, Mr. MacDonald 3915

Ontario Minnesota Pulp and Paper Company, questions to Mr. Bales, Mr. Nixon 3916

Off-track betting shops, questions to Mr. Wishart, Mr. Nixon 3916

Go-carts, question to Mr. Haskett, Mr. B. Newman 3918

Pump-out stations, questions to Mr. Simonett, Mr. Deans 3918

Calculating Ontario's population, questions to Mr. McKeough, Mr. Young 3918

Detroit River, questions to Mr. Simonett, Mr. Paterson 3918

Phosphorus levels in Lake Erie, questions to Mr. Simonett, Mr. Paterson 3918

Tabling answers to questions on the order paper, Mr. Robarts 3919

City of the Lakehead, bill respecting, reported 3919

Appointment of a commissioner to investigate administrative decisions and actions of the government of Ontario and its agencies and to define the commissioner's powers and duties, bill to provide for, on second reading, Mr. Singer, Mr. Carruthers, Mr. Young, Mr. Ben, Mr. Lawlor 3944

Recess, 6 o'clock 3954

Appendix 3955

LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 5, 1969

The House met at 2.00 o'clock p.m.

Prayers.

Mr. Speaker: Our guests this afternoon, in the east gallery, are students from Romney Central School in Wheatley and Nelson High School in Burlington; and in the west gallery from Gravenhurst High School in Gravenhurt and Port Perry High School in Port Perry, and from the Adult Education Centre on College Street, Toronto. Later this afternoon we will have visitors from the Adult Education Centre on Keele Street, Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, before the orders of the day, the hon. member for High Park (Mr. Shulman), asked a question on Friday which I took as notice. Question No. 1388: Did the city ambulance take a body directly from Malton train wreck—plane wreck, I presume that was—April 20, 1969. The answer is yes.

Had this body been seen by a physician or coroner before it was removed from the scene? Yes.

Three is answered by number two.

Four, if it was known that the body was dead why was it transported in an ambulance rather than the dead wagon? The ambulance was on stand-by because it could not be known in advance that the patients were, in fact, dead.

The bodies were transferred to the morgue because death had been confirmed by the coroner. The ambulance was used owing to the circumstances, and we believe that good judgment was employed because of the crowds at the scene. It was felt that further delay while calling for a body wagon was not justified.

Five, does the Minister believe it is good practice to transport bodies to the morgue in the same ambulance that is used to take the sick to hospital? Not as a rule, Mr. Speaker, but circumstances alter cases from time to time.

Mr. Speaker: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have two questions for the Prime Minister. The first: have any churches withdrawn from the operation of Indian schools as has recently taken place in western Canada; and second, will the government seize this kind of opportunity to integrate Indian education with our regular educational system?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the operation of these residential schools for Indians by churches is a matter of agreement between the federal government and the churches involved. We are not involved in these agreements. Therefore we are not party to any of these discussions and we have no knowledge as to whether any churches are withdrawing or not.

I can tell the member that the withdrawal of any churches has not been brought to our attention in any way, shape or form. We do not know of it.

In regard to the second question, of course the education of Indian children is a federal responsibility. It is a matter of continuing discussions between the federal people and this government, and these discussions will continue as they have in the past. The second part of the question is really not relevant in light of my answer to the first part.

Mr. MacDonald: Mr. Speaker, by way of clarification then; the Prime Minister has indicated on many previous occasions, as has the Minister of Education (Mr. Davis), that we are ready and willing at any time to accept responsibility for education, presumably following agreement with Ottawa.

My question really was, with this kind of transition that is taking place in western Canada and may be taking place in Ontario —the Prime Minister cannot confirm that— this would be an appropriate time to move. Would the government consider intensifying negotiations for an objective which they have already accepted?

Hon. Mr. Robarts: Mr. Speaker, I would say yes, we are quite prepared to do this. But the whole point really is that the federal government in many cases is trying to avoid it financial liability in various areas of dealing with the Indians and this is really where the rub eventually will come. We are prepared to take them into our educational system, yes; but we see no reason why we should assume what is constitutionally the financial responsibility of the federal government.

Mr. MacDonald: Well the latter point we will debate at an appropriate time.

Hon. Mr. Robarts: It will be debated at some time.

Mr. MacDonald: My second question to the Minister, Mr. Speaker. On March 5 the Prime Minister indicated that the government was going to negotiate with unions—that word negotiate may be too strong—now representing employees who will be affected by the province's takeover of assessment. Two questions then:

What negotiations, or what consultations, have taken place in this connection?

Second, when can we expect Judge Little's report on collective bargaining among public employees?

Hon. Mr. Robarts: I was going to suggest to the member that the word 'negotiation' was too strong, and indeed is a very broad interpretation of the answer that I gave to his question on March 5 when the hon. member asked me about this. I said then that we were assessing the situation to see what is involved. There are a good number of people involved, some belong to unions and some do not.

There have been no negotiations in that sense of the word at all. However, I can give you my assurance, as I did before, that the necessary steps will be taken to consult with those concerned when we sort out the interest that these various groups may have, and we will deal with them fairly and equitably.

As far as Judge Little's report is concerned I think it is fairly imminent. The last time I was asked, in March, I said that the work had been done and it was being written but had not yet been received by the government. When it is we will, of course, deal with it.

Mr. Speaker: The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, the Minister of Labour is now in the House. I would like to ask him: what are the circumstances of the issuance of a permit to the Ontario Minnesota Pulp and Paper Company at Fort Frances for authorization of hours of work in excess of the usual 48?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, that is slightly different than the question which was given to me. It does not really matter, Mr. Speaker, except it refers there to section 9(2) of The Employment Standards Act.

In reply to the question, no overtime permit has been issued to the company under section 9(2) of The Employment Standards Act. However, a permit was issued under section 9(1) arising out of a written application from the company for the standard 100 hours of overtime per employee for the year and for overtime for the so-called non-production employees. The application was routine and the permit was issued accordingly. I make the distinction, Mr. Speaker, between sections 9(1) and 9(2), because there is a different arrangement.

Mr. Nixon: Mr. Speaker, in the normal course of events does the Minister—or the people in his department who deal with this matter, are they available to receive objections from people in the community? I understand that the union local is opposed to the extension of the work permit. They complained by telegram to me and I presume, made a similar complaint to the Minister, or perhaps someone in the department. Is there a procedure by which the department assesses community reaction before the permit is granted?

Hon. Mr. Bales: Mr. Speaker, the permits granted under section 9(1) are of a relatively routine nature. But those under section 9(2) require more extensive consideration, because we do not give them as readily. We have to assess the situation before authorization is given, because it is for extra, additional hours of overtime.

Mr. Nixon: Part of this assessment might be to contact the local union to see what their views would be. Thank you.

I have a question for the Attorney General, Mr. Speaker. Has the Ontario Jockey Club been in contact with The Attorney General's Department regarding the future of off-track betting shops?

Would it be legal for the Ontario Jockey Club to refuse bets from betting shops as it has threatened to do; and is the Attorney General going to leave this matter completely in the hands of the federal govern-

ment, or does this government have a plan regarding the problem?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, the Ontario Jockey Club has not been in contact with myself, and I think not with the department as yet; although I understand from a note on my desk that they are seeking a meeting, which I hope we shall arrange very shortly—at least that was the purport of a note that I saw.

As to the second part of the question: no, the Ontario Jockey Club by law must accept a bet that is legally and properly placed. The courts have held that the messenger service is legal. A bet placed in that way would have to be accepted. The Ontario Jockey Club would be bound by the law to accept such a bet.

As to the third part of the question, "Is the Attorney General going to leave this matter entirely in the hands of the federal government or does the government have a plan regarding the matter?" We have placed our position before the federal Minister of Justice, as I think I reported before to the House. Myself, with three Attorneys General of other provinces, saw him at the time of the federal-provincial conference and urged upon him the necessity for legislation at the federal level, where our gaming and betting law is all contained. He undertook to study the matter, and then on our return he asked for our views in writing.

I spoke to the Minister of Justice as late as Friday last, Friday morning of last week, and he told me he had heard now from all of the Attorneys General. I was urging him at that time that they proceed with whatever legislation they might have in mind. He is aware of the urgency, he is aware of the consequences of having this situation as it is.

I do not know what the federal government may do. There is a difficulty in bringing it in with other amendments to the Criminal Code which had already been introduced. Mr. Turner felt that to bring in something of this nature would set the whole thing back, so we would have to proceed separately.

I do not know what they may do or how soon they may accomplish some legislation, but I would say this on the latter part of that question, that the whole position of Ontario, of any province, would be predicated and premised on what the federal government does or does not do.

If we are left with this situation, the so called messenger service; if we are left with that and if it should develop as we think it might, where persons will be taking advantage of that to do bookmaking, the provincial government would have to, I am certain, license, control and inspect such places, That would be quite a serious undertaking, quite a difficult undertaking, which is why we think the federal legislation should go to tightening up present law and making off-track betting, whether you call it a messenger service or not, illegal. Otherwise it places a tremendous burden on the province to license, inspect, control; because there are so many people who would use that front for illegal betting. It would become much more than a messenger service.

I have answered the question very fully because those are the considerations which we have thought about; I would hope that the federal government would make its decision and bring in its legislation quickly.

Mr. Nixon: I wonder if the Attorney General has considered that perhaps the license and control that he refers to might be a more effective way of controlling the underworld elements that tend to involve themselves, that it might be a better way than simply trying to make the whole process illegal, which has not been too successful as far as reports that have come to us from competent authorities are concerned.

Hon. Mr. Wishart: I have thought about it. But the difficulty is that you think about it, one would think that by licensing one would know who is in the game and would be able to control it; but first of all you would have to select the person and there would be a great deal of pressure as to why you select one and not another to carry on. Second, the procedures that are carried on in placing bets vary from track to track—some do it by machine or do it by message—and to know, to follow all those tracks would be almost beyond possibility of analysis. One would have to know that different odds are not being given and taken, and would have to pursue each individual bet to make sure that it was properly placed at the track odds and paid out at that price. I think it would be, as we understand it, almost impossible to control it, even if you had just a small number of persons engaged in that business.

Mr. Nixon: Mr. Speaker, if the Attorney General will permit it: Would it be right to assume that The Attorney General's Department has undertaken no specific plan to license and control in the event that the government at Ottawa does not act either

in the way that they have been advised by the Attorney General of Ontario, or in fact, if they do not act at all for some months?

Hon. Mr. Wishart: It is not correct to assume that at all. We have thought about it, we have studied it, we have quite a lot of knowledge about the situation. I have been concerned to point out how many diffculties would lie in our way.

I think the hon. member is aware too that the present amendments to the Criminal Code open up the field of gaming or betting, particularly in the field of lotteries, very widely. The effect of those amendments will be to leave to the provincial government the option, in fact the control and if necessary, if considered wise, the licensing or whatever control is planned on this type of betting, the lottery situation. So that we will as a province have to set up some sort of administrative body or licensing body to determine whether or what charities may carry on lotteries, to what extent they may go, the prizes; and there would have to be inspection, I presume. Municipalities are to be given, I understand under these amendments, the right to have lotteries if the province sees fit.

We have been studying this whole situation, knowing that the day is going to arrive soon when on our doorstep will be at least this area of betting or taking a chance of buying tickets on a lottery. But to get into the business of controlling, licensing and controlling off-track betting is a very difficult thing. I would hope we are not fixed with that, I would hope that the federal government would control that.

We have not been idle, we have given it a lot of thought; but I do not like to think about the idea of doing it.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport.

Is the Minister planning legislation to control go-carts and similar gasoline-powered vehicles as recommended by the coroner's inquest investigating the death of a go-cart driver in the Dufferin Plaza parking lot on March 15?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, this coroner's report has not yet reached our department. When it does it will be given due consideration.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

How many of the pump-out stations listed in the OWRC advertisement in the *Globe and Mail* on May 1 are presently in operation?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, there are 16 pump-out stations now in operation and 21 additional stations will be operational shortly. I am informed by OWRC that the pump-out stations listed in the recent newspaper advertisement will be operational during the 1969 boating season. It is estimated that 113 pump-out facilities will be provided.

Mr. Deans: Might I ask a supplementary question, Mr. Speaker? Until such time as the pump-out stations are in operation all over the province, has any provision been made for the boaters who have to travel in those areas where there are no stations? Will they be exempted from the law?

Hon. Mr. Simonett: No, Mr. Speaker; we hope to have enough stations throughout the province that we will be able to take care of all boaters within a reasonable distance when the boating season starts which we anticipate will be May 15.

Mr. Speaker: Any more questions? The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question for the Minister of Municipal Affairs. In calculating the population for Ontario for 1968, as set out in the 1969 municipal directory, how many persons were not counted because they lived in (a) institutions, (b) defence establishments, and (c) on Indian reserves?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the answer, in round figures to (a) is 65,000; (b) 15,000; and (c) 35,000.

Mr. D. A. Paterson (Essex South): Mr. Speaker, does the hon. Minister of Energy and Resources Management have answers to either of my questions as yet?

Hon. Mr. Simonett: Yes, if the hon. member would give me the numbers of the questions I would be happy to answer them.

Mr. Paterson: Mr. Speaker, I have questions 1357 and 1358 in front of me. Should I present these to the House? They have been read in.

Mr. Speaker: The hon. Minister just wished to identify them, I think he can now answer them.

Hon. Mr. Simonett: The answer to 1357: According to our information, materials will not be deposited in the Amherstburg Channel. Information has been received, however, concerning the proposed disposal of materials on land within this area.

The second part of the question: This matter is currently under review by OWRC staff; and the third part of the question, the proposal will be reviewed with the U.S. Corps of Engineers to ensure that this operation does not impair the quality of the Detroit River. Responsibility for landscaping and conservation practices will rest with the American authorities.

Question 1358: The importance of phosphates in the biological cycle has only become recognized in recent years, and as a consequence, the OWRC, in conjunction with the international joint commission, initiated, in 1966, an intensive survey programme of Lake Erie to monitor the phosphorus levels of the lake. This information will form part of the international joint commission pollution report on the lower Great Lakes, which, it is anticipated, will be released within a year.

The report will discuss the various phosphate levels in different sections of the lake. And the second question: An increase in phosphate level can be attributed to many sources, such as land run off, sewage treatment plant discharges, and so on. Neither primary waste treatment plants nor secondary waste treatment plants effectively reduce the phosphate content. Additional treatment processes (chemical coagulation, settling and filtration) are required for phosphate removal and these can be applied to either a primary treatment plant or a secondary treatment plant.

And the third part: As indicated in the previous answer, secondary treatment does not adequately reduce the phosphorus content and the Ontario Water Resources Commission will not, therefore, be ordering all municipalities to provide secondary treatment. The feasibility of nutrient removal at waste treatment plants is under consideration at the present time.

Mr. Paterson: Would the Minister entertain a supplementary to question 1357? To the Minister's knowledge, was a member of his staff in attendance on Saturday morning when the U.S. Corps of Engineers visited the site in question regarding the dumping of materials?

Hon. Mr. Simonett: I am sorry I cannot answer that but I would anticipate that they would, because they usually meet with the IJC when they are meeting here or in the United States.

Hon. Mr. Robarts: Before the orders of the day, I would like to table answers to questions on the order paper. Nos. 42, 43, 45, 47, 50, 51, 52 and 60. (See Appendix, page 3955.)

Mr. Speaker: Orders of the day.

Clerk of the House: The second order, House in committee of the whole; Mr. A. E. Reuter in the chair.

CITY OF THE LAKEHEAD

House in committee on Bill 118, An Act respecting the City of the Lakehead.

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Chairman, there are some half dozen or more amendments to be moved at various points.

Mr. R. H. Knight (Port Arthur): Mr. Chairman, I think that before we proceed on discussion of this bill, the matter of the name of this new city should be determined because this section approves a certain name without any qualification as to how the actual name shall be determined. It occurs to me that once this section is passed, then the name that is indicated in this section is also approved. I think there has been some indication that the Minister would say eventually, prior to the June 23 election, Mr. Chairman, as to whether the Lakeshore people would vote on this name at the same time as they vote for a mayor and new council. I wonder if we could get some comment from the Minister at this time as to what he plans to do about this name.

Hon. Mr. McKeough: Mr. Chairman, I think this is covered under section 3, subsection 4.

Mr. V. M. Singer (Downsview): As an amendment?

Hon. Mr. McKeough: Either way, it is covered.

Mr. Knight: Mr. Chairman, do I take it from the Minister then that he will clarify what he plans to do under that subsection? Thank you.

Sections 1 and 2 agreed to.

On section 3:

Hon. Mr. McKeough: Perhaps if I move the amendment first, Mr. Chairman?

Mr. Chairman: I think that would be in order.

Hon. Mr. McKeough: I move that subsection 4 of section 3 be struck out and the following substituted therefor:

(4) If directed by order of the Minister, a vote of the electors of the city shall be taken at the same time as the election for the first council to determine from among the names designated by the Minister, which name the city shall bear and, following the vote, the Minister shall by order,

(a) confirm the name of the city as set out in section 2; or

(b) declare the names that the city, the Hydro electric power commission established under section 8 and the public library board established under section 9 shall bear,

and where a declaration is made under clause (b), all references to the bodies mentioned in clause (b) shall be deemed to refer to the names of such bodies as designated in the declaration.

And further, that section 3 be further amended by adding thereto, the following subsection, subsection 6:

Any lands that become part of the city under the provisions of section 4 of an Act respecting certain aid by the corporation of the town of Fort William to the Grand Truck Pacific Railway Company being Chapter 48 of the Statutes of Ontario, 1905, or of subsection 2 of section 5 of, An Act respecting the City of Fort William, being chapter 114 of the Statutes of Ontario, 1910, shall form part of Fort William ward.

Perhaps I might give an explanation. I think the first one is self-explanatory, Mr. Chairman. The second one in the general legislation provision, is when part of an Indian reserve is sold it comes into the municipality. This, of course, will happen in the case of the Fort William Reserve. If any part of it is sold at any time, it will come into Fort William. Subsection 6 will ensure that it comes into the Fort William ward.

If you wish me to answer the question specifically as to the name, I have written to the chairman of the Lakehead planning board and asked him to submit to me, by May 23, three suggested names which I will then order to be put on the ballot. Then the procedure will be followed, whichever name receives the highest number of votes will then be the name of the new municipality and I shall so order.

I may say I think we heard from Mr. Kosny the chairman of the Lakehead planning board this morning. He wonders if that time can be extended, I think at the request of the trades and labour council, until the end of May. I have assured him that that will give us sufficient time to order the ballots to be printed.

Mr. Chairman: Is there any discussion on the amendment? The hon. member for Port Arthur.

Mr. Knight: I would just like to ask the Minister, through you Mr. Chairman, whether we can presuppose that therefore the Lakehead planning board may decide in any manner it deems to fit as to how those three names will be chosen. That is entirely up to the planning board, is it?

Hon. Mr. McKeough: That is right:

Mr. Chairman: Does the amendment carry? Shall section 3 as amended form part of the bill?

Mr. F. Young (Yorkview): Mr. Chairman, subsection 2 of section 3 the Minister provides that the first term of office shall be four years, and then following that each council shall hold office for two years. That is, the first council shall hold office until January 1, 1973 and each succeeding council shall hold office for the two year term?

Hon. Mr. McKeough: It is a three year term—

Mr. Young: Beg pardon?

Hon. Mr. McKeough: —1970, 1971 and 1972.

Mr. Young: I am sorry, from the first?

Hon. Mr. McKeough: Three and then two.

Mr. Young: Yes, the first one is three years, but my question, Mr. Chairman, through you to the Minister, is why the two year term? It seems to me that today with large municipalities that a two year term is just too short. The legislation allows for three years and there seems to be no reason why, when we are setting up these new municipalities, we should not make the three year term part and parcel of the new set-up.

Some years ago those of us who had experience with one year term found it almost impossible because you are electioneer-

ing most of the time. Then, with the two year term that in itself was better, but not good enough. With the large municipalities today, the business is such that a council should have more stability than even a two year term brings them. By the time the two year term is over the council is working well generally. They know each other. They are familiar with the problems and they should at least have one further year.

Personally, I think the term should be longer than that for large municipalities but the legislation says three maximum and perhaps, we can leave it at that for the purpose of this bill today. I would like to ask the Minister though, why he does not make it a three year term instead of two years when we are writing the new bill?

Hon. Mr. McKeough: Mr. Chairman, the purpose in granting or suggesting a three year term was to put this council on the same cycle as the divisional board of education who are on presently in the first year of a two year term which will be for 1969 and 1970. They will have an election in the fall of 1970 for 1971 and then presumably they will go to the polls along with a great number of other people in the fall—in December presumably, of 1972. This will put them on the same cycle and sometime before that time, I would hope that there would be a determination made as to whether—both for education and for the municipal council itself—a two or three year term is appropriate in the Lakehead.

As a matter of fact we are deliberately doing this in a number of other instances, even in tentative proposals, to suggest that if they can get on the same cycle that is the first step and then we can take it from there. I suppose—and it is not really at issue—it would be fair to say that the three year term which was introduced three years ago has not met with unanimous approval for many of the people who live under it, or in it. I recognize the point that the member makes about politicking and when it starts there are some who would suggest that in some municipalities the politicking for the 1969 elections began about two years and three months ago.

Mr. Chairman: Shall the amended section 3 form part of the bill?

Section 3, as amended, agreed to.

On section 4:

Mr. Young: On section 4 again, Mr. Chairman, I would like to call to the attention of the Minister through you, the matter which I raised at the time of the second reading of the bill, that is, section 4(1) says:

> The mayor shall be elected by a general vote of the electors of the city and then the 12 aldermen shall be elected by a general vote of the electors of the city and so on.

And then the wards are set up.

Mr. Chairman, we are setting up a new municipality, a large municipality, and at the time when these municipalities are set up it seems that the major changes that ought to be made, should be made. When we get the kind of changes that are envisaged here it is not much more difficult to move a step forward, that is, one further step forward, and do the job that should be done rather than think in terms of two smaller steps over the period of years. Once vested interests are set up, the second step may become almost impossible.

In connection with the ward system I would again urge upon the Minister that a ward be set up so that you have roughly an equal number of voters in each ward. Each ward elects one alderman, and out of the aldermen the mayor is elected. This pattern is one which has been accepted in most of the European countries, certainly in Britain, and we have taken our pattern largely from the United States. We do not find that it is too conducive to some of the results which we want; that is, there is no group responsibility in this pattern.

The problem is also that if we get aldermen elected across the board in this kind, then no individual citizen knows what alderman is responsible for his particular area. I suppose the alderman who gets the reputation for doing a job well will be flooded with calls and with requests for redress, whereas the alderman who does not, has a very easy time of it. It may be that when the election rolls around the second alderman will find himself in difficulty, where the first alderman does not.

In any case, it seems to me that the pinning down of responsibility is a good democratic procedure; that we should set up the kind of ward system here which can result in responsibility being pinned down to aldermen. Then, out of those aldermen, a mayor can be elected by the aldermen themselves, and at that time when this Act comes into effect we have accomplished this whole procedure of democratic responsibility.

It may be that in time this kind of pattern will emerge, as I believe it will, but I see no reason why we should not take that step

now and bring that responsibility right into this bill at this time.

Mr. Chairman: Does the hon. Minister wish to comment?

Hon. Mr. McKeough: I do not think so, Mr. Chairman, other than to say that as regards the inter-municipal committee I think there are two schools of thought on this. There are a great number of people in the province, and I would say that there is a trend in the province that this size of municipality and those smaller are moving away from the ward system rather than towards it.

I do not propose to debate that at this point with the hon. member, except I think you can make a very good case for a no ward system in this size municipality. I think this is really what they wanted, except that they wanted to preserve a representative for Neebing and Shuniah in the McIntyre ward, and for the Township of Neebing in the first instance. But that is a long debate.

Mr. Young: Mr. Chairman, that latter part could be done by making Neebing and Shuniah wards in themselves. They are large enough to be separate wards.

Hon. Mr. McKeough: The thing is, they would not have had wards at all except for that.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Knight: The discussion of the matter of wards—just for clarification—as I understand this section of the Act, each of the four wards will have nominees for the council. However, the voting public at large will actually decide which one of the nominees will become the councillor. So it is not really completely true representation, is it, only from the fact that the person has been nominated from that ward.

Actually, he is not a true representative of the people of that ward, because he was not chosen solely by the people of that ward. In effect, the heavy voting populations of the city could overrule.

Let us say three candidates have been properly nominated for the ward of Neebing and the majority of the eligible voters in Neebing would prefer candidate number 1, and indeed, threw their complete support behind candidate number 1. Candidate number 2 could, in effect, win the election if he happened to be a little bit more effective in his campaigning in the cities. In a way there is a bit of a contradiction. Would the Minister not agree with me, Mr. Chairman, that this is not really the true ward system idea of representation?

Hon. Mr. McKeough: Right. I think it is a compromise between the true ward system and no wards at all, and I think it was agreed that it would be ideal if there were no wards. But this will ensure that at least one person is elected from those two municipalities.

Mr. Knight: Well, would this explain, Mr. Chairman, why it is not being left to the people within the wards to select their representatives?

Hon. Mr. McKeough: Yes, because they really do not want a ward system with which, in this instance, perhaps I would agree. All 12 should be representatives of the whole city rather than of a particular ward, but they also want to make sure that at least one person is from these two municipalities.

Mr. Chairman: Shall section 4 stand as part of the bill?

Mr. Knight: Mr. Chairman, I have another question relating to section 4, subsection 2, on the qualifications for candidates for the mayoralty.

I should, of course, mention that I had wanted to run myself and that there are certain stipulations in here that exclude me, so I have announced I will not run and will accept these limitations and these qualifications so that there is no conflict of interest here. But I am wondering, working on the theory that the Lakehead people should be able to pick whoever they want to be mayor of their city, about the way certain federal members have been able to run in completely opposite parts of the country, if the people in that particular constituency so choose, or a party in that constituency so choose to run a certain person from outside of the riding as their candidate.

I wonder, inasmuch as this is a very special change of municipal procedure in that you have four municipalities being amalgamated into one, whether it would not be better to relax these qualifications so as to allow the people themselves to pick from a larger selection of candidates.

There have been many great Lakeheaders of the past who moved on and left the Lakehead who might be induced to go back and run, who might be very highly qualified to do the job. I wonder whether the Minister has considered this, and whether he does not

feel that he is being somewhat limiting in stating that every candidate for the mayoralty must have been a resident as of September 1, 1968. It just says on that date, it does not say between that date and the date of nomination, it says nothing about prior to that date.

It seems to me also, Mr. Chairman, that there is some exclusion for persons who have come to live at the Lakehead after September 1, 1968, who might be extremely qualified persons and whom the electorate of this new city may very well wish to have as mayor. I think there is something being taken away from democracy here. I think there is an infringement on the people. God only knows, we never have sufficient candidates of high calibre running in those municipal elections. I just wonder why we have to be so confining. Would the Minister explain this restriction?

Hon. Mr. McKeough: Mr. Chairman, this provision is substantially the same as that in The Municipal Act which has been around for a long time.

Mr. Knight: But the special stipulation of September 1, 1968—why that particular date, Mr. Chairman?

Hon. Mr. McKeough: I think probably that particular date was picked because at about that time it was felt that was when the election was going to be, and this was the year before the election. I do not think there is any more significance to it than that. It could just as easily have been July 1 or November 1, or some other date. I think the significance of it was that it was approximately a year before it would come into effect.

Mr. Knight: Mr. Chairman, the Minister will agree with me that an acclamation for mayoralty—the first mayor of the city—would not be the most wholesome of things to happen in this particular case. Indeed, there should be a strong or good democratic battle for that position, and this is my concern at this time.

There has been no indication so far, unless there has been a new announcement today. There are really only one or two persons to offer for mayor in that city, and this is my concern.

I think inasmuch as the province is exercising its authority to bring about this new city, that certainly the people—to continue their feeling of ownership of their city or participation in their city—should have the opportunity of an exciting election with a good choice, and I feel that this particular clause makes that almost impossible.

So I register this complaint and this opposition at this time, Mr. Chairman.

Mr. Chairman: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Could the Minister clarify his answer regarding that section about the residency of the mayor? Is he inferring that The Municipal Act states that one has to be—

Hon. Mr. McKeough: No.

Mr. Good: Well, that is what I gathered from the answer. It is just the matter of owning property, is that not correct?

Hon. Mr. McKeough: Of owning property—I am trying to find the provision now. I will get it for the member.

Mr. Good: Owning of property. This then is not tied in with The Municipal Act as it now exists?

Hon. Mr. McKeough: Wait until I find the section. Perhaps we could go on, Mr. Chairman; it is going to take a while to find this section.

Mr. Chairman: Would there be any further questions—

Hon. Mr. McKeough: I may say, further that despite what the member for Port Arthur has said, there was a feeling at the Lakehead—I do not think this was in any way directed at him personally, because this was discussed long before he had evidenced any interest so far as I am aware—I think as far as anyone there was aware—that he might have some interest in seeking the position himself. I think there was a genuine feeling among the intermunicipal committee—and, I think, an understandable feeling—that the office of mayor should be held by a person who is a resident of the city.

I think that is the only thing that is behind it. And I do not quarrel with that at all.

Mr. Good: Mr. Chairman, is there any other municipality where this is a stipulation? I do not think there is.

Hon. Mr. McKeough: Yes, you will find it in some of the private legislation governing some of the cities. Do not ask me to name which one, but there are some.

Section 4 agreed to.

On section 5.

Mr. Knight: Mr. Chairman, there is some concern—

Mr. Chairman: Section 5?

Mr. Knight: On section 5, Mr. Chairman, having to deal with the general administrative head of the new Lakehead city. I just wonder what kind of assurance the Minister can give the committee that the appointment of a general administrative head for the Lakehead city will not give rise to a whole series of bureaucratic appointments, as we have seen in some cases in the county school board system.

I know there is some concern at the Lakehead as to this regionalizing of the four municipalities, this unification of four municipalities, will not make a number of new positions at the administrative level necessary. Is there any comment that the Minister could make on that at all that would allay the fears of the people, the residents of this would-be new city?

Hon. Mr. McKeough: No, there is no guarantee or undertaking that I can make. The section states: "The council of the city may by by-law appoint a general administrative head." Now, whether they choose to do so or not is entirely within their province, and what they pay that man or what they do not pay him—or her—is entirely within their jurisdiction.

I am sure that the people of the new council will act with their usual good sense in determining what rate of pay the man or woman is paid, and whether there is a proliferation of the bureaucracy because of this or not. It is entirely something which they will settle themselves, as indeed the county school boards are entitled to do.

Mr. R. F. Nixon (Leader of the Opposition): There is a similarity all right.

Hon. Mr. McKeough: The leader of the Opposition says there is a similarity. Is he suggesting that there should be some restriction built into this?

Mr. Nixon: Since I have been asked, I would think, Mr. Chairman, that surely the example that the Minister of Education has set in putting forward legislation in this regard should be one that the Minister of Municipal Affairs should be aware of, as he enters into a series of bills setting up regional governments across the province.

Hon. Mr. McKeough: The hon. leader is really not answering my question.

Mr. Nixon: Well, I am. I am saying the Minister should be aware of it and should not be so quick to say that he has no responsibilities in this.

Hon. Mr. McKeough: I did not say I had no responsibility. I asked whether the hon. leader would put restrictions in this; surely he can answer that yes or no?

Mr. Nixon: Well, obviously we are not putting forward an amendment.

Hon. Mr. McKeough: No, you are not prepared to.

Interjection by an hon. member.

Hon. Mr. McKeough: What utter nonsense! Mr. Chairman, this provision is, more or less, taken out of the private legislation which is now in the hands of Port Arthur. They have been working with it for some 20 or 30 years. Now, what utter nonsense to say because we put in a provision—

Mr. Nixon: The Minister has this bill across the province. It is something for him to think about.

Hon. Mr. McKeough: When we put in a provision which has been there for 20 or 30 years, we are not going to be responsible for an escalation of costs.

Mr. Nixon: There is not a city manager up there now.

Hon. Mr. McKeough: There certainly is in Fort William. Perhaps the hon. member would find out a little bit more about it.

Mr. Nixon: I am sorry for that, there is in Fort William.

Mr. Chairman: Order! The hon. member for Yorkview.

Mr. Young: Mr. Chairman, I presume that this clause was placed there because of the situation in Fort William where the city manager has been operating for some time. But, again, it seems to me to make common sense, when we are making changes of this kind where the other parts of the Lakehead city are not used to this set-up, that we should bring this city into harmony with federal and provincial usage. We should set up an executive committee of council to do the job that needs to be done at that particular level.

I mentioned this at the time of second reading. Again I urge it upon the Minister. I

suppose there is no mandate in any way saying that we must do this as we set up new regional governments or new amalgamated cities, but it is a step forward, in my opinion. It is a step which ought to be taken at a time like this, because once patterns are set, then they are very hard to change.

Certainly an executive committee is the kind of committee that an increasing number of municipalities are thinking about today and are moving toward. So it seems to me that it is at this point that the Minister ought to think very seriously of an executive committee for this new Lakehead city.

Hon. Mr. McKeough: Mr. Chairman, I think there is a difference in point of view here between me and the hon. member—between the people at the Lakehead and the hon. member, or the councils, at any rate.

They have had a very successful city administrator system in the one municipality—not in the other—and they propose to continue it. There was never any discussion of an executive committee, and in fact, as the hon. member will realize, in section 6, which follows, they did not want any part of a board of control.

Mr. Young: The board of control is an entirely different system.

Hon. Mr. McKeough: No, just one—one out of the two, Port Arthur.

Mr. Young: I quite agree, Mr. Chairman, that a board of control is not desirable, but I do believe that in place of a board of control there should be an executive committee. The city of Toronto has just done this, other municipalities are thinking seriously about it, and it has worked well in the experience of many of us. I think that this is the time to make this step.

Sections 5 and 6 agreed to.

On section 7.

Hon. Mr. McKeough: Mr. Chairman, on section 7. I move that subsection 1 of section 7 be amended by striking out "the gardens board and the board of parks and recreation of the city of Fort William are" in the first and second lines, and substituting therefor, "the Fort William garden board is"; and by striking out "boards," where it occurs twice in the fifth line and substituting "board" in each instance. In other words, the correct name is the Fort William gardens board.

Motion agreed to.

Section 7 as amended agreed to.

On section 8.

Hon. Mr. McKeough: Mr. Chairman, I move that section 8, subsection (1) be amended by striking out:

> one member appointed by the Lieutenant Governor in Council and three members appointed by the council of the city.

In the sixth, seventh and eighth lines, and substituting therefor,

> two members appointed by the Hydro-Electric Power Commission of Ontario, and two members appointed by the council of the city.

And that subsections (3) and (4) of section 8 be struck out and that the following be substituted therefor:

> (3) The Hydro-Electric Commission of the City of Fort William is hereby dissolved on the 1st day of January, 1970, and all the assets under the control and management of such commission and all liabilities of such commission shall become, on that date, assets under the control and management and liabilities of the Hydro-Electric Commission of the Lakehead without compensation. (4) The Public Utilities Commission of the City of Port Arthur is hereby dissolved on the 1st day of January, 1970, and, insofar as they pertain to the distribution and supply of electrical power and energy, all the assets under the control and management of such commission, and all liabilities of such commission shall become, on that date, assets under the control and management and liabilities of the Hydro-Electric Commission of the Lakehead without compensation.

Just explaining two of these things, Mr. Chairman, the amendment to subsection 1 brings the commission into line with other five-man commissions of which there are several in the province. Normally, in the legislation, two members have been appointed by the Hydro-Electric Power Commission of Ontario rather than by the Lieutenant-Governor-in-Council, and it is two rather than one. That is the reason for that change. Regarding the change to subsection 4, the key words are "control and management" of such commission, and the original language was—

Mr. J. E. Stokes (Thunder Bay): Does that include telephones in both cities?

Hon. Mr. McKeough: Yes. The original language was "shall become on that date assets and liabilities". Assets of commissions legally rest in the municipality rather than in the commission or an emanation of the

municipality, but the control and management should be under the new commission, and that is the reason for that change in wording.

Mr. Knight: I just wonder if subsections 3 and 4—this whole section, as a matter of fact—does not leave something out. It makes no reference to Neebing or McIntyre that I can see and we know, of course, that the Hydro service in both of those townships are handled at the present time by Ontario Hydro. We also know that the Hydro rates are higher in the townships, and yet, after January 1, 1970, all will come under one city.

Does the Minister have any plan to equalize the rates right across the board for equal usage? I know, of course, that you talk about industrial power, and you talk about residential power, and there has to be a difference there, but I mean rates for the same usage right across the city. There is nothing here to indicate that they will be one and the same, and the Neebing and McIntyre portions are just simply not included.

Hon. Mr. McKeough: This section, of course, deals with the dissolution of the two existing commissions, and where their assets and liabilities go, but speaking to the point the member makes—of course, the new commission will set rates, whether they be rates in McIntyre or Shuniah, or in Fort William or in Port Arthur wards. They will set rates on the basis of the facts that are presented to them as to the cost of energy and the cost of distribution.

We would expect, and I think it is reasonable to assume, that they will set one residential rate, depending upon volume used, but this is a determination which has to be made by the new commission and which I cannot make, at this point, for them.

The Ontario Hydro has been requested to undertake an immediate study—and I believe that study is under way—as to what assets will have to be purchased by the new commission from Ontario Hydro, and arising out of that I think they are also making a rates study as well.

Mr. Knight: Mr. Chairman, inasmuch as there is no provision, therefore, to equalize the rates, I would like to move that section 8 be amended by adding thereto the following subsection, a subsection 6, that, "the Hydro Electric Power Commission of the Lakehead shall supply power to all customers for equivalent uses at the same rate."

Mr. Chairman: May I point out to the hon. member that I have a motion before the committee now for an amendment to this section that the motion should be held. As I understand it, the hon. member wants to amend it after this motion has been presented.

Mr. Knight: I do not quite understand, Mr. Chairman—this amendment is not accepted?

Mr. Chairman: We will deal with this motion first, and then the hon. member can place his motion.

Mr. Knight: Fine, thank you, Mr. Chairman.

Mr. D. C. MacDonald (York South): Mr. Chairman, with regard to the motion that is before us, may I make certain that I understand what the Minister said in reply to the hon. member for Thunder Bay. Did the Minister state that the new Hydro-electric commission encompasses the telephone system?

Hon. Mr. McKeough: No, sorry, did I say that? No, I did not mean that. No, the telephone commission comes into the new city.

Mr. Stokes: It will not be a separate utility at all; it will just be a committee of council.

Mr. MacDonald: Just one moment now, Mr. Chairman—I think we should deal with this amendment first.

Mr. A. K. Meen (York East): Mr. Chairman, I would like to congratulate the Minister in making the changes which he has submitted to the committee this afternoon, but I wonder whether there was not one other point which was requested by the Lakehead people at the time when the meetings concerning their Hydro commission were held.

As I recall, they also sought to have the right, or at least the opportunity without having to come before us for an amendment to the Act, to elect their Hydro commissioners after their first term of office. I do not know that I heard the Minister include that in his proposed amendment to either subsection (1) or perhaps, to subsection (2).

I had believed that the people in the Lakehead had suggested that there be some stipulation that this appointment would be for the first term only, following which they might be elected or appointed at the option of council of the city. I wonder if the Minister could clarify my understanding on that point?

Hon. Mr. McKeough: Yes, that determination will, in fact, be made by the new council. Perhaps I might explain a little bit further: There was a difference of opinion, I

think, between the council and the commissions and between some of the commissioners. Some of the commissioners felt that it should be elected from the beginning, others felt that it should be elected and others that the first commission should be appointed or that they should all be appointed. It was finally determined that the first commission should be appointed and then the provisions of The Power Commission Act would take over. The council will have to make that determination.

Mr. Meen: Mr. Chairman, perhaps I missed it in the Minister's amendment to the Act, but I did not hear any statement in his amendment to the effect that it was for the first term.

Hon. Mr. McKeough: Well, it will be until such time as the council makes that determination which they will have to make.

Mr. Knight: Mr. Chairman, speaking to subsection 4, we must realize here that the Hydro Electric Commission of the City of Fort William and the Public Utilities Commission of the City of Port Arthur are not at all the same. One has to do solely with the service of Hydro, but the Public Utilities Commission of the City of Port Arthur has to do with other services, and involves other assets and other liabilities, and the subsection 4 makes no reference to that. The section refers to:

> And in so far as they pertain to the distribution and supply of the electrical power and energy, all the assets under the control of the management of such commission and all liabilities of such commission shall become—

It makes no reference to those assets and those liabilities that do not relate to the matter of power and energy, and I just wonder what the Minister has done with those assets—telephone, for example—in the city of Port Arthur? Where does it go; under what purview does it now come; and where is it stated in this Act?

Hon. Mr. McKeough: Section 20, subsection 3, really determines whether the assets go to the commission or to the city, and, therefore, the responsibility.

Mr. MacDonald: Mr. Chairman, I have a comment with regard to subsection 4 of section 7, which the Minister has amended. As we are going to deal with this first and vote on it, perhaps I should make the comment here.

This is one area where the Minister has bowed to a point that caused considerable apprehension in the municipality, and I think he was wise to do so. Those who are associated with the public utilities commission in so far as it pertains to Hydro electric power distribution were apprehensive because the assets that have been built up out of the consumers' dollars down through the years were going to be lost to the new commission. Now I understand that the lawyers have had a bit of a field day here because, in effect, the public utilities commission cannot own anything, the council owns it, so it maybe makes no difference. But since it makes no difference, I think the Minister was wise to bow to this apprehension; to acknowledge this apprehension; and to spell out in the bill that insofar as the assets related to the use of power, they would be passed on to the new Hydro Electric Commission of the city.

Hon. Mr. McKeough: Under the control and management of—as I understand this and I am not a lawyer—they would still be vested in the city, but they would be under the control and management of the commission. Would you explain the distinction to me?

Mr. Chairman: Shall the motion for the amendment carry?

Mr. MacDonald: Mr. Chairman, if we have covered that amendment, there is another point I wanted to raise on section—

Mr. Chairman: I have another motion before me.

Mr. MacDonald: Fine.

Mr. Chairman: Perhaps the hon. member for Port Arthur would put his motion again?

Mr. Knight: The amendment has already been read, Mr. Chairman, I would like to move it please.

Mr. Chairman: Mr. Knight moves that section 8 be amended by adding thereto the following subsection:

> (6) the Hydro Electric Power Commission of the Lakehead shall supply power to all customers for equivalent uses at the same rate.

Would the hon. Minister care to comment on this motion?

Hon. Mr. McKeough: Yes, Mr. Chairman, generally speaking, this is a responsibility of the new commission. I do not think—

Mr. D. A. Evans (Simcoe Centre): They will do it anyway.

Hon. Mr. McKeough: Yes, the member for Simcoe Centre says they will do it anyway and this has certainly been the experience on annexations. On amalgamations there has generally been a difference in rates.

I think of Whitby and Whitby Township where the rates were equalized right away. They were equalized, as a matter of fact, I do not think the purchase by the town of Whitby of the assets from Ontario Hydro have been finalized as yet. I am not sure of that, but the rates were equalized right away and certainly Ontario Hydro encourage this.

They want one rate under the commission. If there is to be a commission there should be one rate. This will happen, I am quite sure of that, but I do not think it is up to us to say to a Hydro commission: "Your rates shall be thus and so," or that they shall be equalized.

There may be very good reasons that I am not aware of that they should not be the same. There may be very good reasons for all I know that the rates in Shuniah and Neebing should be less than they are in the remainder of the new city. This is something I do not know, this is something that is determined by the new commission, and I think it is properly within their province to determine this and not something which should be settled here.

Mr. R. Haggerty (Welland South): Mr. Chairman, on a point of clarification, the Minister mentioned before that after the amalgamation of the four municipalities they would assume the assets and liabilities of the rural Hydro. Do you think this is justified when perhaps in a period of over 20 years some of these poles have been written off, some of the transformers and so forth?

I think people living in the rural areas have always paid a higher rate for Hydro. Some place along the line they have paid for all these services, and I do not think it is quite right that they should be paying again for the assets and liabilities that perhaps they have paid for some 20 years ago.

I think this should be written off. I do not think we should come back and feather the nest of Ontario Hydro again.

Hon. Mr. McKeough: Well of course, Ontario Hydro would tell you that if the asset which has been purchased has been written off, or has been drastically reduced, then that is the price at which they sell them. It is not very good grammar, but I think it conveys what I am trying to say—that whatever the Ontario Hydro sell those assets to the commission for, and will in this case to the Lakehead commission at the depreciated value—if they were poles that were completely written off then they would be sold at that figure, i.e. nil.

There is always some value I suppose, depending on whether they are using a straight line depreciation or whether they are using a reducing balance depreciation, but there is probably some value there, and the price which is worked out by Ontario Hydro, I am given to understand, leads to a considerable amount of negotiation.

Mr. Knight: Mr. Chairman, if I could speak to the amendment very quickly. I think this Act ensures that all residents of this new municipality, wherever they may be living, will pay their fair share of the cost of upkeep through the annual tax bill for this new municipality. And I think, by the same token, all residents of this municipality wherever they be should also enjoy the benefits.

If one of these benefits can be the equalization of the very vital cost and very vital services of say telephone and Hydro, then I think that this House should guarantee that to them. There is so much after all that is indefinite about this entire thing that this House should attempt to make some things definite that are within our purview, and since the Minister has already said it I will throw an argument back at him.

He told me earlier that we did not have to allow the people to vote up there because it was obvious they already wanted it, so we could go ahead and do it. Well now, by the same token he says that most Hydro commissioners usually will equalize in such a merger. Well, by the same token then why does this House not go right ahead and relieve the minds of the people and include it in this Act and put their minds at ease since the Minister seems quite sure it is going to happen anyway.

I think the people should have something far more definite to go on. Who knows, perhaps in their negotiations the new Hydro commission at the Lakehead and Ontario Hydro will come to some kind of a standoff where they will not be able to reach a decision. They will have a very powerful suggestion right from this House on this matter, and I think it is a very safe one. I think that we should move this amendment now to guarantee to all those people that particular benefit of this amalgamation.

After all, those who have been selling amalgamation, Mr. Chairman, for years have been talking about the advantages of unification, and this it seems to me is one of them—the equalizing of these very valuable services. I suggest that we in this House should take the responsibility of seeing to it that they get this equalization of Hydro costs now while we have the opportunity to give it to them.

Mr. R. J. Boyer (Muskoka): Mr. Chairman, if I might pick up some words that were just used by the hon. member for Port Arthur when he said that there should be a powerful suggestion from this House to the local commission at the Lakehead as to the equalization of rates. I would suggest that a powerful suggestion already is contained within The Power Commission Act of this province which deals with the setting of electric rates. The intent is certainly that there be a common rate for each class of customer in a municipality.

Mr. Singer: Can you give us the specific reference?

Mr. Boyer: No, I regret to say, I have not got the sections of the Act off by memory. But I might suggest to the hon. leader of the Opposition, we could adjourn to a quiet corner and look over the Act and I think I could indicate where that would be. But you understand that a local commission is based upon a municipality. That will be the case, as I understand it, in the bill.

Interjection by an hon. member.

Mr. Boyer: I am sorry, I missed that question. What I would like to suggest to the hon. member for Port Arthur is that his amendment implies that in other parts of the province there are municipalities where rates do vary for a class of customer. I would say that that is not the case. I would judge that it will not be the case at the Lakehead, because I understand that already the studies which are under way are indicating that there will be an equalization, and that it will be favourable to the municipalities of which he has just been speaking.

So I would hope that the hon. member then would consider withdrawing his amendment. In any event, I would have to vote against it.

Mr. Chairman: The hon. leader of the Opposition.

Mr. Nixon: Mr. Chairman, since the vice-chairman of Hydro has expressed his view on this I have been quite concerned that the public utilities commission, as set up here, is going to have two people representing Ontario Hydro and named to the commission by them which, we are informed by the Minister, is customary, but he was not prepared to tell us on what other circumstances this takes place.

Now, the vice-chairman of Hydro has told us that there are no cases that he is aware of where there is a differential within one municipality. Yet I am sure he could also tell us that across northern Ontario, in jurisdictions very close to each other, with very similar requirements, there are quite large variations in Hydro rates.

Associated with Hydro policy and the fact that Hydro people are going to be appointed to this board—numbering two out of the five —I believe would indicate that there will be a considerable carry-over of Hydro policy. This may very well result in the same differentiation in what the Minister calls the four wards of the new city as is the case now, when the four wards are separate municipalities themselves. Also, I really cannot see why we should be setting up a bill which permits Ontario Hydro to name two members of the public utilities commission in the first place.

My mind is not set at rest by the comments made by the vice-chairman of Hydro. I think the experience of northern citizens with Hydro now would indicate that it would be very difficult for anybody to justify the difference in rates which now pertains in many of these areas in northern Ontario. So I really think that, rather than withdraw the amendment, the members sitting opposite should consider giving it their support, so that we in the House have used our responsibilities to impose on the new PUC the requirement that there be uniformity in the rate structure.

Mr. MacDonald: Mr. Chairman, we will support this amendment. We do so because, quite frankly, I think there is a certain illogic in the statement the Minister has made and the vice-chairman of Hydro has underlined that illogic.

If there is a "strong suggestion"—to use the phraseology that they were using in The Hydro Electric Power Commission Act—or if the Minister believes that this is generally the practice, what is wrong with the carrying out of the strong suggestions, and the general belief that the Minister has, which by implication he hopes will be implemented here? What is the danger in putting it in the Act? Because the hon. leader of the Opposition is dead right.

When I go to northern Ontario—well, I will not say that there are not a few other questions I hear more about, but one of the questions I hear a great deal about is the discrepancy in power rates as between what is charged to an industry and what is charged to a local public utilities commission or between different areas. This has been a battle for years.

It seems to me that, if the Minister thinks that this is a desirable objective—that if it is normally implemented, across the board—if the vice-chairman of Hydro says that there is a strong suggestion in The Power Commission Act that this should be done, I would think that they would accept the amendment. I do not know what ground they are standing on to oppose it.

Mr. Stokes: I would like to speak just briefly on this too, Mr. Chairman.

In spite of the assurance that the Minister has given and that of the vice-chairman of Hydro, I had occasion to read a press release just recently when somebody from one of the rural municipalities asked about the Hydro rates. They were given assurance from some spokesman from either the public utilities commission, or the Fort William Hydro commission, that there would not be an equalization, but there would be a reduction, bringing the rural rates closer to what the rate was in the cities.

Of course, as you know, the two cities enjoy one of the most favourable Hydro rates on the North American continent and I do not think that it is implied that they will equalize them. As a matter of fact, I think the tendency would be the other way—that they would not equalize. That has been indicated in the press release that I referred to.

I think you are discriminating against the outside municipalities if, in fact, you are allowing a preferential rate in the cities to prevail. Of course, the outlying municipalities will not get the kind of development that they might otherwise get with a stabilization in rates. I think it is an excellent amendment and I intend to support it.

Mr. MacDonald: Mr. Chairman, I was not aware of this press release, but, quite frankly, if this press release is an accurate indication of what is contemplated, then the Minister has unwittingly misled the House. He has indicated that it is most desirable, and likely, that there would be equal rates. Therefore, the only way that the intent of the Act—if I can take what the Minister has stated as the intent of the Act rather than the words—the intent of the Act may well be frustrated.

I would think that the Minister would be the first person who would want to avoid that frustration of his own intent.

Hon. Mr. McKeough: Mr. Chairman, I think we are looking up The Power Commission Act at the present moment, I do not know—

Mr. Singer: With all that talent and vice-chairman and you cannot find it. I am surprised.

Hon. Mr. McKeough: I would just say this. I know of no such press release. I do not know where this came from; it did not come from me. Certainly, the councils have endorsed the principle of a uniform rate. This is The Power Commission Act, I assume.

Mr. Singer: Better make sure.

Hon. Mr. McKeough: Yes, I think we had better make sure—Public Utilities Act.

Mr. Singer: Oh, that is better.

Hon. Mr. McKeough: Section 27(2):

> In fixing the rents, rates or prices to be paid for the supply of a public utility, the corporation may use its discretion as to the rents, rates or prices to be charged to the various classes of consumers, and also as to the rents, rates or prices of which a public utility shall be supplied for the different purposes for which it may be supplied or required.

I do not know whether that—

Mr. Singer: That does not quite say what you were looking for.

Hon. Mr. McKeough: No.

Mr. Singer: Let us find another section.

An hon. member: Read the whole thing.

Hon. Mr. McKeough: Do you want me to read it all?

Mr. Singer: Yes, read the whole statute. Try section 28 or 29. You still won't find it.

Hon. C. S. MacNaughton (Treasurer): You have not found it yet either, eh?

Mr. Singer: Well, have you got all that? What are the references?

Hon. Mr. MacNaughton: Sometimes you do. I thought you might just happen to have it—

Mr. Singer: Today I do not see why I should do your work.

Hon. Mr. McKeough: Legislative counsel says the book is not here. All right, now here is The Power Commission Act, section 99:

> The rates and charges for supplying power and the rents and charges to meet the cost of any work or service done or furnished for the purposes of a supply of power chargeable by any municipal corporation, generating or receiving and distributing power, is subject at all times to the approval and control of the commission. And the rates and such rents and charges charged by any company or individual receiving power from the commission for the supply of power are subject at all times to such approval and control.

Mr. Singer: Still does not say anything.

Hon. Mr. McKeough:

> Notwithstanding this Act, the commission may from time to time when in its opinion it is in the interest of the municipal corporation under contract with the commission so to do, make orders fixing the rates to be charged by the corporation or commission of any municipality having a population of less than 200,000 for power supplied by the commission.

I think these are the sections which I now remember and I think this bears out with what the vice-chairman of Hydro has said. There is some discretion, but it is the policy of Ontario Hydro to do exactly this. And I think that is the position.

Mr. Singer: No, Mr. Chairman, with respect, that is not what the section says. The section does not say anything about equity of the charges, which is the thrust of my colleague's amendment.

My colleague asks that the residents of the new city at the Lakehead be assured in some way that the amount they are going to pay for Hydro will be equal—that if they are residents they pay equal rates. Now, there is a discretion to review those rates, that is clear from the section the Minister read out of The Power Commission Act, but it does not say that that discretion must be exercised so that rates in a municipality will be equal for equal users. And this is surely the assurance that my colleague asks for in his amendment and there is apparently no statutory answer for it. So, therefore, I would think in view of the concern of the Minister—and he says this is only fair and in view of the opinion given by the vice-chairman of Hydro, he thought it was there already—and since there is this grave concern in the city of the Lakehead, the logical thing would be for all members of the House to support this eminently sensible amendment.

Mr. Boyer: May I suggest that the House come back to a remark that was made by the hon. Minister who stressed the importance of having this matter settled at the Lakehead by the authorities there. He proposed that this not be a condition imposed by this Legislature on the Lakehead city.

Mr. Nixon: The member is shifting his ground a bit.

Mr. Boyer: No, I am not.

Mr. Stokes: The member said the Act provided for it.

Mr. Boyer: I think in any matter such as this in the restructuring of a municipality, whether it is in a large region or a city such as this, we should do all that we can to avoid having to thrust on the local people the views of this body here without agreement in the locality. There is an opportunity for the people of the Lakehead to settle this matter. I cannot for the life of me understand why there should be any great problem about this. It is under study now, to which the Minister has referred. I understand that there will be an adjustment for a number of people, those who have been living in the townships—the electricity customers of rural Hydro—who will be coming into the city. I think this will be a very favourable thing for them and I think we shall find this matter we are concerned about at the moment will be met properly.

I point out that it is the intent of The Power Commission Act, and the practice of the municipal commissions and the provincial commission to establish a common rate in the municipality for the same class of customers. Now, the hon. leader of the Opposition, of course, went away from that and talked about contrasting rates between different municipalities, which is quite another subject and not really related to this matter at hand. I would recommend, sir, that this House vote down this amendment.

Mr. Nixon: It seems strange that the vice-chairman of Hydro would have recommended to the hon. member that he withdraw his amendment a moment ago, because the whole matter of equalization of rates was dealt with in The Power Commission Act. We now see it is not dealt with in The Power Commission Act and he recommends that the House vote against the amendment, that it should be a

matter left to the tender mercies of Ontario Hydro or the local commission.

Really, his arguments are so inconsistent that I would think he would withdraw the recommendations and ask his colleagues to support the amendment, which I think is eminently reasonable and would not trespass on the rights of the local people in any way, but would safeguard them.

Hon. Mr. McKeough: Mr. Chairman, something seems strange to the leader of the Opposition and I suppose I have to point out to him that it seems strange to me that in section 5, the leader of the Opposition wanted to put some controls in one way and in this section he wants to put controls in some other way.

Now, either we are going to have local autonomy or we are not going to have local autonomy, and surely as a matter of policy these things have been settled by local Hydro commissions working with Ontario Hydro. It has worked rather well in places. The member for Windsor-Walkerville is not here but I think he could tell you that it worked satisfactorily on the annexation of Sandwich; it has worked in Whitby; it has worked in North Bay and Widdifield; and I do not think there is any great cause for alarm.

If there were cause for alarm, then surely —and I think this would be Ontario Hydro's position—we would not legislate it in this particular piece of legislation; it should be done in The Power Commission Act or in The Public Utilities Act. I think that would be an appropriate place to do it, if it was felt necessary to do it.

But surely in this piece of legislation, we should leave the Lakehead commission with the same amount of responsibility, and charge them with doing the same kind of job which other commissions have done across the province—and we should not unduly interfere. If there is a larger area that is of concern, then I think it should be appropriately dealt with through the avenue of an amendment to The Power Commission Act at some other point. But I do not think it is necessary to single this situation out where—and I think we can assure the member of it—this has not been a cause for concern in other parts of the province.

Mr. Knight: In answer to the hon. Minister and the member for Muskoka, I commend them both for trying to underline at this point the importance of local autonomy at the Lakehead. It is something I wholly endorse. And following in line directly with that I have three letters before me from the municipalities of the corporation of the city of Port Arthur, the city of Fort William and the municipality of Shuniah asking exactly for this—for equalization of the rates. These three municipalities endorse a resolution originally advanced and passed by the council of the municipality of Neebing asking for just this, and for clarification here I think I should read that resolution, Mr. Chairman:

> Whereas Hydro rates in the townships of McIntyre and Neebing far exceed these presently paid by the residents of the cities of Fort William and Port Arthur; and whereas the equalization of this rate would not be passed on to the residents of the townships of McIntyre and Neebing on January 1st, 1970, if the lines of these townships are under ownership of Ontario Hydro; therefore be it resolved that the inter-municipal committee be requested to take immediate steps in having the two city Hydro commissions proceed immediately to negotiate the acquisition or lease from Ontario Hydro the transmission lines in the townships of McIntyre and Neebing.
>
> If a rate study is necessary as indicated by the Port Arthur public utilities commission, and the Fort William Hydro commission, that rates be made uniform as of January 1st, 1970, and adjusted on completion of such study and that a copy of this resolution be forwarded to the councils of the city of Fort William—

And so forth. And I think the spirit of that resolution, Mr. Chairman, is that something should be done to ensure that there will be equalization of rates, and that is purely the intent of my amendment to this Act.

Hon. Mr. McKeough: The interesting part, of course, is that those resolutions came from the four councils. I am not questioning this. We discussed it with the two commissions involved and neither one said there was any problem. They said that they had already requested the study and it was under way, and this would happen in due course.

Mr. Singer: The point is there is a little difference between a commission and a council.

Hon. Mr. McKeough: Not in this instance.

Mr. Singer: No, there is everywhere else in the province.

Mr. Good: Mr. Chairman, I think this is the entire point. The Minister speaks of local autonomy. The autonomy has been

eroded; no longer are there elected public utilities commissions in the Lakehead, and the same thing could well happen in my own area. We now have a Hydro commission which has two members appointed from Ontario Hydro, so we have Ontario Hydro now entering into the municipal field in one more area. There is more local autonomy eroded there.

So we are dealing with an appointed commission and not an elected commission, which the municipalities were used to formerly. So I think it is very important that something be done here to ensure stabilization of rates across the whole regional government. In my own area, I would want the same thing.

Mr. Chairman: The hon. member for York South.

Mr. MacDonald: Mr. Chairman, the Minister has set up a straw man and then, with all the vigor of his youth, beat it into a pulp. He suggested that the leader of the Opposition was arguing for local autonomy in one area and now he wants to deny local autonomy. I suggest that this is not a valid point. Surely one wants a greater degree of local autonomy, but granting a greater degree of local autonomy can be exercised within the framework of certain basic principles and the basic principle is that there should be—

Hon. Mr. McKeough: Which should be under The Power Commission Act.

Mr. MacDonald: All right, but, you see, the Opposition is correct in its assertion that the government has shifted its ground. They started out by saying it was in The Power Commission Act, that this was the desirable thing, that this was what took place across the province of Ontario. Well, if all these things are the case, then they should have no hesitancy in making certain in this Act, now that we have found some doubt in The Power Commission Act, that it will be implemented.

However, having made that point now, Mr. Chairman, I assume—it is not for me to presume—that with this point, the debate on this amendment is ended. But I am faced with a dilemma. I am in favour of this amendment, and I shall do everything possible to see that it is adopted, but if it is adopted, it precludes me from bringing in another amendment.

Mr. Nixon: No, if it is defeated.

Mr. Chairman: If it is defeated, then section 8 carries.

Mr. MacDonald: Right, if it is defeated—but I am going to do my best to see that it is not defeated, and, therefore, if my hopes were achieved I would box myself in with regard to bringing in another amendment. Now, the only way I can see my way out of this, Mr. Chairman, is that I should deal with my other amendment now, and I will not repeat the debate at a later stage. Then we can vote on them in succession if there is an opportunity for the second vote.

Mr. Chairman: I think I should make perfectly clear what will happen after this motion is put. If this motion is defeated, then section 8 carries. If this motion is carried, then further amendments may be introduced.

Mr. MacDonald: Because of my grasp of simple arithmetic it leads me to believe that it is possible that this motion will be defeated. I shall now proceed to put my second amendment.

Mr. Nixon: What second amendment?

Mr. MacDonald: Another amendment.

Mr. Singer: Mr. Chairman, on a point of order. I think we get into great difficulty if this rule is applied on a multi-portion section such as section 8. My colleague from Port Arthur's amendment is proposed to be a new subsection 6. The amendment moved by the hon. member for York South is an amendment to subsections 1 and 2. Now, they are different things and it would seem to me most unfair if one vote has to deal with both, because some of us may have different views on both parts of it. It would be my suggestion, sir—and perhaps we need the unanimous consent of the House on this—but it would seem eminently reasonable that such consent should be given, that we deal with them separately. We should deal first with the amendment of my colleague from Port Arthur—whatever the fate of that may be—then the hon. member for York South be given the opportunity to deal with his amendment as he puts it forward.

Mr. MacDonald: I would agree with this and I would hope that this is a proposal to go to the rules committee so that we can avoid this argument which is repeated at least three times every session. The rules committee may come back with some new guidelines for us—but if the Chairman is willing to assure us that it can be implemented now I shall take my seat and bide my time.

Mr. Chairman: Well, it seems to me that the position stated by both the hon. member for Downsview and the hon. member for

York South are valid positions at this particular time. In view of the rather complex nature of section 8, and the discussion that has taken place so far, it would be my opinion that the motion of the hon. member for Port Arthur is for an addition of a section, whereas the possible amendments to prior sections proposed by the hon. member for York South are an entirely different matter. It does seem to be, in this particular case, somewhat unfair. I would put it to the committee and with the concurrence of the committee we will put the motion from the hon. member for Port Arthur, and then entertain other motions for amendment to section 8.

Hon. Mr. McKeough: Knowing what the leader of the New Democratic Party's is, it would seem an eminently sensible solution, Mr. Chairman.

Mr. Chairman: Do I have the concurrence of the committee?

Those in favour of the motion from the hon. member for Port Arthur will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

Mr. Chairman: The hon. member for Port Arthur has moved that section 8 be amended by adding thereto the following subsection, subsection 6:

> The Hydro Electric Power Commission of the Lakehead shall supply power to all customers for equivalent uses at the same rate.

Those in favour of Mr. Knight's motion will please rise; those opposed to Mr. Knight's motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 34, the "nays" 50.

Mr. Chairman: I declare the motion lost. The hon. member for York South.

Mr. MacDonald: Mr. Chairman, I would like to raise with the House the proposition of amendments to subsections 1 and 2.

The Minister and the Prime Minister have given repeated assurance that proposals for either partial regional government, as it is represented by this amalgamation bill, or full regional government, will be adapted to local conditions, and that community acceptability will be sought wherever it is possible.

One of the questions which has been rather vigorously argued at the Lakehead, is the question of election or appointment of the public utilities commission and quite frankly, Mr. Chairman, I think, that there has been something of an unfortunate misunderstanding here. I talked with some people at the Lakehead at the end of the day on which the public meeting was held, and they reported that the private negotiations, prior to the public meeting, had resulted in some sort of an understanding. Their interpretation of that understanding was, that there would be an election of the commissioners for the public utility commission.

They have been willing to accept a reasonable compromise, namely, that for the first term there will be appointments—so that you will not have any more confused picture in an election that must be held in the next six or seven weeks. They felt that it would be desirable to have the election of the public utilities commissioners spelled out in the bill for the second and subsequent terms.

Now, there is a second and related fact, Mr. Chairman. After this debate perhaps no member of the House will need to be reminded of the fact that the Lakehead has rather a fierce pride. With regard to one particular institution in that area.

They have every right for their fierce pride, and that is the development of a publicly owned telephone system which is not like many of the small publicly owned telephone systems across the province of Ontario which are not very modern and ultimately have to be gobbled up by Bell in order to provide a modern service, but rather, the largest, I am told, publicly-owned telephone system in the North American continent. One that is very efficiently run. And, incidentally, it runs at much less cost than if Bell were to move into the picture.

So there is a widespread feeling that the control and operation of the telephone system should be integrated with Hydro in the future as it has been in the past, at least, in the city of Port Arthur.

By way of documenting what I think are rather convincing economic arguments, I would like to draw the attention of the House to the fact that on January 30 this year, the Public Utilities Commission of Port Arthur wrote a letter to the Minister, and outlined two or three points. I can do no better than quote the paragraphs which make these points. First:

> The electric and telephone should make joint use of poles. There should only be one pole line to provide both utilities. This is done exclusively in the Port Arthur system, both in the city proper and the rural area.

In Port Arthur, the electric system owns all the poles and provides joint use to the telephone. Both being under the same administration, a much smoother operation is obtained, both for the electric and telephone and also, for a third party, such as CATV who also are granted joint use.

This joint use problem will also be present with underground distribution such as contemplated in urban renewal, and in residential underground where telephone and power should be placed in the same trenches and duct runs. We have learned of troubles arising elsewhere in Ontario, in Manitoba and Saskatchewan in such cases where telephone is under one administration and the electric under another.

With this joint use of poles and underground, it can readily be seen that the design for the supply of electric power and telephone to a certain area can be done much more efficiently and economically when those services come under one authority.

Then there is the second point:

At the present time we use a common warehouse for the electric and telephone utilities. The stock is quite similar and in some cases identical.

The construction tools and vehicles used in the two utilities are very similar, some of them are identical and can be used by either utility.

The work done by line crews of the electric and telephone utilities is also quite similar and we have, on occasions, temporarily transferred men to assist in overloads and special installations.

And, therefore, they sum up:

The commission feels that the similarity of the operations of the telephone and electric utilities, the use of the same poles and underground, the use of the same warehouse, warehouse personnel, purchasing personnel, engineering staff, safety officer etc., lends to a much more efficient operation when these are operated under one administration, rather than have many of these items duplicated as they would be when operated under separate administrations.

Mr. Chairman, it strikes me that those arguments are very convincing. The Minister has seen fit—perhaps against his better judgment, but with the agreement of the hon. member for York East and many others—to have Hydro as a separate utility rather than being drawn in under the council.

I know that there is a widespread belief among the most experienced in the municipal field that these emanations of the local crown, so to speak, should be drawn back under the control of the council.

But the Minister has seen fit to leave Hydro as a separate institution. So he is not setting a precedent by leaving the telephone system integrated with Hydro as it has been in the past, in at least one of the cities, because you are not going to have any other cases across the province of Ontario of sizable local telephone systems where you will have to cope with this situation once again.

I think the economic arguments for an integrated operation will result in more efficiency. In fact, I do not know how you can really avoid unnecessary duplication of costs if you have a committee of council operating the telephone system and a public utilities commission operating the Hydro electric.

So I do not think the Minister is setting a precedent that is going to come back to haunt him on any future occasion, any more than the fact that he has agreed to Hydro being a separate public utility, which we would agree with in this case. So I want to put an amendment covering that.

The second point I want to cover, and this is with regard to section 2, is that there has been a reasonable compromise by the people at the Lakehead, those people who would prefer an election rather than appointment. Their compromise is that there should be an appointment for the first term and that will make the election much tidier in the next couple of months.

But they would like to see the assurance of election of a public utilities commissioner—the Hydro electric commissioner as the Minister has named it in his bill—for the second and subsequent terms.

The Minister is taking the easy way out, if I may put it that way, by saying that the decision will be made by the local council. I think that he is not going to do violence to a very widespread view, and I think perhaps do something to take the edge off that "monster" image that he has created for himself at the Lakehead, by making it mandatory in the bill—I hesitate to use the word mandatory—by indicating in the bill that the second term beginning January 1, 1973, that they will elect the members of the public utilities commission.

Therefore, I would move, seconded by Mr. Stokes, that subsections 1 and 2 of section 8 of Bill 118 be amended to read as follows:

(1) A public utilities commission for the city to be known as The Public Utilities Commission of the Lakehead, with responsibility for the control and management of the Hydro electric and telephone systems, is hereby established on the 1st day of January, 1970, and shall be deemed to have been established under part 3 of The Public Utilities Act, and shall consist of the mayor of the two cities, two members to be appointed by the Hydro Electric Power Commission for Ontario, and two members appointed for the council of the city.

In other words, Mr. Chairman, I have incorporated the amendments that the Minister has made earlier in that section.

(2) Members of the commission shall be appointed in the manner set forth in subsection 1 for the first term, from the 1st day of January, 1970, to the 31st day of December, 1972, but for the second and subsequent terms all members of the commission shall be elected at large, excepting the mayor who shall serve *ex officio*.

Mr. Chairman: The member for York South has moved as noted. The hon. Minister.

Hon. Mr. McKeough: There are two points here, Mr. Chairman, and speaking to the first part of it which is the inclusion of the telephone system, in some ways I suppose this is a "heads-you-win, tails-I-lose", proposition. At least it is an equal proposition because in one municipality the telephone system has worked well one way, and in another municipality it has worked well the other way, and we are a bit on the horns of a dilemma as to which way it should be run.

It is true that the commission made a rather strong proposition in that brief, and the inter-municipal committee, I think, having listened to what so many people have said about doing away with boards and commissions, have made a strong proposition the other way. We ultimately determined that we should return the function—not return in the normal sense of the word because, as you have pointed out, few municipalities have ever controlled a telephone system—but at any rate to put this telephone system under the municipality rather than under the Hydro electric power commission—and I think only time will prove which is right.

I think there will have to be a great deal of liaison between the two. There was some thought that this may not be possible but that —and this was one of the suggestions for the appointments by the council. One of the reasons for appointments by the council was that they would ensure that there was a liaison between the telephone function which they would direct, and the Hydro function which the commission itself would direct.

There are a great number of arguments I suppose. Ultimately we came down on the same side as the inter-municipal committee —which was simply that it was good to see a function being put back under the aegis of the municipality, rather than under the aegis of a commission. I do not think Ontario Hydro or other people have particularly strong views one way or another.

I think that is the reason for what will be my opposition to the first part of the hon. member's amendment. What we are trying to do in the second part—and we have not done it as well as we would have liked to, and I am going to suggest, Mr. Chairman, that we could add an amendment which perhaps might further clarify it because it is not as clear as it should be even now.

As members are aware, under The Power Commission Act when a city reaches 60,000 people it may make a determination, to have an appointed commission, or it may continue to have them elected at large. Now unfortunately, or fortunately, because we were creating a city of 110,000 from two cities of 50,000 and two municipalities of 5,000, we were creating a city from four municipalities, any one of which was less than 60,000 to a city of over 60,000, we had to make this determination. I think it is fair to say that the local Hydro commission and the local utility commission would have preferred to see—I am not sure of this—an elected commission, and this is, of course, the view of the Ontario Municipal Electric Association although I think it is fair to say that they are doing a great deal of thinking about this at the present time.

I could argue this matter both ways because if you believe in bringing commissions back under the aegis of council is it better to have an appointed commission than to leave it to the will of the electorate at large? Which way does the council, if that is what you are trying to build up, have the greatest amount of control? I do not know.

At any rate we were put in the position of having to make this determination, and we ultimately determined, as the hon. member has suggested, that the first commission, and I think the Hydro commissioners agreed with

this, so that there would be continuity and because of the telephone situation, be appointed for the first term and that after that, there would be a determination made whether there be an election or whether there be a continuation of the appointment.

Now the way the bill is presently written, it would remain an appointed commission and legislative counsel has suggested a way around that. Perhaps I can indicate it to you without moving it and then, after we dispose of this motion, we could move this further amendment, Mr. Chairman.

It would just be to add into the fifth line of section 8, subsection 1, which begins "part 3 of The Public Utilities Act" and add in there the words, "until the 31st day of December, 1972, shall consist of the mayor of the city, etc.".

In other words, it makes them an appointed commission up until that date and then a new subsection—the council of the city in the year 1972 shall by bylaw provide that the commission, except the mayor, may be appointed as provided in subsection 1, or elected by a general vote of the electors of the city.

It does not say the same thing as the amendment made by the leader of the New Democratic Party because he says "there shall be an election".

This amendment says that the council must again make that determination which we have had to make now, whether it shall be appointed or shall be elected, and I would hope that by 1972, Ontario Hydro and OMEA and The Department of Municipal Affairs, and a lot of other people, will have thought this whole question through in terms of regional government.

Certainly I am in many ways in favour of elected commissions. On the other hand, I am torn the other way a little bit because I want to see power return to the council. I do not know whether anybody, for example, has seriously suggested here in Toronto that good purpose would be served by electing two Hydro commissioners across the whole city; it would be a tremendous responsibility. I think there will have to be some compromises made along the way because of the sheer size, particularly as and when Hydro moves into perhaps being an adjunct or part of a regional government.

I am hoping in the next two or three years that we will be thinking through some of these things and that, as we prepare an individual bill, some of the policy guidelines which will be laid down, which, I am quick to say, are not at the present time. This is the reason why we had to make the decision which we have made to have them appointed in the first instance. After that, it was our intent, but the bill does not say that, to leave it to the determination of the council, which is what The Power Commission Act says now.

Mr. Knight: Mr. Chairman, we in the Opposition were almost in a bit of a quandary because while we were prepared to endorse the second part of the second amendment in this motion of the hon. member for York South, we have serious reservations about the first. However, now that the Minister has indicated that he will bring forth an amendment which will actually accomplish the purpose of the second amendment of the hon. member for York South, then we can go ahead and vote against the amendment brought in by the hon. member for York South.

Our reservations about the first part are based on several things. First of all, we are inclined to believe in the principle that the elected body, the city council, should control as much of the city's business as possible.

We have had for quite a few years an example of what an elected body can do with the telephone services in the Lakehead in the city of Fort William. We have, by contrast, had an example of what a commission will do.

Of course, the Hydro commission, or the public utilities commission of Port Arthur has, of course, also been elected. Nevertheless, it has been a commission controlling just a specific area of public service.

Having sat on the Fort William city council myself for several years, I am in a good position to know that the Fort William telephone department, run by representatives of the council—really an elected group, and not really a separate body, but rather a committee of the council—we find that in Fort William the telephone rates have been kept quite low, really. As a matter of fact, they are lower than the telephone rates in the city of Port Arthur.

And the people of Fort William and the city council of Fort William have also always boasted of the fact of the great profits that have been realized by the Fort William telephone commission. Certainly, without comparing it necessarily to the service rendered by the public utilities commission in Port Arthur, we can say that the Fort William telephone department has rendered excellent service. There have been few complaints, so many many pluses, and very few negatives.

We have an example where the elected group can control such a service and do a fine job, so why need we look elsewhere? This is our position over here.

I know that the elected people—certainly those in authority at the Lakehead—feel that the council should control as much as possible, so we would be inclined to support that principle. I too have read that brief in the submission from this joint group of representatives from the Fort William Hydro commission and the Port Arthur public utilities commission, and I see their argument. Certainly there are strong relationships between telephone service and Hydro service, but we feel that this other principle overrides that—namely the principle that to keep as much power as possible within the elected group.

So, we are inclined to vote against this amendment. But on the other hand—to the member for York South—but to support that of the Minister, provided that amendment does, in fact, convey the same meaning as part 2 of the amendment of the hon. member for York South.

Mr. MacDonald: I think the member should be under no illusion, it does not. My amendment on part 2 specified that the bill will set forth that, as of the January 1, 1973, they will be chosen by election. The Minister is going to leave it optional to a decision of the council by by-law during the year in advance of that date.

So you can live in faith that the Minister—no, you can live in faith that the council of the Lakehead will give what you apparently want, or you can make certain that it is in the bill.

Hon. Mr. McKeough: If I may just say this, the leader of the New Democratic Party is quite correct. My proposed amendment is not the same as his—part of the amendment.

We are still leaving the determination open to the council as to what should happen in 1972. Again, we do this because this is what The Power Commission Act says, and hopefully by 1972 The Power Commission Act is straightened away.

Mr. Meen: Mr. Chairman, the first amendment proposed by the hon. member for York South, as I get it, would require that the telephone company be retained under the public utilities operation. I think perhaps one of the points that the hon. member is not pursuing to its logical conclusion is that, in the segregration out of the Hydro commission's function, this bill segregates out an operation that is in the competitive field. They are competing with other forms of energy.

They have to be constantly looking at sales and promotional aspects, which is not a function, nor even a philosophy, that is involved necessarily in the telephone end of things, where they are supplying a utility on an exclusive franchise basis.

I think it was probably very wise indeed that the government saw fit to move the telephone operation out of the public utility function and under council. I think that is where it logically belongs, so I could not support the first amendment proposed by the hon. member.

As to the second one, dealing with the subsequent election of Hydro commissioners, my recollection from talking with members, the delegations from the Lakehead, was that they might have preferred an election at large to begin with. But they were rather apprehensive as to the way that that might take place, immediately following, or at the time of, amalgamation. Some candidate from Port Arthur might get support from Port Arthur—and perhaps a very good candidate—but if he happened to live in Fort William, he would not gain Port Arthur support. There might very well be parochial voting going on.

I do not use that example in any derogatory sense gainst the electors, but just simply as an illustration of the way things go when you know certain candidates and you do not know others.

So, I think they wisely suggested that, notwithstanding their basic wish that there should be an election at large, that the first time round it should be appointed. But they made it very clear to me, at any rate, that, in due course, they would like to have that opportunity to be elected at large.

With respect to this amendment, I sympathise with the philosophy behind the amendment. Nevertheless, it would just as solidly freeze the position of the commission and the way in which it would be created, if we put in the provision that it would be elected after the first term, as does the bill presently freeze it—that is in its present unamended state — as an appointed commission to go on *ad infinitum*. As I asked earlier this afternoon of the Minister, had that not been taken into account, because I knew perfectly well they indeed wanted to have an opportunity to elect their commission.

What the Minister is saying now, as I understand it is, let us not freeze them so that after 1972 they will be elected at large, but rather let us give them the opportunity.

I think that is the proper compromise between these two positions. It is the position I took in speaking to them before—that I could not really support an absolute requirement that they be elected, but indeed, I could support a requirement for an opportunity that they be elected pursuant to the existing terms of the Act, inasmuch as they would then constitute a city in excess of 60,000 population.

Therefore, I cannot support the second part of the amendment either, but do not do so on the understanding that we will have an amendment then introduced by the Minister to make this an optional feature available to the council of the new city of the Lakehead in the year 1972.

Mr. MacDonald: Mr. Chairman, I think the hon. member should be congratulated for rationalizing himself out of his original conviction.

Mr. Meen: Mr. Chairman, I did not rationalize myself out of any original conviction. That is precisely what I said at the beginning; that this is the opportunity that should be available.

Mr. Singer: Mr. Chairman, I do not want to attempt to justify either irrational positions. However, I was very interested in the remarks by the Minister about the difficulties in electing Hydro commissioners at large in a municipality as big as 100,000 people.

Now, very close to here is a very large municipality that I know a bit about. It has some 400,000 to 450,000 people in it, and in December of this year it is going to elect, at large, Hydro commissioners, which makes no sense at all.

The Minister undoubtedly will recall the select committee recommendation which caused quite a fuss, and which the government did not see fit to implement—I would suspect by reason of the fuss that it stirred up—which the hon. member for York East never could see at all, and which I still think was a good recommendation. That, namely, was to do away with public utilities commissions and Hydro commissions and to give that responsibility entirely to the elected representatives in the municipality, the members of the council.

I think that still makes abundant good sense. I would commend that to the Minister. He will have to be brave to bring it in. If this is brought back to life again, there are going to be all sorts of complaints about it, and we are going to hear from many people, including the hon. member for York East, how important Hydro commissions are to the wellbeing of the province of Ontario.

I strongly dispute that point of view, as did all members of the select committee at that time. But it seems to me, Mr. Chairman, that the first part of the amendment, as moved by the hon. member for York South, makes little sense at all.

As I understand it, in Fort William, where the council ran the telephone business, they ran it at a cheaper rate, and just as well as in Port Arthur where the commission ran it. Now that is one test. I gather it was run just as efficiently in each municipality. So one test is the cost.

The second test—and the most important test I think—is the responsibility. It would seem to me that, since this is a publicly owned enterprise, the people who are chosen by the public to sit on the council should have the opportunity of running it as they see fit. I do not see why you should make the differentiation in that it is a different kind of a service, or a more complicated kind of a service.

The municipality is going to be entrusted with responsibility to build roads and water mains and sewers and run bus services and all the other things that municipal councils do. Why then should they not be able to run the telephone service as they see fit?

For those reasons, Mr. Chairman, I do not see how we can possibly support the first part of the amendment as moved by the hon. member for York South.

The second part—I would rather see in the Act that it be mandatory that the commission be elected after 1972. On the other hand, there is a choice going to be given to the council; it is put in the Act. So, rather than buying the multiple part, or the dual part, amendment moved by the member for York South, we will oppose that and we will support the amendment being put forward by the Minister. But I would urgently commend to him, in his thinking, the idea of extending to municipal councils the responsibility for running the municipality.

Let us not keep on whittling away the powers of those local councils. Let us not have a board to do Hydro, and another one to do parks, and another one to do libraries and another one to do—a civil assessment is going to come down here, so they are going to have no more say about that ever again. Let us leave some responsibility in the hands of the local officials who are chosen by the local voters.

Hon. Mr. McKeough: Well, of course, this is precisely what we are doing in this bill.

Mr. Singer: Not quite!

Hon. Mr. McKeough: It certainly is, because, as you know, there is the parks board and the gardens board and water and so on, transportation, telephone, are being returned.

Mr. Singer: Well, in some cases they certainly are not.

Hon. Mr. McKeough: Then I could only say to the hon. member for Downsview that our opinions are probably not too far apart with respect to Hydro commissions. I wait with interest to see the remarks which he has made today as part of the Liberal platform.

Mr. Chairman: Those in favour of Mr. MacDonald's motion will please say, "aye".

Those opposed, will please say nay.

In my opinion, the "nays" have it. The motion is lost.

The hon. Minister.

Hon. Mr. McKeough: Then, Mr. Chairman, if I could move that section 8 be further amended. May I say I do not know if this is the exact wording which the Legislative counsel has agreed to. I would suspect that this section may have to be amended some time between now and 1972, but I think it carries out the intent at this moment of what we want to do. The Act undoubtedly will be amended then, but that we add in the fifth line after the word "and" the words "until the 31st day of December, 1972" and that we add a new subsection 2 as follows; the council of the city in year 1972 shall by bylaw provide that thereafter the members of the Hydro-Electric Commission of the Lakehead except the mayor shall be appointed as provided in subsection 1 or shall be elected by a general vote of the electors of the city.

I would assume that present subsections 2, 3, 4 and 5, should be renumbered 3, 4, 5 and 6.

Mr. Chairman: Mr. McKeough has moved that the council of the city in the year 1972 shall, by bylaw, provide that the commission, except the mayor, may be appointed as provided in subsection 1 or elected by a general vote of the electorate of the city.

Mr. MacDonald: Is that a new subsection?

Hon. Mr. McKeough: Mr. Chairman, I did not write this out, I am sorry. In subsection 1 in the fifth line after the word "and" the words be added "until the 31st day of December, 1972".

Mr. MacDonald: May I ask the Minister, is that section—

Hon. Mr. McKeough: Yes, I would suggest that it should be a new subsection 2 and the 2, 3, 4 and 5 be renumbered 3, 4, 5 and 6.

Mr. Chairman: Do I understand that the hon. Minister wishes the present subsection 2 to remain as is, and that we just change the numbering from there on down?

Hon. Mr. McKeough: Yes.

Mr. Chairman: Then the motion is firstly, that subsection 1 be amended at the fifth line by adding thereto "until the 31st day of December, 1972", that a new subsection 2 be included as I have read to the committee and that the present sections 2, 3, 4 and 5 be renumbered 3, 4, 5 and 6. What are you going to do with 5, though? Any discussion?

Those in favour of the motion please say, "aye". Those opposed please say, "nay".

I declare the motion carried.

Mr. Meen: In view of the amendment which we have just carried, it looks to me as if subsection 2, now numbered subsection 3, should be amended to provide for elected, as well as appointed members. I would suggest that we should have the words "or elected" after the word "appointed" in the first line, and at the end add the words "or elected, as the case may be" in order to be consistent with the amendment we have just injected providing for the possibility, and perhaps even the probability of election following the first term.

Mr. Chairman: Will the hon. member please send a written motion to that effect?

Hon. Mr. McKeough: We could insert that a member shall hold office for the same term as members of council.

Mr. Meen: That will be perfectly satisfactory as far as I am concerned.

Hon. Mr. McKeough: I would so move that subsection 3, the new subsection 3 be amended to read: "A member shall hold office for the same term as the members of council."

Mr. Singer: In writing, please.

Hon. Mr. McKeough: He trusts me.

Mr. Singer: No, no, the rules say that.

Mr. Meen: Mr. Chairman, I have a feeling that that may not accomplish everything that the draftsman of this section may have intended, inasmuch as there might be a resignation during the course of the term. I think this section was intended to cover the appointment of a successor to fill a vacancy. I have a suspicion that the Minister's amendment, which basically picked up the idea I had, would not go so far as to look after the appointment of a successor to fill a vacancy during a term.

Mr. Chairman: Does the Minister wish to comment?

Hon. Mr. McKeough: No, I think we all know what we want and I wonder if we can leave this up to the Legislative counsel to sort out?

Mr. Chairman: I do not know how we could—

Hon. Mr. McKeough: It runs through my mind that we have done that sort of thing before. If there is any objection to the way it is sorted out, we could give an undertaking to look at it on third reading. All right?

Mr. Nixon: Is the Minister suggesting we carry it now without correction?

Hon. Mr. McKeough: Yes. Carry it the way it is, the way it is printed. If there is any change, we will make it on third reading.

Mr. Chairman: I would not think, with great respect, that this would be in order.

Hon. Mr. McKeough: Well, then, let us write it out.

Mr. Chairman: Would it be acceptable to the committee if we hold section 8 until the Legislative counsel has an opportunity to prepare a properly written amendment?

Mr. Nixon: Just do not carry the whole bill.

Mr. Chairman: We will move from section 8. The only thing I would want to determine at this point, is whether or not there are going to be any more amendments introduced.

Hon. Mr. McKeough: I think this is the last, Mr. Chairman, if you let me move this. "A member shall hold office for the same term as the members of the council or until his successor is elected or appointed." I think that does it and I would so move that subsection 3 be reworded that way.

Mr. Chairman: Hon. Mr. McKeough moves that the old section 2, now subsection No. 3, shall be altered as follows:

> A member shall hold office for the same term as the members of council or until his successor is elected or appointed.

Is there any discussion on the motion? Shall the motion carry? Shall section 8, as now amended, form part of the bill?

Section 8, as amended, agreed to.

Section 9 agreed to.

On section 10:

Hon. Mr. McKeough: Mr. Chairman, I move that subsection 4 of section 10 be amended by striking out "thereof" in the third line and substituting "therefor" of the subsidiary planning area, which is a matter of clarification.

Mr. Chairman: Any discussion on the motion? Will the motion carry? Shall section 10 as amended form part of the bill?

Section 10, as amended, agreed to.

Section 11 agreed to.

On section 12:

Hon. Mr. McKeough: Mr. Chairman, I move that subsection 1 of section 12 be amended by striking out the words "in the years 1970, 1971 and 1972" in the first line and that section 12 be further amended by adding thereto the following subsection, number 9:

> The provisions of this section apply only in the years 1970, 1971 and 1972.

Which again, is a matter of clarification, saying the same thing.

Mr. Chairman: Shall the motion carry? Shall section 12 as amended form part of the bill?

Section 12, as amended, agreed to.

On section 13:

Hon. Mr. McKeough: Mr. Chairman, I move that subsection 1 of section 13 be amended by striking out "50 mills" in the sixth line and substituting therefor "55 mills", and that subsection 2 of section 13 be amended by striking out "50 mills" in the ninth line and substituting therefor "55 mills". These are the provisions for interim levies and this brings it into line with what is required.

Mr. Chairman: Shall the motion carry? Shall section 13 as amended, form part of the bill?

Section 13, as amended, agreed to.

On section 14:

Hon. Mr. McKeough: Mr. Chairman, since the introduction of the bill, we have received a number of representations from the council of Neebing that the transitional adjustments which are covered in this section should take into account any change in circumstances since 1967.

The schedule which is part of the bill was based on 1967 data, the 1967 auditor reports, and on that basis, we suggested the changes in the mill rate which are laid out in the said schedule under subsection 2.

It would be a good idea to update these figures. We expect to have the 1968 financial statements, I would hope, within the next month or so, and therefore we are suggesting that this section be amended deleting the schedule—I do not have the wording—and that the section be amended to permit the Minister to make an order with regard to the transitional adjustments.

As soon as we have received the financial statements, then we can rework these figures and work out a more up to date basis of computing how the transition should be achieved. It certainly is our intention to ensure that the taxpayers in both Neebing and McIntyre wards shall pay no more taxes than they would have under the proposal based on the 1967 figures. This merely updates it.

I, therefore, move that subsection 1 of section 14 be amended by inserting after "taxation" in the second line, "in the McIntyre and Neebing wards" and by striking out "in the schedule to this section" in the third line and substituting therefor "by order of the Minister" and that the schedule to section 14 be struck out.

Mr. Chairman: Shall the motion carry? The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, by way of clarification on the reason of the adjustment during the transitional period —Mr. Chairman, does the Minister mean that, as it is in other areas, cities get a lesser grant for schools and roads and that the townships, since they get more by way of grants, they will enjoy the same grant structure for a period of time? How would you explain that?

Hon. Mr. McKeough: No. The purpose of this section is in simplest possible terms, using the schedule which we now believe may be incorrect. But let us assume that it is correct; that the taxes in Neebing ward are approximately 15 mills less than they are in the new city. There are a number of reasons for this, mainly because Neebing enjoys a very healthy industrial-residential ratio based on the fact that it happens to have a couple of large industries and the people live elsewhere.

Rather than increase their taxes in one fell swoop by 15 mills, this transitional feature would increase their taxes in effect by three mills a year, over a peroid of four years. They then would be at the same level as everybody else. This is exactly the same sort of provision which Forest Hill has, and I think Swansea had, under Bill 81—to phase them in rather than bring them in in one fell swoop.

Mr. Bukator: Will they not be put in a very costly position? While you are increasing it by three mills a year—because of the assessment that they enjoy now from the industry and commerce—will they not suffer from the other end because townships and villages get a larger grant for schools and roads than the cities do? There is an adjustment to be made there, too, I imagine. How are you going to handle that?

Hon. Mr. McKeough: There is a section dealing with schools. Of course, I cannot speak to this—schools have been dealt with anyway. But in terms of highways there is a section of the Act—

Mr. Bukator: Will you come to that later on?

Hon. Mr. McKeough: No, we may even have passed it—which deems the amalgamation to be in the same manner as an order by The Ontario Municipal Board Act which automatically brings The Municipal Subsidies Adjustment Act—or whatever it is called, I never remember the right name—into play which means that the highway subsidy, for example in Neebing, is now 50 per cent.

It will remain 50 per cent for five years and then for a period of five years after that will be reduced from 50 per cent to 33⅓ per cent. So that takes ten years and that is the only other grant, I think, that is of concern. In other words, the 50 per cent grant will remain in effect in both Neebing and Shuniah for the next five years.

Mr. Bukator: Whereby, the city only enjoys 33⅓ per cent!

Hon. Mr. McKeough: Right.

Mr. Bukator: If we were talking about a bridge, Neebing and Shuniah would get 80 per cent for a bridge where the city would only get 33⅓.

Hon. Mr. McKeough: Fifty per cent.

Mr. Bukator: Well, for five years they will continue the 80 per cent grant to those two townships.

Hon. Mr. McKeough: Right.

Mr. Bukator: And after that, it will take a five year period of adjustment to bring it up with the rest of the city.

Hon. Mr. McKeough: Right.

Mr. Bukator: This is what will be applied in this bill when it comes into effect.

Hon. Mr. McKeough: That is correct, which is the same procedure as when the board makes an order on an annexation or amalgamation.

Mr. Bukator: You know why I am asking this question—because it may apply in another area in the near future.

Hon. Mr. McKeough: A very fine part of the province.

Mr. Chairman: Shall the motion carry? The hon. member for Port Arthur.

Mr. Knight: Mr. Chairman, I may very well be demonstrating my ignorance on this but who is going to pay what these residents are not going to be paying? In other words, does this mean that there will be a higher levy for those who live within the city as a result of this gesture?

Hon. Mr. McKeough: Yes. That is quite correct. As it is here in Metropolitan Toronto or in the city of Toronto, the other residents of Toronto, in effect, have been assisting in the transition of say, Forest Hill or Swansea, into Toronto so the other residents will pick up this amount of money which is not large in dollars. It is large, of course, to the individual taxpayer in Neebing or McIntyre and would hurt him if it happened in one fell swoop, but in terms of dollars to the total new city it is a very small amount.

Mr. Knight: In effect then, Mr. Chairman, the same city dwellers, or present city dwellers, would enjoy the benefits of the increased revenue from those industries in Neebing. Would this be possibly the equalizing factor?

Hon. Mr. McKeough: Right.

Mr. Chairman: Shall section 14, as amended, form part of the bill?

Section 14, as amended, agreed to.

On section 15.

Hon. Mr. McKeough: I move that section 15 be amended by adding thereto the following subsection 41, "the provisions of this section apply only in the years 1970, 1971 and 1972", which is as it was before.

Section 15, as amended, agreed to.

Sections 16 to 19, inclusive, agreed to.

On section 20.

Mr. Chairman: The hon. Minister.

Hon. Mr. McKeough: I move that subsection 3 of section 20 be amended by striking out "or in the Hydro Electric Commission of the Lakehead" in the third and fourth lines.

The reason for this is that we have determined previously that the assets are vested in the municipality but they are under the control and management of the commission. It is not necessary then to send this matter to the Ontario Municipal Board for a determination if it cannot be made locally.

Section 20, as amended, agreed to.

Mr. Chairman: Section 21?

Hon. Mr. McKeough: Mr. Chairman, I move that section 21 be struck out and the following substituted therefor:

> The bylaws of the cities of Fort William and Port Arthur, and the bylaws of the corporation of the municipality of Neebing, insofar as they pertain to the geographic township of Neebing, and the bylaws of the corporation of the municipality of Shuniah, insofar as they pertain to the geographic township of McIntyre, shall remain in force in the former municipalities or geographic townships, as the case may be, until repealed by the council of the city.

Now the reason for this amendment is that the original bill said that the bylaws of, for example, Fort William, would come into effect in Neebing; and Port Arthur would come into effect in Shuniah. A former member of this House, the reeve of Shuniah, was quite concerned because this would preclude, under the Shuniah bylaws, a person who presently can keep chickens, for example, or horses or cows. Under the Port Arthur bylaws he would not be allowed to do so.

Mr. MacDonald: Is that what he has gone in for now?

Hon. Mr. McKeough: I do not know if he is personally involved or not, but he was quite adamant. I would agree with those people, and the present member for Port Arthur raised this, that this confirms the local bylaws in the four municipalities.

Mr. Knight: Well, Mr. Chairman, I would agree with what the Minister has just said. It has been a matter of great concern with everybody, and not just the present reeve of Shuniah, the former member of this House, Mr. Wardrope.

There is an editorial in the *News Chronicle* as of April 29 this year entitled, "More Clarity is Needed on By-laws for the new City" and it goes into the whole business of people wondering how this is going to affect the new shopping centre out in McIntyre because the city of Port Arthur, if its bylaws apply, has an early closing bylaw that permits only one night a week of shopping, and this could possibly interfere with that big shopping development.

Also many people out in McIntyre and Neebing keep horses and cows and chickens and so forth, and, of course, the bylaw of the city would prohibit these things. So that people in the area have been very concerned, and will be up until this point, when they find out that the bylaws in their individual wards will remain that way for a while. They will have a chance of course, to lobby their new council and put forth their views. They almost have a new lease on life.

But I do not envy the job of that mayor and council who will have to resolve these things, because they will have to have some exceptions to the rule or something. I think this underlines just the kind of problem that is involved in the amalgamation, not only of two big cities of similar size at one time, which in most cases have similar bylaws, but at the same time, incorporating two smaller municipalities into the whole deal. What you are doing in effect is that you may be, if you are not careful, urbanizing the rural area too quickly and in one fell swoop, so I think it is well advised that the Minister should bring in this amendment at this time, and I do not think there would be any hesitation at all in supporting it.

Section 21, as amended, agreed to.

Sections 22 to 24, inclusive, agreed to.

On section 25.

Mr. Chairman: The hon. Minister.

Hon. Mr. McKeough: Mr. Chairman, I would appreciate the House's indulgence to finish this bill before 5 o'clock.

On section 25, I move that paragraph 4 of section 25 be amended by striking out, "section 14", in the first line and subsitituting therefor, "sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 31"; and that section 25 be further amended by adding thereto the following as paragraph 14 and by renumbering the present paragraphs 14 to 16 as 15 to 17 respectively—14, section 1 of The City of Fort William Act, 1952.

Section 25, as amended, agreed to.

Section 26 to 27, inclusive, agreed to.

Bill 118, as amended, reported.

Hon. Mr. Welch moves that the committee of the whole House rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report a certain bill with certain amendments and asks for leave to sit again.

Report agreed to.

APPOINTMENT OF A COMMISSIONER

Mr. V. M. Singer (Downsview) moves second reading of Bill 7, An Act to provide for the appointment of a commissioner to investigate administrative decisions and actions of the government of Ontario and its agencies and to define the commissioner's powers and duties.

Mr. Singer: Mr. Speaker, in speaking to Bill 7, An Act to provide for the appointment of a commissioner to investigate administrative decisions and actions of the government of Ontario and its agencies and to define the commissioner's powers and duties, may I point out, sir, that this is the fifth year in a row that I have spoken to this same bill.

The popular title for this imposing sounding official is that of ombudsman, and it is passing strange that the government of a province that likes to call itself the most advanced in Canada; or the most advanced in North America; or, as we listen to the Min-

ister of Social and Family Services (Mr. Yaremko), the most advanced in the world—the Minister is not with me at the moment—it is surprising that this government has not seen fit to enact a piece of legislation as advanced as this one is, or at least as advanced as it would be for the province of Ontario, because it really is not so far advanced that someone should not have thought of it here in this province.

There are many other jurisdictions where they have felt that it is proper and right that we should have an ombudsman. In fact, when we had a discussion about Bill 99 which was called at that time, The Police Act, and when the Premier (Mr. Robarts) came to set up a commission of one—Mr. McRuer—to deal with the whole problem of civil rights, one of the things, either in the terms of reference the government gave to Mr. McRuer or in the way he defined his terms of reference, was the study of the function and the role of an ombudsman here in this province.

And after he brought in the first section of his report, it was indicated to us that the second section would be following reasonably soon and in fact would deal with the whole question of an ombudsman, or a Parliamentary commissioner as I called it in this bill that I am talking to.

I have been trying to find out from the hon. Attorney General (Mr. Wishart) when we might expect part two of McRuer's report. The Attorney General has not, to this date, been able to shed much light on that inquiry other than he understands it is well on its way and we can expect it soon.

It is my suspicion, sir, having listened to Mr. McRuer over a considerable number of years, and having heard the character of the representations that were made to him in this regard and his replies to some of the briefs that were presented to him, that he is very sympathetic to this whole idea. Without wanting to anticipate what would be in his report, and I have no way really of anticipating it other than on the basis that I have already outlined it to you, it would be my thought, my hope, that when we see part two of this report, it will recommend that there be a parliamentary commissioner or an ombudsman for the province of Ontario.

Now if it was as simple as that, sir, I have said my piece and I could sit down. But unfortunately I do not think it is that simple. By way of ground work to a bit of what I am going to say, let me read just very briefly an article that appeared in the *Daily Star* on May 1 last. It said that "Canada's third ombudsman goes on the job in Quebec." Now Quebec has recently embarked upon this and the article says this:

> Louis Marceau, the 42-year-old dean of law at Laval University, today starts his job as Quebec's ombudsman, Canada's third watchdog over governmental injustice. Like his two predecessors in Alberta and New Brunswick, he can expect to be peppered with an average of a complaint a day from citizens bogged down in red tape or, as he puts it, "confronted with the administrative machinery".
>
> Alberta's ombudsman, former RCMP Commissioner George McClellan, received 535 complaints last year, his second on the job. Dr. W. T. Ross Flemington, a United Church minister, got 329 cases in New Brunswick between October 11, 1967, when he took office, and the end of 1968.
>
> Their job is to rectify bureaucratic injustice. Again, if their recommendation goes unheeded, they are empowered to make public their private investigations in a report to the provincial Legislature. They cannot probe decisions by the Cabinet, Legislature, or the courts.

A bill setting up such an official is now before the Manitoba Legislature.

And I think, sir, that is a government bill, so that we can anticipate that four provinces will have an ombudsman within a reasonably short time. "Ontario has studied the possibility but has not acted." And I suppose the "study", sir, has been the debate over five years on this bill. I put it forward five times and we have listened to a variety of so-called answers from some of the members on the government side.

I am going to deal at greater length with those of the member for Durham. I know he is on the list today. It is a very interesting thing to see over the years. I am going to quote his ideas back and see if his views have perhaps changed.

And then the article goes on to talk about Mr. Marceau and his various talents and so on.

But I say, sir, that if we really believe that this is the most advanced jurisdiction in Canada, perhaps in North America—I will try again for the Minister of Social and Family Services, but he will still be busy talking—the most advanced jurisdiction in the world, surely we could have an ombudsman in the province of Ontario, when so many other

jurisdictions have seen the importance of protecting their citizens against injustices done by the civil service?

Hon. J. Yaremko (Minister of Social and Family Services): In Ontario we have 117 of them.

Mr. Singer: This is just the difference Mr. Speaker. I thought I could get the Minister involved in this.

You see the problem is, Mr. Speaker, if you look at this bill—that is before the Legislature again. Hopefully, in the five times it has been here, most of the members should have glanced at it at least once or twice.

The design of the bill is aimed at the ability of an individual to have someone to complain about the civil service. Such an official would have the right to examine, in government departments, a variety of files, call an official before him and so on. And have some kind of a person who could defend his rights against the ever-increasing and larger and more powerful nameless and faceless group of people, the provincial civil service.

It is awfully hard, as any one of us who is a member here can recognize, it is awfully hard to try and pin down responsibility in a department, once you have left the Ministerial responsibility—find out who really makes the decision. Is the decision right? Is it fair? And has the individual got a right to go to someone?

It is all very well to say there are 117 of us who have these rights. But we have not. We cannot go into these various departments. We cannot look at the files. We cannot bring civil servants before us. We can make polite enquiry and very often it is successful and most times we get the kind of service that we deserve to have, being members. Many times we are able to right wrongs by reasons of those enquiries.

But there are hundreds, and perhaps thousands, of cases which members never get to hear of. Are the members in New Brunswick or the members in Alberta any the less capable?

In Alberta 535 complaints were received by their ombudsman, Mr. McClellan. In New Brunswick there were 329 cases. The reports are there and I am not going to dwell on them at any greater length. The record is there. There were that many people in each of those provinces, both of which are substantially smaller than ours—who made that many complaints. Their ombudsmen received them. They were investigated and they were dealt with in some way.

Now, sir, let me say this, lest I seem to be establishing a negative approach. While listening in past years to government members speak rather weakly against the need for this kind of an official—I am referring particularly to the member for Durham (Mr. Carruthers), from whom I am going to have some specific quotes. I have learned to anticipate their objections and shall deal in the course of my remarks with this aspect of the bill, as with the very important positive aspects of this bill.

During the June 3, 1965, debate on the second reading of the same bill, the Premier interjected with the remark that the Minister of Social and Family Services has just now made—that the members are supposed to do right by the little man. This seemingly naive statement sums up the need for this piece of legislation.

Each and every member, when he takes it upon himself to represent a constituency, is placed under a moral obligation to act as a spokesman for all of his constituency. But unfortunately, sir, within the machinery of government, not only here, not only in the other provinces, but in the machinery of democratic government, the civil service gets larger and more powerful. The ability of a member to act on behalf of all of his constituency becomes less and less.

The members may wonder why, in relation to a subject that is as obvious as this, we have to encounter this resistance. And I wonder why.

I wonder why, when the government commissioner who could have access to government files would have the confidence of all the members because he would be an official of the Legislature, not an official appointed by the government. Why, since he would be permitted to use the information contained to facilitate the concerns of the citizens. Why, when he would be surrounded by the stricture that he could not divulge information of a confidential nature. Why it should not be completely and positively obvious to members of the government to take this important and needed step?

The primary functions of the commissioner are set out in section 9(1) of the bill. He may also initiate investigations. I cannot see why anyone would object to the functions described in subsection 1 of this bill, nor can I accept the objections that were made in the past to subsection 2 of section 9.

If any branch of any government objects to an investigation, I suggest here, sir, that this constitutes an admission that there is some reason why this branch, or whole departments, should in fact be investigated without delay. I hesitate to dwell unduly on the casual remark that the Minister of Mines (Mr. A. F. Lawrence) interjected into our debate a little while ago, about our having no right to know. Unfortunately, in so many instances, we as members apparently have so little right to know that we do need, and the people of Ontario do need—an official of this sort who would have a right to know; who would have a right to examine government files; who would have a right to ask questions of various government civil service officials, and so on.

The hon. member for York East (Mr. Meen) in the last Parliament supported this idea completely, but he went one step farther when he suggested that if such a commissioner was necessary, then there is something wrong with the system and it should be changed. Since he was apparently the government spokesman that date, on March 8, 1967, I assume, that he knew what he was talking about, and in this case, I say that I couldn't agree more.

We know that the system of the government has to be changed, but until that happy day, we must deal with the immediate problems that are here. Even with great respect to ourselves, Mr. Speaker, even when we move over to the other side, which will be very shortly—immediately after the next election—I would still think that very high on the items of priorities that we will have if the government has not done it by that time, will be the appointment of such a parliamentary commissioner.

Hon. A. Grossman (Minister of Correctional Services): Well, that is when you will probably need one.

Mr. Singer: Well, we need one now, with great respect to the hon. Minister, and perhaps we can get the hon. Minister into this debate. I would like to hear his views on the important matter.

Now let me talk about the hon. member for Durham, because I promised him I would.

When he spoke in the debate of June 8, 1965, he opposed the idea of a government commissioner, and the first reason he had for opposing it was that the government has already set up special boards to which a person may appeal. Section 9, subsection 5(a) of this bill says that "Nothing in this Act authorizes the commissioner to investigate any decision, recommendation, act or omission in respect of which there is a right of appeal, or where there is a remedy through the courts." So the hon. member had not done his homework in that regard.

His second objection was that a commissioner would interfere with the rights of members. I do not really know how he defines these rights, but let us assume it meant the right of a member to attend to his constituents personally. There are two ways of answering this objection.

In the first place, if he is truly interested in protecting the rights of his constituents—and I hope he bears this in mind in carrying out his duties as a member—is it not logical to wish to streamline the service available to his constituents.

Secondly, even with the commissioner, members will no doubt find that many requests will still come directly to them and that they will be requests that the members can deal with. But so frequently, I am sure the member for Durham, and many other members, including myself, have problems that we just are not able to deal with because we cannot get the kind of information that we need. This objection from the member for Durham, made in 1965, to my mind just makes no sense.

The third objection raised by the member for Durham, was that the office of the commissioner would serve as a receptive office for crank letters. Now, this is so typical, Mr. Speaker, of the approach that, unfortunately, so many members of this government have taken to this kind of suggestion.

I am pleased that he said "letters", because section 11, subsection 1, states, "That all complaints must be in writing". I am not so pleased, however, that he seems to have fallen into the ready trap of labelling many people with problems as "cranks".

So often, Mr. Speaker, the person who needs attention around here seems to be the person who has been labelled for a while, as a crank, and so often we have found out that the person who has been labelled as a crank turns out to be the person who has sufficient sense of grievance to keep on with his complaint until finally justice is rendered.

So I would think that when the member for Durham idly dismisses this very important suggestion, that has found an important place in other jurisdictions in Canada, in the United Kingdom, in the Scandinavian countries, as merely servicing the "cranks" of the province

of Ontario—that he either completely misses the point, or really does not feel that he has a duty and a responsibility to look after all the people who are unable to speak for themselves.

The member said, too, "that civil servants do not want a commissioner breathing down their necks"—again another not untypical Conservative excuse for avoiding positive action.

I would think, Mr. Speaker, that many of the civil servants certainly need someone to breathe down their necks, and breathe down their necks in a very effective way.

It comes to my mind that back in 1965 when I posed to the Attorney General a long series of questions—well over 100 in multiparts—the Attorney General came to me and said, "You know you have really done something for our department. You have forced us to sit down and to study and to get information, and find out the answers to a variety of questions, and a lot of new ideas have come out of the questions that you have put forward; the answers we have got to give and the criticism of them".

Now that, I would imagine, Mr. Speaker, is breathing down the necks of the civil servants. I think that more people have to breathe down the necks of these departments; breathe down the necks of the Cabinet Ministers; and do it with some colour of right. Our ability to make the enquiries, if we want to; our ability to right the wrongs that we want to is very limited. We have not the access that the Parliamentary commissioner would have to government files and to government personnel.

I am conscious, sir, of the time limit. I expect that I am coming to the close of the period allotted to me. But I say with all the sincerity at my command, that one of the most advanced steps that could be taken by this government immediately for the interests of the people of the province of Ontario would be to bring in an Act similar in terms to this Bill No. 7.

I know it is asking too much that Bill No. 7 would receive second reading at this time, but I notice the Attorney General is here, and I notice, and I appreciate the fact, that he is listening to these remarks. He is familiar with my views on this subject, and I suspect that his views are not too different from mine on this point.

But I do get very angry and very impatient with the kind of excuses, the kind of palliatives, and the kind of nonsense that we have heard from the member for Durham, I notice that he is booked to speak on this bill at this time. Perhaps he has some new views and some more advanced views in connection with this bill.

Mr. A. Carruthers (Durham): Mr. Speaker, it is a pleasure for me once more to have the opportunity of participating in the debate on this bill. My conscience has been bothering me somewhat since the last debate—on the role of the ombudsman—I realize the member for Downsview said that we have such a commissioner in the Scandinavian countries and Great Britain and in New Zealand, and now in New Brunswick, Quebec and Alberta.

I listened with a great deal of interest because I felt, as I said before, rather conscious about this, and perhaps he would convince me this time that such an office was needed.

I regret very much to say, Mr. Speaker, that he did not change my views to any great extent, although I still have an open mind for argument to convince me that such an office is necessary in this great province of Ontario.

Indeed, Mr. Speaker, I hope I interpret correctly the remarks of the member about a half an hour ago, in the debate on Bill 118, I think at that time he was quite concerned about the whittling away of the powers of elected representatives. Now he comes back at this time and recommends the appointment of an ombudsman, which would, again, in effect whittle away a good deal of the responsibility of an elected member.

The member for Downsview is an extremely dedicated man. I think we all appreciate this, and several times he has tried to convince us of the need for an ombudsman, but if you will notice that very few members appear to have an interest in it. I think this reflects the fact that they feel there is no need for such an office.

Interjection by an hon. member.

Mr. Carruthers: Well, I still am prepared to be convinced on this matter.

Interjection by an hon. member.

Mr. Carruthers: Thanks. In any event, Mr. Speaker, I shall try once again to have my point of view recorded, so that the hon. member for Downsview will not feel cheated, at least.

At the same time, I do not wish the Opposition members to have the impression that I speak against some form of governing body which would actually perform a

useful function in our society but I am not sure that an ombudsman is the answer.

Generally in most cases an ombudsman is the product of a welfare state, and except for Alberta and New Brunswick, this has been the case. It is my opinion, Mr. Speaker, that in such a vast area as the province of Ontario, the office of ombudsman would be most difficult to manage. Frankly, sir, we would be, in my opinion, only adding another bureaucracy, and I am afraid adding a heavy tax burden to the taxpayers. I say this because it is only logical to assume that this ombudsman would require a network of offices across the province, with hundreds of assistants to carry out the work load that the hon. member for Downsview would have us believe exists.

It is true that the office of an ombudsman is supposed to protect an individual from injustices, encroachments by government, on his liberties and his rights. However—and I have said this many times before—we have the boards and commissions to whom we may appeal. And although the member for Downsview has pointed out that this bill does not take these bodies into consideration. Above everything else we have the members of Parliament, 117 of them, whose duties are to represent the rights of constituents who feel they have suffered an injustice, or thought they had suffered one.

May I remind the House, too, that the new legal aid programme now assures the right of appeal to all citizens of this province. Under the British system which has been adopted in Ontario, the Legislature is the place for ventilating the grievances of the citizens, and certainly they have been ventilated in this Legislature in the last few days and the last few weeks.

By history, tradition, and past and present practice, this has been the custom. It is one of the functions of the elected member of the Legislature to ensure that his constituents do not suffer injustice at the hands of government.

Mr. S. Lewis (Scarborough West): Is that the same speech as last time?

Mr. Carruthers: Some of it is. The procedures, questions and debates are specifically for this purpose and are a pattern of parliamentary government.

Mr. Singer: He has moved forward another inch.

Mr. Carruthers: I might point out, Mr. Speaker, that the speech of the hon. member for Downsview is just exactly the same as he gave the last time.

Mr. Singer: Oh no, it is not.

Mr. Carruthers: Well, he read it backwards, perhaps.

However, members of this Legislature are continually taking up the complaints of constitutents, corresponding with Ministers and bringing citizens' grievances, great or small, to this Legislature. May I suggest, too, that the office of the ombudsman would only serve as a buffer between the constituent and his member and would this create difficulties and could create a good deal of ill will. This is undoubtedly an interference in the responsibilities of an elected member. It is of particular concern to myself as a member from a rural area, where I feel capable of representing every constituent of my riding, regardless of political affiliation.

Such an office would undoubtedly merely become a place for people to write in, as the member pointed out and which I pointed out the last time, letters of grievances which must be dealt with. I say this with little hesitation. The member failed to point out what I said at that time with respect to the programme in New Zealand. In New Zealand, the ombudsman's office received some 760 complaints in 1964, of this total some 400 did not even warrant consideration, and of the remaining 360, there were about 50 which warranted action.

Mr. W. Ferrier (Cochrane South): Is the individual not worth anything?

Mr. Carruthers: Mr. Speaker, I deal with that many every two weeks at least. He pointed out that in New Brunswick, and certain other provinces, a certain number of complaints are received, but he did not point out how many of these were legitimate, and how many actually received serious consideration. At this point I would like to bring to your attention the fact that with these many complaints to look after, I wonder how long it took actually to handle those cases that were really legitimate. I suggest that they would have been handled considerably more speedily had they been handed to a person such as the private member, whose first and foremost responsibility is to the constituents.

Mrs. M. Renwick (Scarborough Centre): Especially if he is a government member.

Mr. Carruthers: The real safeguard to democracy, the real safeguard to citizens, is a fair minded civil service. I think you all

agree, and again I repeat what I said before, we have a vigilant and responsible civil service in this province. We also have in this province a responsible press, which can reveal, and does reveal, many injustices. Actually, Mr. Speaker, when I started to look really closely into this matter, it came to mind that perhaps an ombudsman system, such as they have in Sweden, would not be such a bad idea.

Here the ombudsman not only investigates complaints by citizens, but he initiates cases on his own, and most of these are the result of an annual inspection trip that he makes to provincial courts and to the government offices. It would seem logical, therefore, that with an ombudsman, or a commissioner, such as the member for Downsview is suggesting, able to take care of grievances and to guard the interests of the people of this province, there would no longer be any need for an Opposition party in the House. It is something to think about, is it not?

An ombudsman would perhaps be of value with the federal government in tracing down the exorbitant expenditures made by various departments, at that level, and uncovered by the Auditor General. His report has prompted a series of articles by the *Globe and Mail*, outlining in rather vivid terms, a terrible waste of the taxpayers' money by the present federal administration. The Bonaventure reconditioning and painting is an excellent example of this type of waste. Perhaps an ombudsman would be of use in situations such as this. Mr. Speaker, in this great province where we have a continuing audit of finances—

Interjections by hon. members.

Mr. Speaker: Would the hon. member draw his remarks to a conclusion as his time is up.

Mr. Carruthers: Thank you Mr. Speaker. I do wish to point out though that McRuer is still studying this problem, I understand, and I believe this is not the time to give consideration to such legislation. The time will be when Mr. McRuer brings down his second report.

Mr. P. D. Lawlor (Lakeshore): Oh, yes, and if he comes out in favour of it the member will join the bandwagon.

Mr. Carruthers: Perhaps Mr. McRuer will do a better job of convincing me that an ombudsman is necessary than the hon. member for Downsview.

Mr. F. Young (Yorkview): Mr. Speaker, I hope that the hon. member for Durham will be convinced when Mr. McRuer brings down his report. It seems that government benches are only convinced when the word comes from on high, up to that time they are not quite sure what their point of view is. However, I rise to support this bill this afternoon. An ombudsman is one long-known in countries which have had social democratic governments and is now becoming more and more popular around the world. Today it is being discussed in many jurisdictions, here and in other places, and we hope that Ontario, along with the hon. member for Downsview, will see the light before too long, and perhaps, Mr. McRuer will shed that light.

It is all right, Mr. Speaker, for the hon. member to say to us that we are all ombudsmen. True enough, we are. I get, in my office, hundreds of people who come with problems, all kinds of problems. I never knew that trouble had as many facets as it has when we sit down and listen to the people—but the hon. member for Durham is lucky. He understands all these problems. He is able to go to the proper civil servants and get redress, according to what he has said. This is good, it is good to be a government member and do this. But some of us in the Opposition are not quite as wise as the hon. member for Durham.

For example, I had a case not long ago where certain tough legal technicalities were involved. I am not a lawyer, and when I called a lawyer friend of mine, he said to me, "you cannot get a lawyer to take that case. It is just too bothersome, let us put it that way, it is just too bothersome for the time involved. Nobody is going to bother with that." Now I, in my ignorance of the law, am not sure where to go to get redress. Then, I call certain members of certain departments. As the hon. member has said, I have to take their word, I cannot go into the files, I cannot demand the files. So, I say, "Well, this and this and this seems to me to be common sense." but he said, "No, we take this point of view." I still think it is wrong, but there is no redress as far as I am concerned. Perhaps the member for Durham has the secret words that unlock those files and gets the redress, I do not know.

Sometimes people come to me and say: "Well, now look, I didn't come to you for several months because you know I worked against you in the election campaign and I voted against you and I felt foolish in coming to you." I hope that there are not too many like that, but there are some, and those people are looking for some impartial jurisdiction, if you will, an ombudsman who they know is

impartial, to whom they can appeal, where there are no political overtones of any kind.

I think this is extremely important for many of our citizens. Sometimes too, things build up in certain areas and no matter what the local member may try to do, nothing seems to happen. The mess in Brantford is a case in point, where an ombudsman, perhaps a year ago or a long time ago could have brought justice there and saved the present situation in that city.

What we have just gone through in the welfare estimates is a case in point. There is trouble in that department, trouble which government members themselves have not been able to resolve and certainly trouble which other members in the Opposition have not been able to resolve, and that department goes merrily on its way.

I will say this for the civil service by and large in Ontario, I find them an efficient group of people. But if a civil servant makes a decision I cannot argue that decision. I can argue with him, but he still makes the decision, the government backs him up and I have no court of appeal to which to go.

Hon. Mr. Grossman: The member has it right in this Legislature.

Mr. Young: All right, I bring it up here. But in the meantime perhaps months have gone by before I am able to bring it up, and that thing has festered, and other cases which might have been righted if we had been able to do something before, many other cases, have gone by and that wrong has not been righted.

I have before me a short résumé of what happens with the Swedish ombudsman. It is from an article written by Sidney Willens from Missouri, and he says this, and I quote him:

> Today the Swedish ombudsman is Alfred Bexelius, the country's 31st. He is called by the initials JO.

Standing for a shortened form of a Swedish word.

> Presently, the JO heads a staff—

I call this to the attention of the hon. member.

> —heads a staff of nine lawyers and three secretaries. It's small on purpose—to avoid criticism that it, too is bureaucratic. It serves Sweden's 7.5 million people.

As many as Ontario.

Mr. Singer: It is bigger than Ontario.

Mr. Young: Seven and a half million people.

Mr. Carruthers: Do these people have the right to appeal?

Mr. Young: Now, how does the ombudsman idea work? First he receives a complaint, it must be in writing and signed. The JO is the whole judge of whether he wants to act upon it. On 90 per cent of the complaints, he does not. But the fact is that those 90 per cent of the people have had a chance to put in writing their complaints and very often that is what is needed. They at least have been able to be heard.

If he believes the complaint is justified, he requests the official to explain his action. In 85 per cent of the cases the official's reply closes the file after the JO writes the complainant supplying him with a reason why, and that is generally what he wants.

In the remaining 15 per cent of the cases pursued, the JO goes to work. He may visit the official, subpoena information or attend the agency's hearings and deliberations. He cannot interfere with the decision-making. He is not a court of appeal.

What is his weapon? It is the prestige of his employer, Parliament; the dignity and impeccability, the honesty with which the Swedish citizen looks upon the office; and publicity. A recalcitrant administrator does not want his name in the newspaper.

The JO's biggest weapon is a book, his annual report to Parliament. Each year he lists all important cases and their disposition. He may propose new legislation, and this again is important, or changes in administrative regulations to cure injustices he has come across during the year. The book is distributed to all courts and government agencies.

Hon. Mr. Grossman: Has the member got the list of the kind of cases he handles?

Mr. Young: The kind of cases he handles are cases which the average member of Parliament finds very difficult. I think most cases which come to us we can handle effectively. But there is always that small proportion of cases which come to all of us, which we just have not the competence or the knowledge or the contacts to handle. He handles the kind of cases that you and I handle, and the complicated cases that we find difficult.

Hon. Mr. Grossman: I understand it was mostly about court decisions.

Mr. Young: I think the Minister could find a list of those cases if he wants to bother.

Mr. Singer: Or the English cases or the Alberta cases or—

Hon. Mr. Grossman: The greatest objections are to judges' decisions.

Mr. Young: Right, but one of the things which I think the ombudsman does, and does with effectiveness, is just that thing which was mentioned—he brings to light some of the injustices. I quote here from Kenneth Growney of Kansas City, state representative, when he says this to a United States subcommittee:

> I feel that the problems of poverty, ignorance and prejudice will not be solved by establishing this office, but by bringing to light basic injustices committed by administrative agencies. The ombudsman can encourage improvement in good, honest, efficient and sound government—

Mr. Speaker: I would draw to the hon. member's attention that his time has expired.

Mr. Young: Thank you, Mr. Speaker. I think I have convinced the member for Durham that the time is here to appoint an ombudsman. I have more material here which he is entitled to read if he wishes to do so, and I support the bill.

Mr. G. Ben (Humber): Mr. Speaker, in rising to support the bill, I want first of all to congratulate the hon. member for Downsview for his perseverance in continuously bringing this bill before the House. The introduction of bills asking that an ombudsman be appointed is not new, at least insofar as this decade is concerned.

Ombudsmen have been operating successfully in Sweden—that is where we get the word from—since 1809, and in other jurisdictions since 1919—Finland, Denmark, New Zealand, Norway, New Brunswick, to name a few. There are similar legislations in India, Israel, Japan, Nepal and the Philippines.

Many other jurisdictions have given consideration to appointments of ombudsmen—California, Illinois, Connecticut, the state of New York, the city of New York and every province in Canada. They have cited more or less the reasons that the hon. member for Downsview and the member for Yorkview have cited.

About the only reason that has been advanced in opposition to the appointment of an ombudsman is the reason that was stated by the hon. member for Durham, that each member of the Legislature or of the council or of the legislative body, whatever it may be called, in that particular jurisdiction, is an ombudsman or should be an ombudsman.

Now, that is not a statement to be denied. On the other hand is it a statement which should be accepted to completely wipe out all the other arguments that have been advanced in favour of having an ombudsman?

The hon. member for Durham gives as a reason why we should not have an ombudsman, the large number of cases that were handled in other jurisdictions. For example, New Zealand. One would think that the large number of complaints received by an ombudsman would be a logical reason for having an ombudsman. It obviously indicates that many people are dissatisfied with the services they are getting from bureaucracy.

But the hon. member for Durham takes the other viewpoint. I cannot but recall the statements that were made by the ombudsman that had been appointed in New Brunswick, W. T. Ross Flemington who became ombudsman October, 1967, and to whom the member for Downsview referred.

He tabled the report, as the hon. member indicated, showing that there were 157 complaints received from the time of his appointment in 1967 to the end of December for the following year. Actually, it was a six-month report.

He said 157 complaints had been received, about one-third of them were outside of his jurisdiction. About half of the remaining 100 had been investigated, and half of those seemed to be justified. Quoting his words:

> It is very difficult sometimes to determine whether complaints are justified or not. In the judgment of the complaintive they are justified, but this is sometimes due to the fact that the complaintive is not aware of the law, or the action he may take.

More or less along the line that was indicated by the member for Yorkview. One newspaper reacted to his first report in this way:

> Most of the cases cited are of the sort that may well be crucially important to an individual, but would not of themselves cause much stir in a mass routine in a government department.

That is exactly the role of an ombudsman. So in this particular instance, of the complaints that were in the ombudsman's jurisdiction, almost half of them were justified.

Now, the hon. member for Durham gives the impression that we are all ombudsmen. That is true.

Hon. Mr. Grossman: That is not what this report says.

Mr. Ben: I was quoting from a newspaper.

Hon. Mr. Grossman: Reports say that the ombudsman refused 90 per cent of the complaints.

Mr. Young: That is what I said. I was—

Mr. Ben: That is not the report I was quoting from. You are quoting from an American report and following the attitude of the member for High Park (Mr. Shulman). He has already brainwashed you and you are following his tactics.

Mr. Singer: You were not even listening.

Mr. Carruthers: How many complaints did he have?

Mr. Ben: He had 157 complaints in a six-month period. One-third were not in his jurisdiction, and of the remaining 100, half of them were justified.

Now, one of the most prolific writers on the topic of ombudsman is an American by the name of Stanley V. Anderson, a professor of political science at the University of California at Santa Barbara. He has probably written more books on this topic than any other author. He had occasion, not too long ago—as a matter of fact it was a while ago, in 1965—to write a book report on the ombudsman, "citizens' defender," edited by Donald C. Rowat. He is from Carleton University.

In this article Professor Anderson has this to say:

> Further scholarly research might also be useful. For example, legislators sometimes argue that they are already functioning as ombudsmen. Yet no systematic investigation has ever been made of complaint-handling procedures, or the number and kind of grievances which enter an elected official's office, whether in the executive or legislative branch.

He goes on further:

> The trouble with the lawmaker-as-ombudsman approach is that some legislators are more able, more interested, and more influential than others. At the state level, many citizens are not aware of this avenue of complaint.
>
> In my opinion, the availability of elected officials as buffers between citizen and bureaucracy ought to be widely publicized, particularly if politicans insist upon a monopoly.

Well, a lot of politicians do not insist on a monopoly. Mr. Speaker, I would like to quote what one illustrious member of this House says about his duties, and I am quoting from the Kitchener-Waterloo *Record* of April, 1969. It is captioned "LIKE PRIVATE CITIZEN, RED TAPE FRUSTRATES TORY MPP":

> Galt—Allan Reuter, MPP for Waterloo South, says the provincial government's red tape is making it harder than ever for him to help his constituents.
>
> "The red tape is so bad," Mr. Reuter told the *Record* in an interview, "that it has become one of the greatest frustrations in his life as an elected member." A lot of people think a Conservative member of the provincial Parliament, like myself, is part of the government, which he really is not at all. Only members of the Cabinet are part of the government. I find it just as difficult to break through the bureaucracy and get an answer to a question as any private citizen.
>
> "Sometimes you have to go through five or six department heads before you begin to get anywhere. Perhaps it should not be that way, but it is."
>
> Mr. Reuter said he views his job as that of a go-between to assist his constituents in matters in which government action is needed.
>
> "I think every elected member should act as an ombudsman. When you get something for somebody it is a great satisfaction, and when you cannot it is a great frustration, and I have no hesitation in saying so."
>
> Mr. Reuter said a lot of bureaucracy is necessary to operate the machinery of government. However, he said, many other members of the provincial House find red tape just as frustrating as he does when he tries to get action on a constituent's problems.
>
> The situation has become so exasperating, Mr. Reuter said, that he could hardly wait to get out of Queen's Park and go home on Friday nights.

Well, I do not know which one is the spokesman for the Tory side in this debate, Mr. Speaker. Whether it is the hon. member for Durham or the hon. member for Waterloo South (Mr. Reuter) who was honoured by the members of this House, by being elected

to the post of Deputy Speaker, and Chairman of the committee of the whole House? I would rather suspect, however, Mr. Chairman, that the hon. Deputy Speaker of this House gave a more honest and correct appraisal of the situation as he finds it here, than perhaps the hon. member for Durham. And if there is ever a reason for supporting the bill submitted by the hon. member from Downsview, it is the recent statement made so lucidly by the hon. member for Waterloo South, showing that we have at least one Conservative member supporting this bill, if not more.

Mr. Lawlor: Mr. Speaker, there is not much time to discant on this theme, and with that in mind I shall simply congratulate the member for Downsview, who I was rather rough with the other day in bringing so fine an Act forward. My intention had been to contrast and compare it with the British legislation which is mightily defective over against this one, and I am sure that the hon. member for Downsview has drawn up his bill with some view of the glaring defects in the British setup.

As a matter of fact, they are saying that far from being an ombudsman, he is an ombudsman over in Britain. His teeth have been drawn and in many areas which are protected there he may not ask certain questions. The restrictions that tie his office are so grave that we would not want a bill of that kind. I do trust that the hon. Mr. Justice McRuer, as he then was, does bring forward this kind of recommendation. It is certainly in rhyme with his heartfelt and deep reaching feelings of human liberty and the ombudsman becomes the more necessary as the legislation that comes before this House as a whole continues to complexify.

As a matter of fact, it will not be long, but 75 per cent of the legislation will be debated among a nice little closed group around here. I do not know what is going to happen to the rest of the world, but I am sure this closed group will be delightfully satisfied.

It will simply mean that the press and larger numbers of individuals are going to have to enter in and stick their noses closer to the grindstones in order to be able to act as the intermediary between ourselves and the public, just as an ombudsman becomes increasingly necessary between the civil administrative process with all their secret files and all their repressive measures. However good and open and fairminded they may be, nevertheless all kinds of calcifications develop in a civil service—easy ways of doing things which are restrictive on the liberties of the citizen to which we, as members, however we may labour at our task, cannot get to. An ombudsman can get to them because he has access to the files; he has access to the modes of examination that are denied to us; he is certainly necessary. I will just mention that those areas in which we do seem to be presently capable of acting are severely restrictive.

In other words, as the government grows old and falls into senility, it also falls into high handedness and into arrogance. One of the indications of the age of this government is the fact that restrictions are being placed upon the members to which I have alluded in the past, and shall again. Take the role of grand juries these days. It is falling more and more into desuetude, and while they do good service in a rather narrow way, only once in a while does the role that they can perform, narrow as it is in structure, bear fruit.

When members of this House cannot attend upon the public institutions of the province, then more than ever *"a fortiori"* do we need an ombudsman to perform precisely that. To pretend that we are ombudsmen and to strip us of the necessary instrumentalities to carry out our responsibilities, is a denial of the whole concept of British justice and liberty and the role that we should be encouraged to play as members of this House.

There are many ways, there are many areas in which the hon. member for Downsview has taken cognizance of the British situation and has excluded it on the other hand. I am thinking of Crown privileges, the business of Crown offices hiding behind Crown immunities has been obviated to some extent in the British statute and made explicitly clear in sections 14, subsections 3 and section 15, subsection 4 of the present bill before us.

All to the good. It spells out and defines the role of privileges and communications and, in a number of other areas, this bill to be adopted by the government just as it stands, would do them credit.

Mr. Speaker: This concludes the private members' hour.

It being 6.00 of the clock, p.m., the House took recess.

APPENDIX

(See page 3919)

13. *Mr. MacDonald*—Enquiry of the Ministry—1. What were the total advertising expenditures of each government department or agency during the past fiscal year (1967/68), exclusive of amounts expended for advertisements for personnel or purchase or sale of goods and services? 2. What is the breakdown of such expenditures among the various news media—daily newspapers, weekly newspapers, ethnic papers, radio, TV, magazines? 3. What is the breakdown of such expenditures among the various departmental or agency programmes?

Answer by the Prime Minister (Hon. Mr. Robarts): See page 3957.

42. *Mrs. M. Renwick*—Enquiry of the Ministry—How many doctors' vacancies were there at the Brockville Psychiatric Hospital at the time of Dr. Mullner's testimony to the Standing Committee on Health, March 6, 1969? How many doctors' positions have been filled since that date, and for how long had these vacancies been in existence? How many of these doctor positions were filled by transfers from other hospitals and, if so, from which hospitals? For how long have the three doctor vacancies the Minister spoke of on March 27 been vacant? How long is it since the Brockville Psychiatric Hospital had its full complement of medical staff? How many doctor vacancies have occurred since the present superintendent, Dr. Miller, came on staff?

Answer by the Minister of Health (Hon. Mr. Dymond):

Three vacancies are shown at the end of February, 1969, for physicians. No doctors' positions have been filled since that date. None have been filled by transfer. The professional staff has never been at full recommended strength.

43. *Mrs. M. Renwick*—Enquiry of the Ministry—For how long did the Brockville Psychiatric Hospital operate without a stock control on its drugs?

Answer by the Minister of Health (Hon. Mr. Dymond):

Stock control has always been the responsibility of the pharmacist. The present control system is the establishment of a formal procedure for all Ontario hospitals.

45. *Mrs. M. Renwick*—Enquiry of the Ministry—Where, in Ontario Hospitals, should the emergency key to the drugs in the dispensary be kept and with whom?

Answer by the Minister of Health (Hon. Mr. Dymond):

This is a decision which must be made by the superintendent.

47. *Mr. Haggerty*—Enquiry of the Ministry—1. Is the Minister of Health aware of the researches of McMaster University biologist Dr. Doris Jensen into the serious effects of DDT's presence in Lake Erie? 2. Is the Minister of Health aware that concentrations as high as 6000 parts per million DDT have been found in the body fat of dead gulls? 3. Is the Minister of Health aware that the level of pesticides found in fish from the lake is, according to Dr. Jensen, "alarmingly high"? 4. Is the Minister of Health aware that Dr. Jensen's researches confirm that DDT is being passed to breast-fed infants of mothers who drink water from systems drawing from Lake Erie? 5. What researches are currently underway within the Minister's purview, relating to the effects upon human health of the concentration of fertilizers and pesticides by animals eaten by man?

Answer by the Minister of Health (Hon. Mr. Dymond):

1. Yes, it is known in my department that Dr. Doris Jensen, a biologist of McMaster University, is doing research on the organo chlorine insecticides and in the course of this work has checked seagulls for residues. According to information available, Dr. Jensen states she has only found 2 ppb of DDT in the water of Lake Erie, although the level in the clay and some of the sea weed has been somewhat higher.

2. Dr. Jensen found only one gull with 6000 ppm of DDT in the body fat, and this gull had not died as a result of this, but had been killed.

3. No, I am not aware that Dr. Jensen made this statement. To the best of my knowledge Dr. Jensen's work did not include work on fish.

4. No. It is suggested that Dr. Jensen was misquoted in this regard. Enquiries from my department have revealed that Dr. Jensen has no recollection of ever making this statement.

5. Dr. John Brown of the school of hygiene, University of Toronto, is currently working under a health grant in the field of the concentration of pesticides in our food. As well,

my department has already embarked on a monitoring programme, which, when it is fully operational, will be testing water, soil, beef fat, hog fat, eggs and milk for organo chlorine insecticide residues.

50. *Mr. B. Newman*—Enquiry of the Ministry—Will the Minister of Transport take note of the experiment now being conducted by the Dallas Transit System on a Freon-vapour driven propulsion system for buses; and will he make appropriate recommendations in due course as to the applicability of this approach to public transit systems in Ontario, in the continuing fight against environmental pollution?

Answer by the Minister of Health (Hon. Mr. Dymond):

The Freon vapour engine is an external combustion engine similar to a steam engine. but using freon vapour as the work medium to drive the pistons. The engines, developed by Kinetics Corporation of Sarasota, Florida, are being tested in the Dallas Transit System buses. Details of these tests are not available to the public as yet, but will be received by the air pollution control service when they are released.

51. *Mr. Ben*—Enquiry of the Ministry—In view of the literature now being published on the effects of phytotoxicants, will the Minister of Health set up a committee of specialists to review the new research and report on the possible effects upon human health?

Answer by the Minister of Health (Hon. Mr. Dymond):

The question implies that specific literature is available now. The effects of air pollutants on vegetation is a continuing matter and our phytotoxicology section is not aware of any special publications.

There would not appear to be any need to set up a special committee to review the literature and report on the possible human health effects since this would fall within the scope of the health studies service of the environmental health branch.

52. *Mr. Ben*—Enquiry of the Ministry—1. Are any of the new continuous coulometric titration detectors for sulphur dioxide pollution in use in Ontario? If not, will the Minister of Health look into the experience of the Dutch government at Eindhoven, with a view to replacing existing monitors wtih this modern automatic equipment?

Answer by the Minister of Health (Hon. Mr. Dymond):

New continuous soulometric titration detectors have been in use in Ontario for over a year. Conductivity detectors are being phased out. The equipment used by the Dutch government is similar to the equipment currently used by the Ontario government air pollution control service.

60. *Mr. Peacock*—Enquiry of the Ministry—1. Within the past three years, has The Department of Highways retained Canadian Research Services Ltd.? 2. If so, what projects have been undertaken for the department in this period? 3. What was the cost of each project?

Answer by the Minister of Highways (Hon. Mr. Gomme):

1. No.
2. Not applicable.
3. Not applicable.

Department	1. *Total*	2. *News Media*		3. *Programmes*		
AGRICULTURE AND FOOD	9,632.37	Daily newspapers	$ 2,651.23	Educational and Research Branches		$ 827.27
		Weekly newspapers	2,798.39	Ontario telephone services commission		470.56
		Radio	3,623.75	Farm products inspection		19.36
		Magazines	559.00	Milk commission		65.00
			9,632.37	Information branch		786.84
				Extension branch		3,099.00
				Main office		
				General	$ 755.00	
				Information re availability of capital grants	3,609.34	4,364.34
						9,632.27
CIVIL SERVICE	24,075.38	Magazines	20,915.75	Civil Service department		24,075.38
		Transit displays	3,159.63			
			24,075.38			
CORRECTIONAL SERVICES	52.80	Weekly newspaper	52.80	Juvenile institutions		52.80
FINANCIAL AND COMMERCIAL AFFAIRS	43,435.64	Daily newspapers	18,591.10	New securities legislation		16,642.32
		Weekly newspapers	15,885.67	Consumer protection legislation		25,918.22
		Ethnic newspapers	3,281.55	Hearing for mine exploration study		472.50
		Magazines	5,677.32	Deposit Insurance Act		189.00
			43,435.64	OSC announcement		213.60
						43,435.64
HEALTH	584,397.94	Daily newspapers	123,456.68	Dept. Health		428,682.50
		Weekly newspapers	76,937.73	Ont. hospital services commission		86,147.09
		Ethnic newspapers	12,292.00	Ont. Cancer Treatment & Research Foundation		950.50
		Radio	99,769.75	Alcoholism and drug addiction research		68,617.85
		TV	237,405.95			584,397.94
		Transit displays	17,338.20			
		Magazines	17,197.63			
			584,397.94			
JUSTICE	1,084.90	Daily newspapers	1,012.90	Royal commissions		163.80
		Magazines	72.00	Ontario law reform commission		762.70
			1,084.90	Land registration		72.00
				Administration of justice		86.40
						1,084.90
LABOUR	25,105.53	Daily newspapers	15,750.23	Industrial training branch		12,411.50
		Weekly newspapers	6,250.30	Labour standards branch		9,450.04
		Ethnic newspapers	1,905.00	Women's bureau		3,243.99
		Radio	800.00			25,105.53
		Television	400.00			
			25,105.53			

Department	1. *Total*	2. *News Media*		3. *Programmes*	
LANDS AND FORESTS	2,814.40	Daily newspapers	150.40	Forestry programme	1,148.20
		Magazines	2,664.00	Fish and wildlife programme	1,666.20
			2,814.40		2,814.40
MINES	9,645.00	Daily newspapers	172.00	Main office programme	9,645.00
		Weekly newspapers	1,594.00		
		Magazines	7,879.00		
			9,645.00		
MUNICIPAL AFFAIRS	1,707.72	Daily newspapers	1,178.69	Minister's Orders, The Planning Act	765.16
		Weekly newspapers	529.03	Commissions and enquiries	942.56
			1,707.72		1,707.72
PROVINCIAL SECRETARY AND CITIZENSHIP	2,591.50	Ethnic newspapers	1,480.00	Citizenship branch	2,591.50
		Radio and TV	300.00		
		Magazines	811.50		
			2,591.50		
SOCIAL AND FAMILY SERVICES	12,367.20	Daily newspapers	1,665.00	Child welfare	12,367.20
		Adoption agencies	10,702.20		
			12,367.20		
TOURISM AND INFORMATION	1,027,489.20	Daily newspapers	45,706.75	Advertising branch	989,587.64
		Weekly newspapers	8,215.96	St. Lawrence parks commission	37,901.56
		Ethnic newspapers	23,506.43		1,027,489.20
		Radio	12,518.85		
		Magazines	767,460.00		
		Transit displays	37,000.00		
		Production charges	133,081.21		
			1,027,489.20		
TRADE AND DEVELOPMENT	627,000.00	Daily newspapers	111,000.00	Inter-governmental	627,000.00
		Weekly newspapers	9,000.00		
		Television	305,000.00		
		Magazines	122,000.00		
		Production re magaz.	40,000.00		
		Trade journals	40,000.00		
			627,000.00		

Department	1. *Total*	2. *News Media*		3. *Programmes*	
TRANSPORT	48,505.13	Daily newspapers	11,269.71	Amendments to The Highway Traffic Act	9,943.58
		Weekly newspapers	16,530.02	Licence plate renewal	19,307.55
		Ethnic newspapers	2,197.44	Motor vehicle accident claims fund	19,254.00
		Radio	14,544.96		48,505.13
		Magazines	3,963.00		
			48,505.13		
UNIVERSITY AFFAIRS	39,475.45	Daily newspapers	18,661.20	University support—student awards	39,475.45
		Weekly newspapers	12,314.20		
		University newspapers	4,676.59		
EDUCATION	Nil	Magazines	507.00		
ENERGY AND RESOURCES MANAGEMENT	Nil	Production	3,316.46		
HIGHWAYS	Nil		39,475.45		
PRIME MINISTER	Nil				
PUBLIC WORKS	Nil				
REVENUE	Nil				
TREASURY AND ECONOMICS	Nil				

No. 106

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, May 5, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, May 5, 1969

Pension Benefits Act, 1965, bill to amend, reported 3963

Residential Property Tax Reduction Act, 1968, bill to amend, reported 3967

Public Finance Companies' Investments Act, 1966, bill to repeal, reported 3971

Credit Unions Act, bill to amend, reported 3971

Loan and Trust Corporations Act, bill to amend, reported 3976

Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-63, bill to amend, reported 3976

Hospital Labour Disputes Arbitration Act, 1965, bill to amend, reported 3977

Insurance Act, bill to amend, reported 3983

Homes for Special Care Act, 1964, bill to amend, reported 3983

Pharmacy Act, bill to amend, reported 3983

Nursing Homes Act, 1966, bill to amend, reported 3984

Pesticides Act, 1967, bill to amend, reported 3984

Department of Health, bill respecting, reported 3984

Motion to adjourn, Mr. Welch, agreed to 3992

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m

Clerk of the House: The second order, House in committee of the whole; Mr. A. E. Reuter in the chair.

THE PENSIONS BENEFITS ACT, 1965

House in committee on Bill 76, An Act to amend The Pensions Benefits Act, 1965.

On section 1:

Mr. J. Renwick (Riverdale): On section 1, I wonder if the Minister would comment on the point which was raised on second reading, which if I recall was to the effect that this bill is designed to put into effect what in fact has been the practice of the pensions commission up to this point without any statutory recognition of it.

Hon. C. S. MacNaughton (Treasurer): Well I would like to think, Mr. Chairman, that the section of the bill is being amended at this time to remove any doubt about previous legislation. There appears to have been some doubt as to whether the original intent and spirit of the Act was in fact spelled out in the original statute, and this is for the purpose of clarifying the original intent and purpose of the Act.

Mr. Chairman: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Chairman, I have a rather lengthy matter which I would like to go into under section 1. It is in relation to the pension plans and the employees not being able to withdraw their contributions. This is rather a serious matter in that I think the public, and perhaps even the Minister, is not aware of some of the abuses that have arisen under this plan.

Perhaps I could lay the ground work by reading a letter which I received and then I will go into the figures, which are a little complicated.

Dear Dr. Shulman:

Please find enclosed copies pertaining to a pension fund registered in 1966 with the Ontario government and the federal government.

For obvious reasons I have deleted the company name and trustees on these pages, I am only going to generalize here but I will put in the company name if the Minister wishes. I am just reading the letter as it was sent to me originally.

> This plan, which was drawn up by an actuary consultant on Eglinton Avenue, exists and is in force with our company. I feel that there must be more of these plans in existence which an investigation would show do not benefit the working man in a lot of cases. I feel that big business is taking advantage of the working man and his dollars to further their own benefits in a variety of ways.
>
> If I can have these existing plans revamped through you and your party I will feel that I have contributed something to my fellow man; and if you need this company's name, trustees and specific pension fund to pinpoint, I can be contacted through this phone number after 6 p.m.
>
> I have contacted by telephone only Mr. Tulloch, the pension commissioner of Ontario, 454 University Avenue—365-1622. I read to him important features of the plan re divested interests and the formula for deciding the pension. He cannot do anything until he receives the company name, but after checking his figures from the formula used herein he is very interested in receiving this information from me by mail, but I have not sent it to him as yet.
>
> The whole key to this plan is the Canada Pension Plan being integrated into it and this pension, when deducted using the formula set herein, leaves nothing from the company pension as the Canada pension is a fluctuating figure from year to year and as it will also change drastically 10 years from now.

Perhaps it will become clearer as I go along.

Using my hypothetical wages for the next ten years I will have to live well over 100 years to even get my own contribution back at 3.5 per cent interest, not even counting the company putting anything in; and that is if I start to collect at 65 years of age.

Hoping this may be of some help in bringing inequality to public attention at government level, into the public attention, on important features which seem to me to be unequal and unjust in this particular plan. I hope that you feel there should be an investigation by you and your party into this plan and any other.

Yours truly.

And it is signed, but I am going to withhold the man's name at this time.

Now the copy of the plan was sent to me, along with a letter that was sent to all the salaried employees and the company's name as in the heading.

Hon. Mr. MacNaughton: I was wondering, Mr. Chairman, how this is associated with the subject matter of section 1, or indeed any part of the bill. The purpose of the bill, as explained in the introduction and then dealt with on second reading, is to deal with the matter of withdrawal from the funds.

Mr. Shulman: Mr. Chairman, what I am suggesting to the Minister is that because of this section employees cannot withdraw from a fund. Even when they are trapped into a fund they cannot even get their own money back.

Mr. Chairman: The hon. member is really dealing with the principle of the bill. The principle of the bill is the withdrawal of contributions, and we dealt with this bill in principle at second reading.

Mr. Shulman: Sir, this does not have to do with the principle, it has to do with the basic fact stated in section 1 that under certain specific circumstances funds may not be withdrawn from the contributions.

Mr. Chairman: That is the principle of the bill, is it not?

Mr. Shulman: But this is the specific clause of the bill, and that is why I specifically held it until we came to that clause as part of our discussion.

Mr. G. A. Kerr (Halton West): Mr. Chairman, I might try to explain to the hon. member. The purpose of this bill and particularly section 21 of the Act actually was to prevent the withdrawal of contributions that have been made by the employee. The main purpose is that by allowing employees to withdraw their contributions before the plan is in effect a certain length of time, as for example, for ten years or until the employee reaches the age of 45 years, this in effect dilutes the plan, makes it practically a nullity, so that when the person reaches retirement age there is not sufficient retirement income. The main complaint up to the present time has been that the Act is so confusing that it allows people to withdraw funds before that stage has been reached. In order to clarify the present Act and to make sure that there is no question of employees contributions, before reaching the age of 45 years, being locked in, we are proposing this amendment. What the hon. member is dealing with is a certain private plan. Because of the small amount of contributions, particularly by the employer, there was not an adequate retirement plan, when that person should reach retirement age. This really has nothing to do with this section of the bill.

Mr. Shulman: No, Mr. Chairman, that is not really what I am saying. What I am saying is that because of this particular section of this particular bill, a large number of employees throughout this province are going to find that they are going to be trapped into a plan where there is no adequate protection, where they are not going to get their own funds back, plus interest.

Mr. Chairman: This is certainly the principle of the bill and should have been debated at second reading of the bill. I do not see how it can be construed as anything but the principle of the bill.

Mr. Shulman: If I had brought a specific case up under the principle of the bill you would have refused it. Specific cases should be brought up under the clause-by-clause discussion.

Hon. Mr. MacNaughton: Mr. Chairman, if I could ask the hon. member, did he say that this matter had been taken to the pensions commission?

Mr. Shulman: No, it has not.

Hon. Mr. MacNaughton: If it is a pension plan that does not meet all the basic requirements as far as funding, vesting and everything else is concerned, my suggestion is that the legislation in total would deal with that, and the pensions commission could act with

respect to the plan itself. But it really is not related to the purpose of this bill.

Mr. Shulman: Mr. Chairman, through you to the Minister, the reason it has not been taken to the pensions commission by the employee is that he was quite honestly afraid. This matter has come up in our discussions some weeks ago. He was afraid he would be discharged if he brought the information to the pensions commisison. This is why he brought it to me in a confidential way. But the problem is not this specific plan. The problem is that there are many, many plans that are drawn up like this and unfortunately, you need an actuary or someone who is rather clever with figures to break it down. It so happens this employee is an actuary and he has taken the trouble to break it down and it is apparent that this is very similar to a number of plans which are really just nothing more or less than legalized mumbo-jumbo which robs the employees.

Mr. Chairman: The hon. member certainly is—the principle of this amendment is to prohibit the withdrawal of contributions except under certain circumstances and I do not believe that any other sort of discussion would be proper.

Mr. S. Lewis (Scarborough West): On a point of order, Mr. Chairman. Embarrassingly enough, I am not sure how fervently I support my colleague in the view, but I think that when the principle of the bill is reflected in certain of the clauses, one necessarily raises specifics under those clauses. In every bill we come to the one or two or three clauses which most accurately embrace the principle, and on those individual clauses we try to be a little more specific around an individual case or around an individual point. I hardly think that the member is out of order in that sense.

Mr. Chairman: No, this total bill is included in section 1 and the principle of this section certainly is dealing only with the withdrawal of contributions from a plan except under certain circumstances. Now, to debate that as to the pros and cons of it, whether it is right or wrong, or desirable or to quote examples, certainly is nothing more nor less than the principle.

Mr. Shulman: May I ask a question of the Chairman? Would it be proper to debate the principle of this bill on third reading?

Mr. Chairman: Not after it has had second reading, and gone through committees.

Mr. Lewis: On a point of order, Mr. Chairman. You most certainly can debate principles on third reading upon the assumption that the point is newly made, or indeed, made by a member who did not participate in second reading.

Mr. Chairman: As long as it is not something that has been debated previously and it is not repetitious.

Mr. Shulman: In that case I will be content to wait for third reading, Mr. Chairman.

Mr. Chairman: But surely, when the principle of a bill has been passed—

Mr. H. Peacock (Windsor West): On the point of order, Mr. Chairman. I cannot anticipate what the hon. member for High Park is going to deal with but there are several portions of this clause 1 which could be spoken to under the rules of clause-by-clause-consideration. There is subsection 1 and there is subsection 2. The "termination of his employment" or "the termination of the winding of the plan", either of which would be appropriate parts of the clause for discussion in relation to the situation the hon. member for High Park is talking about.

Mr. Chairman: If the discusison was upon subsection 1, section (c), paragraph (i), purely on a termination of employment, the termination of the date of employment or some such thing, the hon. member for High Park is not debating that particular aspect of it nor is he debating the termination of winding of the plan, to fall within the ambit of what the hon. member for Windsor West speaks of. The hon. member for High Park was purely discussing the principle of this amendment, which is contained only in this section 1.

Mr. C. G. Pilkey (Oshawa): Mr. Chairman, would you elaborate as to what could be discussed under this section 1?

Mr. Chairman: No, I would not. That is up to the hon. members to determine what they believe is adequate. I am not going to direct them.

Mr. J. E. Stokes (Thunder Bay): Well, Mr. Chairman, if I might, I have a specific question that I would like to ask. Now, if it is out of order you can tell me so but it has to do with several employees who terminated their employment with the Canadian Pacific Railway. The pension plan was under federal jurisdiction, but their pension contributions were held in escrow, supposedly by the provincial government, because they were a

little bit hazy in one particular area about whether or not they would freeze that money, and apply it to some portability feature of a future plan. And after making representations on behalf of several of those employees, through the pension department in Ottawa, and through the directors of the Canadian Pacific pension plan—your department, I believe it was, Mr. Minister, agreed to release those funds, and the moneys were refunded to the employees who had had it tied up in that fashion. Now does this bill prohibit that in future?

Hon. Mr. MacNaughton: No, it does the reverse, it facilitates it upon termination of employment. If you read clause 5, of subsection (c) you will see that one of the conditions permitting the withdrawal of funds is upon the termination of his employment.

Mr. Stokes: Oh, that is the very point of my question. Why are we bringing in this bill if in fact you were doing it anyway?

Hon. Mr. MacNaughton: I made the point at the outset, Mr. Chairman, that there appears to be some—this was always the spirit and the intent of the legislation, and I think all hon. members who were here, when The Pension Benefits Act, 1965, was debated at some length in principle on second reading, and clause-by-clause in committee of the whole House will recognize that it was the spirit and the intent of the legislation at that time to do what this now purports to clarify. There was never any doubt about it in the minds of hon. members as I recall it, when the original bill went through the various stages of the House in 1965.

There have been situations arise where the language of the original bill has been called into question. This bill is simply to clarify and to make sure that there is no doubt about the original intent of the legislation—that is all that we are attemping to do—so now, beyond doubt, one of the clarifying points is the condition upon which an employee may withdraw. I am reading the actual section in reverse, in effect. The conditions in which he may withdraw his funds are two—the termination of his employment, or the termination or winding up of the plan. It will be clear beyond all doubt that the problem that the member makes reference to cannot be misinterpreted again.

Mr. Stokes: There must have been some doubt in the minds of the people who are administering the plan when in fact they had held these funds for some two years.

Hon. Mr. MacNaughton: Yes. I will go further than that: They have always interpreted the original Act in the way that it has been described and in the way that it is being clarified now. It has always been administered in that fashion, but the pensions commission itself now has reason to doubt that the language of the original bill provides for what we are attempting to clarify here at this time.

Mr. Shulman: Mr. Chairman, on this section, so that there will be no misunderstanding in the Minister's mind or those of my colleagues, I believe this is a good suggestion, a good subsection. Employees should not be allowed to withdraw their funds if the pension funds were drawn up properly. I am going to leave my comments for a later date, either in the Minister's estimates, or on third reading, whichever comes first.

Mr. Chairman: Anything that is repetitious or that deals with the principle as it was passed cannot be debated.

Mr. Shulman: It is not repetitious, I assure you.

Mr. Peacock: On a point of order, Mr. Chairman, I think that when this does come up for third reading we will have to recall for you that we objected to the opinion that you have just offered. On third reading it is perfectly proper for members to express their objections to the principle of the bill. We have established this in regard to certain other measures that may well be before the House this evening for consideration in committee of the whole House. We will be determined to object to them and debate them on third reading, as was the case in the past. I am referring to the bill that is on the order paper in regard to the Ontario Medical Services Insurance Plan.

Mr. Chairman: I leave that entirely up to the hon. members; it is not my responsibility to tell them what can or cannot be done at third reading. I point out that members cannot reflect upon a prior vote of the House, but if the Speaker wishes to undertake any such debate at third reading, this is beyond my responsibility.

Hon. Mr. MacNaughton: If I could comment, Mr. Chairman, as long as it falls within the precise four corners of what is contained in these two sections of this Act it would be debatable, but I do not think it needs to permit any wandering away from the purpose or intent of this amending piece of legislation.

Mr. Shulman: Mr. Chairman, just to complete my comment in one sentence. The subsection is good, the purpose and principle is good, there is no question about that; but so many of their pension plans have been drawn up so badly that unbeknownst to anyone, except an actuary, many employees are making a very serious error in their contributions and in agreeing to this type of plan, but we will leave these comments until third reading.

Hon. Mr. MacNaughton: Mr. Chairman, on that point, and I do not want to pursue this either, I do not know whether it is in order to discuss this aspect of this bill on third reading. I think we will leave it and determine it at that time, but I mention it to you now because I do not think it is.

Mr. Shulman: That is not what the Chairman said.

Mr. Chairman: That is what the Chairman said.

Sections 1 to 3 agreed to.

Bill 76 reported.

THE RESIDENTIAL PROPERTY TAX REDUCTION ACT, 1968

House in committee on Bill 81, An Act to amend The Residential Property Tax Reduction Act, 1968.

Section 1 agreed to.

On section 2:

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, I wished to move an amendment to section 2, to the effect that sub-clause 1 of clause 2, of Bill 81 be amended by adding thereto the following proviso:

> Provided, however, that the reduction herein provided shall not apply to any residential property, the owner of which resides outside the province of Ontario.

I think it is clear on its face what we are after, in this context. The cottage properties throughout northern Ontario, held largely by Americans, are enjoying, and have enjoyed the full benefits of The Residential Property Tax Reduction Act. We over here do not care whether this Act is being phased out at the moment. It still represents a piece of stupidity. You have tried, even in the last year of its survival, to ameliorate your own situation by making it a 50 per cent situation instead of their paying no taxes whatsoever, as happened last year in many cases. We think that does not go far enough, and to rain benefits upon the heads of non-residents—that they should only have to pay 50 per cent of the tax—seems to us carrying that principle too far.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, if I may ask of the last—

Mr. Chairman: If I may put the motion to the House. Mr. Lawlor moves that sub-clause 1, of clause 2 of Bill 81 be amended by adding thereto the folowing proviso:

> Provided, however, that the reduction herein provided shall not apply to any residential property, the owner of which resides outside the province of Ontario.

The hon. member for Windsor-Walkerville.

Mr. B. Newman: Yes, I would like to ask the presenter of the last motion, Mr. Chairman, what he refers to by "an owner residing outside the province of Ontario." Would this include a Canadian citizen of Ontario who may simply be residing in the States temporarily? It could be a college professor taking some course in the U.S., and at the same time renting out his properties in Canada rather than selling the properties. There are a lot of ramifications involved in this and I would like to know the intent of the last member's—

Mr. J. Renwick: Mr. Chairman, I think that one can, as the member for Windsor-Walkerville has started to do, split hairs about it. We are not experts in the drafting of technical tax law amendments; it is quite possible just as it is done and has been done since 1917 in The Income Tax Act of Canada and in The Income Tax Act of this province, from the time it was enacted, to provide for residence as the test under a taxing statute to determine whether you are or are not subject to the tax, and this has been adopted in this amendment. It is quite true that you can use the phraseology "resident or ordinarily resident" as is done in The Income Tax Act, it makes specific exceptions for those who are abroad in the services of the armed forces. What we want to bring before the House, subject to whatever technical drafting has to be done to make it as tight and as airtight and as clear as possible, is the principle that has been enunciated by the amendment introduced by my colleague, the member for Lakeshore, and I think this the point to which we should direct our minds and not to

the hair-splitting problems that the member for Windsor-Walkerville has raised.

Mr. Chairman: The hon. member for Parkdale.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, we support the amendment, but I do not think the member for Windsor-Walkerville was trying to do any hair-splitting, because there is no question that in these border cities like Windsor and Fort Erie and close by, that a problem could arise, but I would agree with the member for Riverdale, having had some opportunity myself to go into the matter, that it is quite possible to bring in such an amendment as the member for Lakeshore has suggested; and, at the same time, see to it that Canadians, who are possibly temporarily not resident in Ontario, can get the benefit of the tax reduction.

There are questions, of course, that men in the armed forces are going to be out of the country. These, I think, can be taken care of. But under the present legislation, as has existed for the past year, we have had the ridiculous situation of Americans, who are here in many thousands, making little or no contribution in the cottage countries where they are. At the same time they are getting all the benefits of the legislation as passed in this House.

Of course, the most notorious example was when former Governor Romney received a rebate. He probably thought we were Santa Claus up here. This, of course, is a situation which should not exist.

There is no good reason why people in the province of Ontario should be subsidizing the Americans—who certainly get more than their fair share out of this province, and out of this country. So we, on this side of the House, assuming and well knowing that we can protect those people who are temporarily absent from the province, support the amendment.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, as my colleague has indicated, we support the intent of the amendment put forward by the hon. member for Lakeshore.

I think this particular programme of the Minister has caused more controversy—at least up until the point he introduced it last year—than perhaps any other programme which has emanated from The Department of Municipal Affairs, with perhaps the exception of regional government.

In any case, this is, and has been, a very controversial programme. There have been a number of areas in the programme which have lent themselves to this controversy. One of the main things has been the fact that we, in Ontario, have been prepared to subsidize the Americans—indeed other so-called foreign citizens—who happen to have cottage residence in the province of Ontario, and who happen to have the benefit of this particular legislation.

I think it is fair to say that none of us in this province should be in the position where we subsidize people from other countries, and this is precisely what we are doing. As my colleague has indicated, we support wholeheartedly the intent of the motion put forward by the member for Lakeshore.

Mr. D. C. MacDonald (York South): I want to make this brief comment: that this was an unsolicited bonanza. That, in iteslf, is bad enough; but that the unsolicited bonanza should be handed out by a hard-pressed Treasury makes it almost incredible.

The Provincial Treasurer has been lamenting his problems in matching revenues with expediture. He solicits suggestions from this side of the House to ease his almost impossible burden. I suggest that here is a way to do it. There is no reason why the provincial Treasury should be used to provide an unsolicited bonanza to foreign citizens.

Mr. Pilkey: I wonder if the Minister could answer this question? Do the hunting lodges owned by Americans, or people from some other country—hunting lodges located on Crown land—given a rebate as well?

Hon. W. D. McKeough (Minister of Municipal Affairs): They do not pay real estate taxes. All they would be paying is provincial land tax.

Mr. Pilkey: But they are not given a rebate?

Hon. Mr. McKeough: No, nor is anyone else who is paying only provincial land tax.

Mr. Trotter: Mr. Chairman, I wonder if the Minister could tell the House if he has any idea of how much money was rebated to Americans who own summer properties? Would he have any idea?

Hon. Mr. McKeough: Well, Mr. Chairman, in speaking to this amendment, I do not want, first of all, to be controversial about this. But I think what we are talking about is an Act to amend The Residential Property Tax Reduction Act, which was an Act passed

last year to ease property taxes—to reduce the burden of property taxes on real estate.

Whether that real estate happened to be owned by an American, whether it happened to be owned by an Englishman, by a native-born Canadian, whether it happened to be owned by a Russian or a Chinese, is of really no consequence, I think, in this particular Act.

Mr. Lewis: The Minister is not serious!

Mr. MacDonald: He is digging himself in deeper.

Mr. Lewis: He was facing an election campaign in Ontario and—

Hon. A. Grossman (Minister of Correctional Services): What kind of election do they have in the Soviet Union?

Mr. Lewis: There are elections almost as democratic as your own.

Hon. Mr. McKeough: The purpose of this Act was to reduce taxes on real estate, purely and simply. And who has the ownership of that real estate I think is not of particular importance.

Smith recognized this, when he recommended what he called basic shelter exemption, which we ultimately called The Residential Property Tax Reduction Act.

Mr. I. Deans (Wentworth): But it was supposed to be a basic shelter allowance.

Hon. Mr. McKeough: Yes, the member says it is supposed to be basic shelter and I have explained to the House before—and Smith recognized this although he did not call it basic shelter—but it was very difficult to determine what in fact is basic shelter. For example, what is place of residence? It has been proven by the courts that a person can have more than one place of residence. He can have several places of residence.

Who is to decide what is the principal place of residence, if that is what you are going to do?

I am wondering whether the members opposite really feel keenly as to whether the person were from Quebec or from Manitoba, or whether it is only the ilk of George Romney—i.e., Americans—whom we are going to exclude from this Act. I am really wondering whether the member for Scarborough, who would be the first to rear up and get on his high horse if we said we were going to exclude Americans, or any other nationality, from our universities—and who also receive a heavy subsidy from the people of this province, a heavy subsidy—would be the first—

Mr. J. Renwick: This is not on this section of the bill.

Mr. Lewis: We are not discussing the Americanization of Canadian universities.

Hon. Mr. McKeough: No, it is not on this section. Mr. Chairman, this is not on this section, so I will leave it.

Mr. J. Renwick: We just come in here to discuss the province's business and the Minister wants to get us all upset.

Interjections by hon. members.

An hon. member: There are a lot of Canadians getting the benefit of American universities.

Mr. Chairman: The hon. Minister has the floor.

Hon. Mr. McKeough: Thank you, Mr. Chairman. I did not really realize that comment would stir so much heat from the members opposite.

Mr. MacDonald: It is an inanity.

Hon. Mr. McKeough: Oh no, I do not think it is, you are talking about a subsidy—

Hon. Mr. Grossman: It is the logic of it that bothers you.

Hon. Mr. McKeough: —a subsidy, a reduction in cost.

Mr. W. G. Pitman (Peterborough): Property and education are not the same things at all.

Hon. Mr. McKeough: You are talking about a reduction in cost.

Mr. MacDonald: Will the Minister permit me to make a comment?

Hon. Mr. McKeough: Yes, certainly.

Mr. MacDonald: I want to suggest to the Minister that the analogy is phoney. There are as many, if not more, Canadians getting the benefit of subsidies to education in the States, but can you tell me where a Canadian is getting the benefit of a subsidy on property tax in the United States?

Hon. Mr. McKeough: All I am saying is that the members opposite think it is more important to subsidize a dropout from Berkeley who is going to the University of Toronto, than it is to reduce—

Many interjections by hon. members.

Hon. Mr. McKeough: I think it is an interesting comparison, Mr. Chairman.

Interjections by hon. members.

Hon. Mr. McKeough: I think it is interesting. I will say that there are a lot of people in this province who think it is more important from the point of view of tourism, from the point of view of reducing real estate taxes, to do what I am suggesting. This government has the courage to do both because we treat all the people the same way. There is no discrimination over here in any respect whether it is George Romney or whether it is somebody whom I have mentioned, from California.

Interjections by hon. members.

Hon. Mr. McKeough: Well, Mr. Chairman—

Hon. R. S. Welch (Provincial Secretary): We are members of the global community.

Hon. Mr. McKeough: The Provincial Secretary says we are members of the global community; how true that is.

Yes, the Prime Minister (Mr. Robarts) says, "Let us get on with the bill' and I agree completely. We have detailed these arguments in the past. The member for Riverdale said, "Of course, we do not have to be expert about this, there are experts to do it." The member for Riverdale should know—it has been explained to him before—that the assessment rolls, the basis on which this information is prepared, does not indicate (a) what is a cottage or is not a cottage; (b) what is a permanent residence, and what is not; (c) whether they are Canadians, Americans, Manitobans, Quebeckers, what they are. I think if you are going to suggest—yes, it is easy to do—the member would realize that there are something like 2½ million properties on the assessment rolls in the province and you do not just tomorrow indicate to the assessors that this is the sort of information you would like to have as of May 5, 1969, so that the rebate can be paid out this year; it just is not practical, without several years of gearing up, to obtain this kind of information.

So, Mr. Chairman, speaking for all Ontario and for all Canada, I would urge the members to turn this amendment back from whence it came.

Mr. Trotter: Will the Minister answer my question? Have you any idea how much money it has cost the Treasury of Ontario by allowing the American people to have tourist homes.

Hon. Mr. McKeough: I think if the hon. member will refer to *Hansard* he will find that question was asked by his colleague from Kent East about five or six months ago and we indicated to you then and to him, as I do now, that the assessment rolls, and therefore the tax reduction returns, do not indicate this kind of information.

Mr. T. Reid (Scarborough East): Why do you not find out?

Hon. Mr. McKeough: We cannot find out.

Mr. Chairman: Those in favour of Mr. Lawlor's motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost.

Section 2 agreed to.

On section 3:

Mr. Lawlor: The Crown in the right of the province and the Hydro do not pay taxes, of course. They pay direct grants to municipalities in lieu of taxes and apparently this would appear to have been an oversight at the time. I just wonder what did happen in the circumstances. Did the municipality give, in effect, a rebate to tenants and then the province—is that the reason for the retroactive feature?

And my second question—I think the Minister knows the gist of my reasoning—how much money is involved in this? I would not think a very substantial sum in this instance?

Hon. Mr. McKeough: Mr. Chairman, I think the member will recall that early in the year a decision was made by the government that this would happen, and that there would be a retroactive feature to it so that it would apply to both 1968 and 1969, and this has been done.

As to the exact amount. As I recall, it was something in the neighbourhood of $1.5 million for tenants of public housing, and other agencies of Canada and Ontario.

Mr. Chairman: Shall section 3 stand as part of the bill? The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, Hydro has been telling us for years that they do pay taxes. It is a convenient tool for them to apply the statute where it pleases them and where it pays off to tell us it paid grants in lieu of taxes equal to the portion

that would be paid if they were paying taxes. I have an invoice to a Mr. Steele. Maybe I had better tell you something of the history of this before I get into this item.

This gentleman bought one of the Hydro houses. Hydro in different municipalities either has built or purchased houses for its employees. Over a period of time it decided to sell these homes to the tenants who are employees of Hydro and they pay their monthly payment, including whether it be taxes or grants in lieu of taxes—that is part of the payment, interest, principle and, I believe, taxes.

The invoice from Hydro to Mr. Steele at 2925 Dickson Street, the home that was purchased from Hydro—and the man was paying his mortgage off in payments, and I hope the vice-chairman of Hydro will pick this up and take it up with this people—covers all taxes due under agreement of sale commencing June 1, 1959. The assessment was $3,845 at 81.5 mills. This individual paid $313.37. He believed it to be taxes. Hydro claimed it grants in lieu of taxes, the rent rebate bill says, "because Hydro does not pay taxes, you my friend do not get the rebate".

This is a peculiar chain of events and I hope the Minister can tell me, Mr. Chairman, before this night is out whether people who have purchased from Hydro pay grants or taxes, which amounts to the same amount of dollars they tell me. Is that individual entitled to his rebate the same as every other citizen in this province?

Last year they did not get their money. They did not make that adjustment because Hydro used the old argument, "we will run our show and, my friend, you are not entitled to it".

It was as simple as that. Let me put a little more on the record in connection with that case.

Hon. Mr. McKeough: Mr. Chairman, if the member would let me interrupt for just a minute.

Mr. Bukator: I would be happy to.

Hon. Mr. McKeough: That is one of the purposes of this amendment, to allow Hydro in their great generosity, to do what the member says they have not been doing, both for 1968 and for 1969.

Mr. Bukator: Is it? Do you assure me that because they did not get it last year, that they will be reimbursed for last year's payment? My friend, I congratulate you. No more arguments.

Mr. Chairman: Shall section 3 stand as part of the bill?

Sections 3 and 4 agreed to.

On section 5:

Mr. Peacock: During second reading, I raised, with the Minister, the question as to whether the rebate would be paid to those tenants occupying senior citizens units administered by a municipality or by the Ontario Housing Corporation where, I understand, the municipality has agreed to accept $25 payment in lieu of taxes. I do not believe we concluded that discussion in the interval between second reading and tonight's debate on clause by clause consideration. I was in touch with the Minister's executive assistant but we did not again, finalize our discussion of this question. I would like to ask him now, if he has concluded that the rebate will apply to the senior citizens who are tenants of these units?

Hon. Mr. McKeough: Yes it will.

Section 5 and 6 agreed to.

Bill No. 81 reported.

THE PUBLIC FINANCE COMPANIES' INVESTMENTS ACT, 1966

House in committee on Bill 84, An Act to repeal The Public Finance Companies' Investments Act, 1966.

Sections 1 to 3, inclusive, agreed to.

Bill 84 reported.

THE CREDIT UNIONS ACT

House in committee on Bill 85, An Act to amend The Credit Unions Act.

On section 1:

Mr. Lawlor: I would like to enquire of the Minister, Mr. Chairman; section 1 appears to me to cut down the range and activity of credit unions on the whole, in relation to both share capital and non-share capital corporations. Is this so? What is this section designed to accomplish? To put it another way, would the hon. Minister tell me, what defect has arisen that is seeking to be cured?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): The original intention of the authority of the credit unions to loan money was that it should loan money to those who are its members. I do not think it

was ever contemplated that corporations should be borrowers. It was to be a membership, the common bond of the credit union was membership in the credit union itself.

Laterally, there has been some type of loan that a commercial or limited company would seek from a credit union which would be in the larger figures. It seemed that to comply with the spheres of the credit union operation itself that, before a limited company should be a member of the union that a majority of its members should be members of that credit union.

I might say that these amendments, and certainly this one in particular, bear the endorsement of the credit union league. All of the amendments of this bill bear the support of, and are not objectionable to, the credit union league itself.

I might take this opportunity of pointing out that the entire subject of credit unions and their operations will be reviewed by the select committee on corporate affairs, under the chairmanship of the hon. member for Armourdale (Mr. Carton). At the conclusion of the sittings of the House, when that committee resumes, it is my understanding that credit unions, trust companies and other financial institutions will be the subject of their studies. It is my information that the importance of the matter before us, I think, is reflected in the fact that in Ontario today, it is estimated that there are some $900 million under administration by credit unions.

Mr. Chairman: Shall section 1 stand as part of the bill? The hon. member for Oshawa.

Mr. D. M. De Monte (Dovercourt): Mr. Chairman, may I ask the Minister—

Mr. Chairman: I have called the hon. member for Oshawa as having the floor first. I recognized him first, I will recognize the hon. member next.

Mr. Pilkey: I just wanted to ask a question under this section to the Minister. Maybe I can ask a series of questions.

Could a credit union make loans to another credit union?

No. 2, if a co-op was started in, let us say, a grocery co-op, could they borrow from a credit union?

No. 3, what about a trade union, could they borrow from the credit union if they were members?

Hon. Mr. Rowntree: Mr. Chairman, I would have to seek some specific advice on those specialized questions and I shall now do so.

Mr. MacDonald: From the technocrats and bureaucrats?

Hon. Mr. Rowntree: Certain of these organizations are not legally regarded as corporations within the intention of this legislation. That type of borrowing, I am instructed, is done through the credit union league, rather than through a specific credit union.

Mr. Pilkey: Not necessarily. I go to the credit union in Oshawa and any one of those three instances that I raised could very well happen. The autoworkers belong to the autoworkers credit union, could they borrow? There is the question of attempting to start a co-op in Oshawa, which could very well be supported by moneys from the credit union initially and paid back through its growth, and you could very well find one credit union supporting the other credit union. This would not destroy this very theory or criteria that you talked about initially, about members helping one another within the scope of the co-operative movement.

Hon. Mr. Rowntree: Look at each case on its own merits and see where it fits into the formula. But in the case of a co-op, co-ops normally are incorporated bodies and I would assume that there is no problem of their being members of that credit union and therefore, the co-op being in a position to make or negotiate a loan. I do not see any problem there at all.

Mr. Chairman: The hon. member for Dovercourt.

Mr. De Monte: Mr. Chairman, the corporation that joins the credit union, does it have to have—I notice there is no mention of a bond here. The corporation that joins the credit union, must there be a common bond with the credit union it is joining?

Hon. Mr. Rowntree: The common bond must exist for the individuals to belong to the credit union.

Mr. De Monte: No, but what about the corporations?

Hon. Mr. Rowntree: Whatever that common bond and the range of it may be—it might be the employees of a certain company, of a small company—if 51 per cent of those employees belong to a certain credit union then that credit union is authorized to lend to the limited company of which the members involved, the qualifying members, are employees.

Mr. De Monte: In other words then, Mr. Chairman, I understand that if it is a corporation incorporated for some purpose within the common bond, they can join the credit union.

I am wondering about the common bond with the corporation and the members of the credit union.

Hon. Mr. Rowntree: Sometimes the common bond is on fairly easily described lines and there are other situations which bear some historical background which are on a somewhat broader basis. I can think of one in particular where the word "diocese" was used and of a certain church, and the term "diocese of London" was taken on the face of it to mean the general district of London, Ontario. But within the church definition—and that is what the word "diocese" involved—the "diocese of London" meant the whole of southern Ontario.

I think we would have to look at the specific definition or situation with respect to that common bond.

I think that the question here is that you are getting into an act of commercial lending to an incorporated commercial operation. Probably the illustration that you are citing differs substantially from the examples of the trade union or a co-op which was cited by the hon. member for Oshawa.

Mr. De Monte: The only thing that might bother me, Mr. Chairman, is that you might have a corporation where there is really no bond with the credit union and thereby, you are in a sense, really broadening the scope of the credit union by having the members of the corporation completely outside the bond.

Hon. Mr. Rowntree: If the employee of the company qualifies within the common bond of the credit union then the company is—

Mr. De Monte: Fine. That is the answer I wanted, Mr. Chairman, thank you.

Mr. Chairman: Shall section 1 stand as part of the bill?

Section 1 agreed to.

On section 2:

Mr. Stokes: On section 2, Mr. Chairman, about a year ago I had correspondence with the Minister with regard to the limitation as outlined in section 2. It has been increased, I think from $500 to $1,250 and the credit union league, I think, at the time were discussing the wage assignment bill, and asked for that amount to be increased to $2,500 rather than the $500 which was the case until this bill has been introduced. And I think the Minister will well understand that where a member of the credit union dies intestate, it means that the estate could be tied up for a considerable length of time.

When you consider that the survivors may be living on the amount in the credit union until the whole estate is cleared up one way or another, by the time you pay funeral expenses, $1,250 is not a great deal of money. I was wondering why he chose that figure rather than the $2,500 that was recommended by the credit union themselves in their representations to the Minister.

Hon. Mr. Rowntree: Mr. Chairman, it is my understanding that the net result of the amendment in section 2, is that the $1,250 to which he refers and which is specified in this amendment plus insurance, the two items have a total value of $2,500. In making this amendment, the sum total payable, and in the hands of whoever is entitled, does become $2,500.

Mr. Stokes: Do I understand that $1,250 is in addition to any moneys they might get from insurance, that they have through the credit union—

Hon. Mr. Rowntree: We are talking about money on deposit and to the credit of the deceased.

Mr. Stokes: But in any event, the maximum they could get would be $1,250.

Hon. Mr. Rowntree: No, there is insurance as well.

Mr. Stokes: Plus insurance?

Mr. Trotter: All deposits are insured.

Mr. Stokes: Yes, but subsection 2 (b) says, "an amount not exceeding $1,250 of any money that is received by the credit union under any policy of insurance on the life of the deceased". So am I wrong in saying that that is the maximum?

Hon. Mr. Rowntree: Let us just look at the section. On the first page of the bill under (a) we will start at the section of the Act entitled 40 and this is the proposed reading of the amendment, if it is passed.

> (1) Where a member of a credit union dies, the directors may pay (a) an amount not exceeding $1,250 out of the amount on deposit in the name of the deceased or for the shares of the deceased.

That is the item to which reference is made. Then note the word "and". We go on to (b):

> —and an amount not exceeding $1,250 out of any money that is received by the credit union under any policy of insurance on the life of the deceased.

Mr. Chairman: The hon. member for Humber.

Mr. G. Ben (Humber): Yes, Mr. Chairman, I am saying to the hon. Minister that he is going to find beyond a shadow of a doubt, great inequities arising out of this section, and many frauds being perpetrated on innocent beneficiaries who are not around to protect their interests. The thought that a credit union, 31 days after death, on a statutory declaration can pay out $2,500 of a man's estate, thereby depriving his lawful heirs of that money, and not be answerable for it, because they acted on a statutory declaration, is sublimely asinine and ridiculous. And this is the effect of that, Mr. Chairman. I just cannot comprehend this Minister suggesting such an amendment.

In 31 days, especially where many credit union depositors, especially among the ethnic credit unions, have their relatives in Europe, their wives—they were what we called displaced persons; they fled the communist persecution and they find themselves, in this country, but their wives and children are still in Europe. And there is no one here to act for them within 31 days, because they can act after 30 days. There is no one here to act for them. So what happens, by the time the widow is apprised of the fact that her husband died, and they over there have to act through regular channels and they have to get in touch with their local commune, the military, who in turn get in touch with Moscow, who in turn get in touch with the Department of Internal Affairs, who in turn get in touch with the Russian ambassador in Ottawa, who in turn engages a lawyer such as they have in Winnipeg to investigate the matter, the $2,500 has gone.

Hon. Mr. Rowntree: I am not sure that the hon. member has read the wording of the section which is on—

Mr. Ben: This is what it says:

> To any person who, the directors are satisfied, by statutory declaration, attested to not sooner than 30 days after the death, is entitled.

I am suggesting that this—

Hon. Mr. Rowntree: Just a moment. Let us go on—"may pay those two amounts to any person who the directors are satisfied, by statutory declaration attested to, not sooner than thirty days". In other words, there is a period of waiting for the management of the credit union to establish the rightful beneficiary.

There are two problems or situations that exist. Either the man dies having left a will, or he dies intestate. These are the facts of the death which may be determined by any bank or any insurance company which has funds payable under a policy which is payable to an estate, and there is no named beneficiary, or money deposited in a bank. There is no rush.

Mr. Ben: I wish the Minister would have the courtesy to sit down and let me finish.

Hon. Mr. Rowntree: Yes.

Mr. Ben: First of all, I made the statement 31 days, because the section reads "not sooner than thirty days" so that the earliest that they could act is 31 days. It is on the strength of a statutory declaration. A man who has come here and left his wife in Europe could take up what is called a common law union, and to all intents and purposes the credit union knows that woman as his wife. But, she is not his wife, and he dies intestate. His lawful wife, who is still in another country, is the person entitled to that $2,500 and the insurance.

However, the woman we call his common law wife, or his mistress, applies after 30 days stating, "I am the lawful wife", and she receives the $2,500. Sixty days or 90 days later, the real wife applies and the credit union says, "We are sorry but we paid out the money to the other woman". The lawyer says, "Wait a minute, that was an improper person to pay it to". The credit union says, "Sorry, but the Legislature of the province of Ontario says that if we are satisfied by statutory declaration we can pay it out and you cannot sue us. Sue the other woman if you can find her."

Interjection by an hon. member.

Mr. Ben: I do not care what you do, I am just telling you, you are wrong. You do not listen, the man next to you does not listen, and he has to amend the legislation afterwards because he did not make it an offence. This happens all the time. The Attorney General is a prime example, so just sit there. I know you are not going to do anything about it, but sit and listen.

When a bank pays out money, they do not pay out money on the strength of a statutory declaration. You have to apply and obtain letters of administration, or letters probate, and you also have to obtain succession duty releases. Then, they require you to put up a bond if they pay without letters of administration. If it is a small estate, $500 or $600, they often will pay out without letters of administration, but the person to whom they pay it has to supply them with the bond of indemnity. This is not being required here.

Why should the heirs of people who leave their money in credit unions not be entitled to the same protection as far as their estate is concerned as they would have by depositing the money in a bank? Why the special privileges here? You do not have to answer it because I know you will not give it any consideration, you are born to that situation. The people to the left here, they do not care, they just act for the credit union so go ahead, do what you want but it is on the record that you were warned this would happen.

Mr. Lewis: No wonder the Liberal leader stayed away tonight.

Mr. Lawlor: When I hear the hon. member for Humber speak on these matters I know he is invariably wrong, and if the Minister will forgive me, I will proceed to come to his rescue. I am sure he does not really need it. The business here is presently under section 40, where there is a nomination which would bear just as much weight as anything else that is executed by a person while he is living. Two things are being done; the amount is being increased, because of the inflationary costs of living, and the inflationary costs of dying and burying people. It is often necessary to be able to get hold of $1,250 within a very short time after the death.

It seems to me eminently sensible that this money should be obtained. This is irrespective of whether it is under an intestacy or a testacy, under a will or not. It does not really matter. There are two sums, the basic sum is the $1,250 in the credit union if he has that much. If he has more he has to come along at a subsequent date and file, if it is the case of the man being testate, then the will will be filed I suppose, and the probate will have to be handed over.

I even question when that should be necessay, if the sum does not exceed a very substantial amount. You are forcing, very often, a widow or some close relative to go through the probate process in order to satisfy some debtor of the deceased, such as a banking institution, or a credit union. I take it that the Minister, in this regard, is seeking to bring the relations of a credit union to a nominee, in line with what the banks presently practice in the form of their basic releases.

They will not release any more than $1,250 and the member for Humber would be the first to howl if you made the terms more restrictive and constrictive. He would be claiming then, that the widow would not be able to claim the necessary amounts in order to consummate the burial arrangements. That is a little enough money, and doing it on a statutory declaration basis, abolishing the nomination concept, seems to me to be eminently sensible. I think that is what the effect of this legislation is.

True, the second $1,250 can be released at the same time and on the same basis of a declaration, if he has insurance. I would take it that most loans and most sums of money are covered by insurance these days, and so it gives a certain amount of money for a close relative, particularly a widow, to carry on while a somewhat often prolonged probate, or even more prolonged moves in the court, the surrogate court, to get the letters of administration through, are taking place. You cannot even apply for ten days after the death, and then to bring in the assets of the estate, to garner them, to determine them and to make sure that your list is complete, both for succession duty purposes, estate taxes, and the surrogate court, requires time. How else are you going to release money, and make people solvent during this interim period, except by the way that the Minister is doing; otherwise it seems to me to miss the whole practicality of the issue.

Sections 2 and 3 agreed to.

On section 4:

Mr. Gaunt: On section 4, Mr. Chairman, I am wondering, as a matter of interest, if this has been a problem in the past. Has it been a problem for these credit unions to file annual statements?

Hon. Mr. Rowntree: Frankly, there was no penalty in the legislation heretofore, and many of the offices of the credit union are occupied by part-time volunteers or workers who do not put quite the emphasis on these matters as we think they should. It is not very helpful to the department to have these returns filed with delay, and we suggest this penalty as a nominal penalty only as a means

of expediting the filing of the returns, which is a very important matter.

It comes about in this way, it is a problem of neglect really by inexperienced staff. I do not suggest that it is deliberate in any way at all, but if we are going to keep our records straight, it is therefore a matter that we think must be handled in a business-like way. As I pointed out earlier in total, it is estimated that there are some $900 millions on deposit with credit unions in Ontario.

Mr. Gaunt: The Minister earlier indicated that the Ontario Credit Union League subscribed to all of the sections contained in the bill; it seems to me that the $5 per day rate is rather steep insofar as some of the smaller credit unions are concerned. As you have indicated, many of the smaller credit unions employ part-time people and I am just wondering if in fact some accommodation could not be made, or some distinction made, between the larger credit unions which employ full-time people and the smaller credit unions which perhaps just hire one or two people on a part-time basis?

Hon. Mr. Rowntree: I think that involves a rather larger question than we have before us, and the question really that is being advanced by the hon. member is one as to whether the larger credit unions, which are really financial institutions, should be treated on a different basis than those which are smaller ones.

I would think that that point is one which will be considered in some depth by the select committee when it deals with this matter. I do not think that the department's attitude toward credit unions has been other than one of co-operation and assistance. I would hope that we would never have to levy a fine.

Sections 4 to 6, inclusive, agreed to.

Bill 85 reported.

THE LOAN AND TRUST CORPORATIONS ACT

House in committee on Bill 86, An Act to amend the Loan and Trust Corporations Act.

On section 1:

Mr. Lawlor: A short question, if the Minister will permit, Mr. Chairman. Why would corporations desire to raise additional issues of shares when their previous issues have not been fully issued and paid for?

In thinking it over, the only thing that struck me was this: that maybe corporations in some instances—and the evil to be cured here is that they have issued the wrong type of share—found they are only marketable up to a point, or not marketable at all. And in substitution therefore, they want to add certain features to say, no par value stock; or something which makes it more palatable to the general public, and simply forget about the previous issue which did not sell. Is that the kind of thing they are after?

Hon. Mr. Rowntree: This area the hon. member for Lakeshore is touching on is the core of the matter.

The situation is this: that the corporation itself, by using certain legal processes, by the reduction of its own capital, by supplementary letters patent, could, and subsequently by the increase of its capital arrangements structure, accomplish these things, at quite a legal cost to themselves, and really all to no practical avail.

The point, I think, in trying to facilitate this, and eliminate what we think is a fiction, and unnecessarily expensive fiction, is that we, as a department, and the department of the registrar of loan and trust corporations, desires to have some say over these corporate changes. And the effective control is not lessened, because the provisions requiring shareholders ratification, and the assent of the Lieutenant-Governor-in-Council, is still retained.

Sections 1 to 3, inclusive, agreed to.

Bill 86 reported.

THE ONTARIO PRODUCERS, PROCESSORS, DISTRIBUTORS, AND CONSUMERS FOOD COUNCIL ACT, 1962-63

House in committee on Bill 87, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-63.

On section 1:

Mr. Gaunt: Mr. Chairman, would the intent of this bill mean that the chairman who is presently, or was, conducting the enquiry into the regularities in the food business—if I may put it that way—be getting a *per diem* rate while that enquiry was going on?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Chairman, the chairman of the food council, because he is a full-time

civil servant, does not qualify for remuneration under this bill, or under The Food Council Act, other than for normal out-of-pocket expenses that would be associated with any civil servant travelling around the province, and where normal expenses would be paid. This bill is intended to amend The Food Council Act, which previously only paid for out-of-pocket expenses by providing to the members of the food council a certain remuneration, plus their out-of-pocket-expenses—and this just pertains to the members of the public who are members of the food council.

Mr. J. Renwick: Mr. Chairman will the Minister indicate the extent of the remuneration which he has given consideration to in bringing this amendment?

Hon. Mr. Stewart: I believe it is something in the neighbourhood of $50.00 a day, plus expenses.

Sections 1 to 3, inclusive, agreed to.

Bill 87 reported.

THE HOSPITAL LABOUR DISPUTES ARBITRATION ACT, 1965

House in committee on Bill 90, An Act to amend The Hospital Labour Disputes Arbitration Act, 1965.

On section 1:

Mr. Pilkey: Mr. Chairman, I would like to propose an amendment to Bill 90:

> That subsection 1 of section 1 of Bill 90, The Hospital Labour Disputes Act, 1965, be amended by deleting "nursing home" in the second line, and deleting all words "private gain" in the ninth and tenth lines.

Mr. Chairman: An amendment as stated; is there any discussion on it?

Mr. Pilkey: Well, Mr. Chairman, it seems to me that it is rather ludicrous to extend compulsory arbitration to the homes for the aged and the nursing homes without providing some formula that would provide equity for the people that will have compulsory arbitration, or find themselves in the area of compulsory arbitration.

Now many of the workers that have the opportunity to free collective bargaining, find it is possible to make gains in terms of increasing their standard of living.

In addition to that, to better the working conditions.

Yet we find this government bringing in a bill that would put these people into compulsory arbitration, which, in effect, would destroy the right to free collective bargaining as far as these workers are concerned.

In addition to that, I suggest to the Minister, through you, Mr. Chairman, that the workers in nursing homes and homes for the aged find themselves well down the economic ladder, in terms of wages in this province.

Without some constructive formula that will provide them with the same equity that the industrial workers have in this province—to free collective bargaining—I do not think that this bill should be supported. As a matter of fact, I would hope that this bill would be rejected by this House. Although I know that, at the second reading, it was supported by the members to the right as well.

If we are going to provide some equity for those workers in the lower wage areas, then we are going to have to do something for these people as well. To impose compulsory arbitration on workers who received little rights up to now, seems to me a backward step in this province, and I would hope that this amendment would be carried in this House.

Mr. Trotter: I oppose this amendment. We supported the government on the second reading, and we have no reason to change the side we took at that time. And it is simply this, and I do not intend to dwell on the matter because the amendment really deals with the principle of the bill. And because we support the principle, we must oppose the amendment. The people who are patients in the homes for the aged or in the nursing homes have to be tended all the time; they are completely at the mercy of either management or the labour union if there is a strike.

As I have pointed out previously in some of these industrial disputes, whether they be in a nursing home or any other place, so often the innocent parties are people such as the aged in the hospitals. I bear in mind, and I underline this point, Mr. Chairman, that we well realize that many of the people who are employed in the nursing homes and in the homes for the aged are not receiving satisfactory wages. We have here a hard choice to make, but I think that in all these institutions, where ill people or old people are kept, the patients must be of the first concern. This is the point that weighs our decision in supporting the government on this bill and we will oppose the amendment.

Mr. J. Renwick: Mr. Chairman, I want to comment briefly because of what the member for Parkdale has said. The principle of the bill has been debated on second reading but this bill, in fact, is extending compulsory arbitration to an area where there is no present threat of any kind, either to persons in the nursing homes at the present time or in the forseeable future. None of the nursing homes are organized in the sense of having a certified bargaining agent that can bargain collectively for them. That is going to take some time before they collectively organize, let alone whether or not, having regard to the responsible attitude of the trade union throughout the whole of the events leading up to the introduction of this bill from the Trenton Hospital dispute, they would ever then be such a threat.

I do not want to verge on the principle of the bill. I want to make it abundantly clear that the extension of the principle of compulsory arbitration to persons in the employ of nursing homes or homes for the aged cannot be supported because compulsory arbitration, as such, should only be introduced for consideration of the public interest where there is a present threat. There is no conceivable present threat at this time, and that is the reason we have introduced the amendment and why we will divide the House.

Mr. Pilkey: Hear, hear!

Hon. Mr. Grossman: Is this a good time to do it?

Mr. Lewis: Mr. Chairman, the introduction of the bill—

Interjection by an hon. member.

Mr. Lewis: The introduction of the original bill, Mr. Chairman, was rooted in the particular dispute to which my colleague referred and arose from conditions which excited the populace and which worried a great many, including those of us in this party and on this side of the House. I assume, therefore, that every amendment that is made to the bill has some kind of rationale.

This being a debate on it, clause by clause, I would ask the Minister, because I cannot think of an instance in which nursing homes latterly, have exercised the right or the intention to strike, or in which the homes for the aged have residents who have been put in danger by virtue of the behaviour of their attendants—you must have some specific incidence to have brought in a bill which imposes compulsory arbitration. Could the Minister answer the question? I think it is an appropriate time to answer it, on this clause.

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, I would be glad to answer the question. If there are any others who wish to speak on the matter, I would deal with it at that point.

Mr. Chairman: Are there any other members who wish to speak before the Minister answers the questions? I must point out there is no rule prohibiting the member from speaking again but if the hon. Minister wishes to answer any of the questions at this point, he may do so.

Hon. Mr. Bales: Mr. Chairman, I was going to deal with all the matters at once, but I would be glad, if there are other questions, to deal with them now. Nevertheless, the point behind this bill is simply to protect those who are patients or residents of these institutions. Specific questions have been asked in reference to the amendment we are proposing under section 1, and in this instance, we have had an application—or there was an application—before the labour relations board by a union on behalf of the employees that a home for the aged fell within the definition of hospital under the Act. This was a case before the board and it was so found in that particular instance, because of the existence of section 3 of the bill in reference to section 89 which is now out.

Again, in reference to a nursing home there was an application, or a request, that nursing homes fell within the definition of hospital under the Act. We obtained a legal opinion in reference to that particular institution. The opinion was that it did fall within the definition of hospital. In those instances that opinion was not challenged in the court by the nursing home itself.

We have felt, because of those views and because of changes in the pattern and form of these institutions in recent years, particularly the larger ones, that we should now act and include them within the definition of the Act for clarity's sake. For that reason, we have brought forward this amendment the way it is now before us.

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: To pursue this a moment further, Mr. Chairman. Is the Minister not concerned about the possibilities of difficulty in the bargaining process, given the fact that

the nursing homes, as an example, operate within the particular *per diem* laid down by The Department of Health? I take you back to what is occurring in some of the hospitals; South Peel is the most recent example—the supposed guidelines laid down by the OHSC which, in fact, are not guidelines, as the Minister of Health (Mr. Dymond) would have us believe but are specific constraints within which the individual hospitals and the individual unions must operate.

At least in that instance, one could imagine a guideline placed by an outside agency or a disaffiliated agency like the OHSC. But in the case of nursing homes, the *per diem* rates are specified by The Department of Health and are expended by The Department of Health, which means that when you speak of compulsory arbitration you fiercely delimit the area within which any negotiation can take place. Does the Minister think it fair, when bringing in a bill of this kind, that the employees, who have shown no present danger to their charges and who in many instances are not organized at all, should have, as a group of people in this society, absolutely no manoeuvrability at all? Does he think that legislation of that kind is fair, Mr. Chairman?

Hon. Mr. Bales: Mr. Chairman, the hon. member is putting it, I think, in the wrong way. For example, the case that he referred to is that of South Peel. He is well aware of the award in that instance, just as I am, by the arbitrators. Certainly, in this provision, it does not exclude collective bargaining—and this we thoroughly support.

If they cannot agree, it goes to arbitration if necessary. But I think the employees have much protection under the Act with reference to collective bargaining. Certainly I would never interfere until I really had to. I would not impose compulsory arbitration or appoint an arbitrator until I really felt it absolutely necessary. But I would encourage them to bargain and try to reach an agreement as long as they could.

Mr. Lewis: My colleague, the member for Oshawa, wants to get in, but I want to follow it up because an interesting point is raised. Maybe it is so; maybe the decision in the South Peel case is an interesting one. I daresay, Mr. Chairman, that those who are appointed as arbitrators in these areas, those who dare to transgress the guidelines will not be heard of as arbitrators very often in the future.

Indeed, there will be much to be said about what has happened in The Department of Labour when we come to the estimates—over the last number of months, to men of courage, and how the board has been emasculated in order to achieve certain government aims. What we are concerned about in this piece of legislation, Mr. Chairman, is that when the point of arbitration comes, if need be at the end of the collective bargaining process and that process is delimited, as I said, by the *per diem* placed by the department, when the arbitration is arranged by the Minister, all the arbiters who would have any generous interpretation or who would not be bound by government, will then have been weeded out.

They will have been discarded and all those who will find in favour of the employer will be available for the Minister. That is really what is happening under this compulsory arbitration legislation. That is something that one has to take a close look at because we now have some experience during the last two or three years. We see the nature of the decisions, and we see what is happening to those who make those decisions.

Hon. Mr. Grossman: Is that why employers do not want it either?

Mr. Pilkey: I want to say, Mr. Chairman, that the Minister really cannot use the Peel arbitration decision in speaking to Bill 90, because the Peel situation was this: The management of that hospital and the union that was representing the employees agreed to a settlement prior to the arbitration hearing. It was because of the guidelines set down by the Ontario Hospital Services Commission and because it refused to accept the negotiated agreement between the parties that the decision was sent back and forced not only the union to arbitration but forced the employers and the management of the Peel hospital to arbitration as well. From that point a Professor Wyler, as I understand it, then handed down the decision as *per* what was agreed on prior to the arbitration case.

Now, that being the situation, and a very unusual one, let me remind you that no arbitration decision subsequent to that has revealed anything like 25 per cent. The employees in the nursing homes and the homes for the aged will as my colleague, the member for Scarborough West says— have the area of collective bargaining narrowed to the amount of *per diem* allowance made to the nursing homes and maybe the homes for the aged.

That will be the area that they will be able to negotiate, and no more. And even when they get to the area of compulsory arbitration, I submit to the Minister through you, Mr. Chairman, that the arbitrator will have to take cognizance of the *per diem* allowance that is made to nursing homes. As the member for Scarborough West pointed out, if he does not recognize those criteria in terms of the wage increases that he may allow then, very frankly, he will not be arbitrating any cases after that. I submit that to you.

This is what is being foisted on employees in the homes for the aged and those employees in the nursing homes. This is why the compulsory arbitration in this case makes it incredible for these specific employees versus those employees who have a right to free collective bargaining. This is what it is all about.

You have not provided any formula that would give these employees any equity; you make the argument that you want to protect the patients in these nursing homes. I submit to you that you have not illustrated a case to us where any of those patients in nursing homes or in homes for the aged have been placed in jeopardy because of lack of attendants in these homes. And, I submit that the Minister has the opportunity to take care of those situations where public health and safety is in jeopardy. This government has the right to legislate in those areas at a time of a crisis—or maybe even before a crisis.

You have that authority in this Legislature without placing these people in the area of compulsory arbitration prior to any crisis or any situation that might break down the collective bargaining process in any of these situations.

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I want to make a couple of brief personal comments about extending arbitration any further. I have had some reasonable experience with arbitration; in my previous occupation we were forced into arbitration on many occasions and I must confess that it destroys the bargaining process. There is no question in my mind that the very threat, or the "out", of being able to go to arbitration—particularly where public service is involved and where the people who are making the decisions are answerable in some way to the public—destroys any initiative to bargain in good faith.

Now, whether or not the Minister believes that is something that really can be resolved I cannot tell, but it is my own personal experience in this field and my belief that it definitely does destroy the initiative of management—and maybe even in some instances of the trade union. I cannot speak for that. The initiative to bargain in good faith is definitely destroyed by the fact that one can resort to this body to whom you cannot be held responsible.

Now, enough of that. I suggest to the Minister that arbitration should not be extended to any persons other than those who are currently within its scope. Indeed, in those very areas, it should be reviewed very carefully to see whether it is absolutely necessary that those persons even come within the scope arbitration.

The other thing I would suggest to the Minister is this: In more occasions than I care to count, the arbitrator who has been appointed to do the job has had absolutely no knowledge of the occupation of the people whose jobs he was arbitrating. He has been unable to properly assess the evidence presented to him. I agree he had ample opportunity and could quite easily have asked for additional assistance and additional information, but generally speaking he does not.

I am convinced after having read many of the awards and after having sat in on the arbitrations, that a great many of those persons who are appointed to arbitrate do not understand the functions of the job that they are arbitrating and therefore cannot come to a reasonable and sensible conclusion.

This may well be overcome at some point when the Minister does decide to train proper arbitrators, as he said last year was going to happen. I do not see it happening at the moment. I do not see it, and because I do not, I hesitate to support any move to put people under the present persons who have been doing the arbitrating in this province.

As I say, there are two things. The first is that there are many who are currently within the scope of our arbitration who have no right to be there; they should not be there; they should be free for collective bargaining; they should be free to take the proper collective bargaining process and I think that should be reviewed. I do not think the Minister should extend this arbitration Act until such time as he has satisfied this House that even those who are presently under it ought to be under it now.

Mr. Chairman: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, the Minister cited the two applications, one in the case of a home for the aged and one in the case of a nursing home, to the labour relations board and the decision that in those particular instances they were included under the Hospital Labour Disputes Arbitration Act.

I think it was at that point that the Minister had then a decision to make. He could easily have amended the Act to remove the ambiguity by expressly excluding nursing homes and homes for the aged, until such time as there was in fact the degree of organization and certification of the unions that were involved. And if there then appeared to be some present threat—and bearing in mind that throughout the whole of the history of the hospital dispute there was no present threat posed by the trade unions involved against the hospitals.

Bearing that in mind I think the Minister should have amended the Act to specifically exclude the nursing homes and the homes for the aged, on the principle that we should not be dealing with compulsory arbitration unless there is a present threat to people as a result of the exercise of the right to strike or the likelihood of the exercise of that right. It is only in those circumstances that it should be taken away.

However, we have made that point. As I do not, Mr. Chairman, really anticipate that the amendment proposed by the member for Oshawa is going to carry, I do want to comment on one other aspect of this section before it is put to the vote, and that is on the sub-clause 2, which deals with the central laundry or central heating plant, or central power plant.

I am not all that familiar as to how many of those there are in the province and I wonder whether the Minister, in dealing with this section, would give us the statistical information about it, and then again answer in respect of the central laundry, the central heating plant, or the central power plant, the same questions: What is the extent to which they are organized and what is the extent to which there was a present threat as a result of any activity on the part of the certified bargaining units in those plants to the patients in the hospitals that have the benefit of these centralized facilities?

Hon. Mr. Bales: Mr. Chairman, at the present time there are, I believe, two central laundries in Toronto; there are some under construction, I think, in North Bay and in Ottawa. Certainly the central power plant is under construction here in Toronto, I understand, for some of the hospitals.

This is a natural situation in that in the hospitals today, the laundry or the power plant is covered under this existing Act and it is the same principle, because we cannot see the hospital shut down by reason of its power or its laundry being struck and we should not wait in my view for a crisis to develop in these matters; we should act in a natural and proper way ahead of time when necessary.

Mr. Deans: Mr. Chairman, I wonder if I might ask the Minister. He says that a laundry—now surely there are other ways of acquiring the necessary clothing and bed clothing or whatever it is that is laundered other than through that laundry. I mean the whole point is that it is not necessary that they be under arbitration.

Hon. Mr. Bales: Mr. Chairman, when there is a central laundry established then the laundry in the hospital ceases operation.

Mr. Lewis: Well, Mr. Chairman, it simply reinforces the pattern; that is what we are saying, that without any evidence of present threat at all you are prepared to extend compulsory arbitration into areas which, let us face it, the Treasury Board fancies because it has a basic antithesis to the trade union movement and to what it is hoping to achieve.

Hon. Mr. Bales: Mr. Chairman, may I make this clear. I do not extend compulsory arbitration unless it is a proper system to do. It is a principle we have already developed and accepted; and this is not an extension beyond those normal situations that are there at the present time for laundries or power plants and again in the nursing homes or the homes for the aged.

We are not, and I am not, embarking into compulsory arbitration in any wider field and I would want the hon. members opposite to understand that.

Mr. Lewis: Mr. Chairman, the Minister is now specifically spelling out nursing homes and specifically spelling out homes for the aged and specifically adding another sub-clause, and he does so for some reason. The initial legislation did not give him the sense of security he had about extending compulsory arbitration to those areas, so he now redefines it more explicitly and the reason for its definition is the gradual extension of

compulsory arbitration. There is nothing particularly sinister about it, I suppose, but it is a pretty insidious process and it sits well in the Tory mind—

Mr. T. Reid: Sinister or insidious?

Mr. Lewis: "Insidious" I said, not "sinister", and it sits well in the Tory mind. The Minister finds it fairly congenial and he does it at will without any present threat whatsoever. I would point out, Mr. Chairman, on this clause, that the memorandum of agreement that was signed in the South Peel dispute prior to Professor Wyler entering the scene, could never be signed in a situation like this because there is no room for collective bargaining, under this Act, in nursing homes and homes for the aged. You have left no room at all except in the most abstract and theoretical sense. And when, Mr. Chairman, will Professor Wyler be appointed again, let us ask, when will Professor Arthurs be appointed again? How quickly will this government weed out those who do not accept the perversity of its economic guidelines? Oh yes, oh yes, and then bring in this kind of legislation which gradually enmeshes the Tory views of labour with the destruction of the collective bargaining process.

Mr. Chairman, what might not be realized in some parts of this section—accepting the argument, and one accepts it, of having to defend those who are defenceless amongst the aged—what is not indicated in this clause is that the Minister of Health was asked by the operators of nursing homes for $12 *per diem* in order to operate at all. The Minister of Health granted them, in his beneficence, $9.50 *per diem*.

Now, two things might be said about that, Mr. Chairman. First, that the Minister of Health granted $9.50 to the nursing homes because he wants to encourage the large conglomerate nursing homes being developed by American capital in Ontario. That is the pattern that is now emerging and you can always run custodial institutions at lower *per diem* rates. Let it be added, Mr. Chairman, at pretty low wages for your employees.

But what about the difference which the nursing homes themselves felt they needed in order to be viable. The fact of the matter is that the Minister of Health, by forcing nursing homes into a straightjacket, where the care that is provided is not much better than institutional jails in this province, where the care that is provided at $9.50 a day cannot be better—there is not a service in this province that can run in human terms at the level of $9.50 a day. So what the Minister is actually saying is this: In order to provide any level of quality at all for those who are in nursing homes or homes for the aged, the wages of the employees will have to be at a subsistence level.

That is really what you are saying. You are saying that the workers in these homes have no equity in their job whatsoever and you are dictating it as part of that friendly little Cabinet cabal around these issues, which always emerges; in this instance, between the Minister of Health and the Minister of Labour. The Minister of Health is almost always evident in cabal. He just chooses different partners each time, and this time you are the partner.

Now, Mr. Chairman, that is why we are oposing this section. We are not opposing it because of any misplaced unconcern about the recipients, about the people in the nursing home and homes for the aged.

We understand their predicament. But what generosity, what feeling, what concern, does this Minister show for any employees? Are they not also human beings? Have they not also some rights which should be vested and which should be adhered to?

The point is, Mr. Chairman, one must not introduce this piece of legislation without at the same time, giving any concurrent support to the rights of these people. One would deplore it even more vigorously if there were hope, in this instance, that this kind of clause could be amended at all. Because, as my colleague for Riverdale says, and my colleague for Oshawa emphasized: there has never been an excuse, not even in the original bill, for bringing in compulsory arbitration; and, certainly now, to extend it, is merely an extension of mentality, not an extension of need.

Mr. MacDonald: The original bill was a breach of faith on the part of this government.

Mr. Chairman: Those in favour of Mr. Pilkey's motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

Mr. Chairman: Those in favour of Mr. Pilkey's motion will please rise. Those opposed to the motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 14, the "nays" 61.

Mr. Chairman: I declare the motion lost.

Section 1 agreed to.

Sections 2 to 6, inclusive, agreed to.

Bill 90 reported.

THE INSURANCE ACT

House in committee on Bill 92, An Act to amend The Insurance Act.

Sections 1 and 2 agreed to.

On section 3:

Hon. Mr. Rowntree: Mr. Chairman, on section 3, in the committee there was a discussion with respect to the proposed amendment. There were certain discussions held and, accordingly, I now wish to propose an amendment which I am told meets the situation. The discussions were held with the hon. member for Downsview representing the official Opposition, and the hon. member for Riverdale representing the New Democratic Party.

The purpose of the amendment was to put it—the situation and declaration, or settling of the rate of interest—in such a way that, when the rate was settled by the superintendent and the insurance branch, immediate knowledge of that decision should be made public.

So, the wording of the proposed amendment is that it will be: "Proclaimed that any such decision will be proclaimed by order-in-council, and then published, and be deemed to be a regulation requiring publication immediately thereafter in the Ontario *Gazette*, as within the meaning of a regulation".

Now I will, just so that the record will be clear, try to state the case.

When certain types of policies of insurance are proposed for sale by the insurance companies, a reserve has to be set up, and an arithmetic computation arrived at, to determine the amount of reserve that must be related to the sale of that type of policy. And that involves the settling of a raise of interest.

Heretofore, the rate had been three per cent, and was so stated in the legislation itself. This was a pretty unsatisfactory situation, and I think it was agreed by all the members of the legal bills committee and all parties, that there was too much rigidity to accomplish this.

For instance, the rate in one type of contract might be six and a half per cent, on another it may be six or seven per cent. In any event, it is to set the rate of interest against which is to be taken into account in arriving at the reserves to be established by the issuing company.

So I move, Mr. Chairman, that section 3 of Bill 92 be deleted, and the following substituted therefore, so that section 3 of bill 92 as before the House will read as follows:

(3) Paragraph 1 of subsection 2 of section 80 of The Insurance Act as re-enacted by section 4 of The Insurance Amendment Act of 1962-63 is repealed and the following substituted, therefore:

(1) the rate of interest assumed shall not exceed the rate precribed in Schedule "D", except that where upon the application of a company and upon the recommendation of the superintendent, the Lieutenant-Governor-in-Council is satisfied that a higher rate is appropriate for a particular class of policy, issued by the company. The Lieutenant-Governor-in-Council may, by order, authorize the assumption of such higher rate of interest as the Lieutenant-Governor-in-Council specifies in the order and the Lieutenant-Governor-in-Council may, by order, withdraw his authorization at any time, and an order of the Lieutenant-Governor-in-Council under this paragraph shall be deemed to be a regulation within the meaning of The Regulations Act.

Mr. Chairman: Shall the amendment carry?

Shall section 3, as amended, form part of the bill?

Section 3, as amended, agreed to.

Sections 4 to 21, inclusive, agreed to.

Bill 92, as amended, reported

THE HOMES FOR SPECIAL CARE ACT, 1964

House in committee on Bill 93, An Act to amend The Homes for Special Care Act, 1964.

Sections 1 to 3, inclusive, agreed to.

Bill 93 reported.

THE PHARMACY ACT

House in committee on Bill 94, An Act to amend The Pharmacy Act.

On section 1:

Mr. J. Renwick: Mr. Chairman, would the Minister just explain what prompted him to bring in this particular amendment? What

was the motivation behind it? It is a redundant clause. I just wonder why we are being so fastidious.

Hon. Mr. Grossman: We are a fastidious government.

Hon. M. B. Dymond (Minister of Health): Mr. Chairman, I think I have to put it down to the assiduity of his own profession. They advised me that it was redundant, and they are cleaning up the legislation. They felt that the section should be repealed.

Sections 1 to 3, inclusive, agreed to.

Bill 94 reported.

THE NURSING HOMES ACT, 1966

House in committee on Bill 95, An Act to amend The Nursing Homes Act, 1966.

Sections 1 to 4, inclusive, agreed to.

Bill 95 reported.

THE PESTICIDES ACT, 1967

House in committee on Bill 96, An Act to amend The Pesticides Act, 1967.

Section 1 agreed to.

On section 2:

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, in section 2, I am wondering whether this reflects increasing concern over the increasing harm being reported from the increasing use of pesticides? Is this the motivation for the section?

Hon. Mr. Dymond: Mr. Chairman, this really has nothing to do with that at all. The main function of the pesticides advisory board is to examine candidates or applicants for licences in the various categories of pest control and certain members of the board felt that they might be liable to suit because of their finding it necessary on the basis of examination to refuse to grant a licence or probably because of having to revoke or recommend the revocation of a licence. We do not believe that this is ever likely to come up or that there would be any likelihood of it coming up. But there was this fear and because this protection apparently is given under many pieces of legislation, they felt they wanted to be in the same situation.

Mr. MacDonald: Mr. Chairman, may I ask the Minister another question? Now that we have assured the members of the pesticides advisory board that they are exempt from personal liability, is it the Minister's intention to move forward and give them some substance of work to do, so they will not be complaining about being cut off by civil servants when they intervene in other areas that might come within their jurisdiction?

Hon. Mr. Dymond: As I stated at the time when the bill got second reading, Mr. Chairman, if the need arises we will refer matters to the board. But so far I do not believe that the real problem has been any difficulty with the civil servants interfering. I stated then that the information I needed to administer the Act was adequate and, I believe, well based, as it came from my staff and I have not yet found it necessary to refer any particular subject to the pesticides advisory board. But I have that right and responsibility under the Act and if and when the need arises I certainly shall refer it to them.

Mr. MacDonald: You may even get a few more resignations.

Sections 2 to 4, inclusive, agreed to.

Bill 96 reported.

THE DEPARTMENT OF HEALTH

House in committee on Bill 97, An Act respecting The Department of Health.

Sections 1 to 3 inclusive, agreed to.

On section 4:

Mr. Lawlor: Mr. Chairman, as I said at an earlier time, two can play at any particular game. I consider that the Minister of Health is being obtuse and arrogant with respect to the treatment meted out to me and another member of this House and to all the members of the House who are desirous of carrying out the full range of what they might consider their responsibilities. My intentions are and I will announce them now, to continue to harass this Minister and any other Minister who denies us the privilege and freedom to carry out these responsibilities which we, in good conscience, deem necessary.

I am going to move an amendment to section 4 and Mr. Chairman, which—

Hon. Mr. Grossman: Out of order!

Mr. Lawlor: Not in the least out of order. My amendment, to place myself completely in order, is as follows:

That subclause 2 of clause 4 of Bill 97 be amended by adding thereto the following proviso:

"Provided, however, that the Minister in exercising his powers in carrying out his duties and functions under this Act, shall permit the members of the Legislative Assembly to inspect all institutions under his supervision without prior notice."

You know there are a great many things that have been carried on traditionally, that are not down in black and white, and can be pointed to, that should accrue to members of this body, where we are denied on the pretext of preserving the internal harmony of institutions—we had no intention, and certainly I did not have any intention in any way, of dislocating or of causing any disharmony.

On the contrary, but since this matter has arisen and appeared in the press I have had numerous telephone calls and numerous letters indicating in places throughout this province within the demesne of the Minister of Health, various irritations, various dislocations, all kinds of matters inside these institutions which bear investigation. And now, due to the arbitrary will of a single Minister, we are apparently not to be given access. If such is the case, then I say I shall continue to raise my voice against this particular form of imposition, arrogance and failure.

If he has not anything to hide then why on earth take this position? May I also say, under this head, Mr. Chairman, in pursuit of the general objective that I intend to bring this whole matter before the committee of privileges and elections of this body. We shall test this matter to its conclusion, and if it emerges at the end of the day that the will of this government prevails, then it will be known, I suspect, to the people of Ontario that this particular kind of obtuseness, this form of high-handedness will be an index and symptom to a general disease of the mentality that prevails over there. Let the people of the province, as the election approaches, judge it accordingly. That is the price to pay. This, as I say, will be the index of their state of mind.

With that in mind, I bring forward this amendment to the particular sections touching the duties and the range and powers of the Minister, and would ask the Minister to accede in this particular regard, as I know he is well disposed to do, and to bend to the needs of the people of this province, and to his own ultimate benefit too, because to bring to light what may otherwise be hidden under how many bushels will do his department a good deal of good along with aiding the people who are being, if such is the case, kept in questionable or miserable conditions.

Mr. Chairman: Does the hon. Minister wish to comment on this particular motion?

Hon. Mr. Dymond: Mr. Chairman, I think first of all the matter is entirely out of order and the amendment is not at all well put. I would answer the hon. member and point out very clearly again that at no time have we denied anyone the right to visit the hospital. We have only asked that they observe courtesies, if you will, that are observed even by a body such as the grand jury. Our hospitals are visited by grand juries periodically, and even they do us the courtesy—or the sheriff on their behalf I presume, does the director of the hospital the courtesy—of asking if the time when they propose to be there will be convenient to him and to the staff. Now, it seems to me, sir, that a body so august as this finds it within their power, —I feel, sir, it is their responsibility to ask for this privilege. Surely we as individual members, at a better time, at a more appropriate time will go into this whole matter. And it is rather interesting, and my colleagues on my left were just reminding me that within the last few days the parents of one of our children wrote a very clear-cut letter to the editor of the *Globe and Mail* pointing out that she, for one, the parent of a patient in our hospitals, did not want every Tom, Dick and Morton going through the institution, spying on her child, or inspecting things.

You see, the parents of the patients, and the patients' relatives are satisfied that we are doing the right job. But this quite apart, sir, there will be a more appropriate and more adequate time to discuss this in far more depth than we can on an occasion when, I repeat, sir, in my view it is entirely out of order.

Mr. V. M. Singer (Downsview): Mr. Chairman, I had some doubts about what I might say on this amendment as I heard it read. I had some reservations about whether or not it was being in order, and what the reaction of the government might be. But listening to the Minister of Health has made up my mind. We are going to support the amendment. We are going to support the amendment for several reasons, which I think are more clear than when the amendment was originally proposed by the member for

Lakeshore. The government, in their wisdom or lack of it, have not challenged the propriety of this as being a motion in order. Now, had that challenge been made I would have been interested to see what ruling the Chairman would have made in that regard.

That was not done so I am presuming that the government is accepting this as being in order. Now, this having been done, I would say, sir, that the time is always here when our rights should be asserted, and we are not prepared, in this party, to be fobbed off with the excuse that an appropriate time shall come later. The appropriate time is now.

I regret that this is one of the very few ways that we—

Hon. Mr. Dymond: On a point of order, Mr. Chairman.

First of all the hon. member is not correct when he says I did not challenge whether or not this motion was in order. I did; those were my opening remarks. I did, and I do again challenge it, but it is not a case of being fobbed off, and therefore I rise on this point of order to emphasize that the hon. member is misleading the House when he states that I fobbed the members off on this matter.

Mr. Chairman: The hon. Minister did—

Mr. Deans: It is not a point of order.

Mr. Chairman: Order, may I speak to this point of order?

Mr. Singer: Will the hon. Minister accept a ruling from you?

Mr. Chairman: If the hon. member will be seated I will deal with the point of order. I must point out that the hon. Minister did not rise on a point of order. He made a statement and he suggested in his opinion it was out of order. The chair did not deal with the suggestion of the hon. Minister. However, it seems to me that Section 4 recites what shall be the duties of the Minister in connection with the health of the people of Ontario. Subsection 2 goes on to recite the areas in which the powers of the Minister shall be exercised in carrying out his duties. This amendment would purport to add paragraph E to subsection 2.

Mr. Singer: No, a proviso.

Mr. Chairman: Proviso, all right! It would add a proviso at the end of paragraph (d) of subsection 2.

Mr. J. Renwick: Qualifying the whole of the clause.

Mr. Chairman: That the Minister will do certain things in connection with the health and welfare of the citizens by virtue of permitting the members of the Legislature to do certain things. In my opinion I can find no reason for ruling the motion out of order.

Hon. Mr. Dymond: Mr. Chairman, I beg to differ with you, sir, because—

Mr. Singer: Are you challenging his ruling?

Hon. Mr. Dymond: I have never needed anyone to speak for me, Mr. Chairman, and I do not think that day is going to come so long as I sit in this House.

Mr. Singer: It is not debatable.

Hon. Mr. Dymond: I want to say to you, sir, that this proviso undermines the power that the Act seeks to put in the hands of the Minister, and it would mean that the Minister would have no authority or power to carry out those duties he seeks if this proviso is inserted in the Act.

Mr. Chairman: Order. I have suggested to the committee that in my opinion, I can find no basis for ruling it out of order. I have not made a ruling, but I will make a ruling at this time. I rule that the motion is in order.

Mr. Singer: Mr. Chairman, we are quite happy to accept your ruling. As I started to say, the Minister is attempting to fob us off, the government is attempting to fob us off, bit by bit, to deny us our rights and our privileges. It is entirely in keeping with the remark that we had a few days ago from the hon. Minister of Mines when he said it is none of our business, that we have no right to know.

Now it is my humble suggestion, Mr. Chairman, that we have a right to know and we have a right to make these tours of inspection and we have a right to inform ourselves. I am not impressed by a single letter to the editor which the Minister says purports to give the opinion of all the parents of all the children in all of the institutions run by this government.

It is the opinion of one parent, and it would be my suggestion, Mr. Chairman—and I have listened to many parents who have been unhappy about the treatment that their children have had—it would be my suggestion that should the particular parent who wrote that particular letter have occasion to make

enquiries when she was dissatisfied, or might have been dissatisfied or unsure, or unable to get the necessary information, she would only have been too happy to have a member of this Legislature in a position to attend at that institution in order that the complete story could be ascertained and relayed to her. So the red herring that the Minister attempts to drag across the trail really has no relevance at all. Who the particular lady was who wrote the letter I have no idea, I am sure she wrote it with the utmost of sincerity. But I do not think that represents the opinion of anyone other than herself.

No, sir, it is unfortunate that we are put in the position in this House, of having to move, on an occasion like this, or having to support a motion on an occasion like this, whereby we are attempting to assert a right that should be obvious to the government; a right that every member of this Legislature should have without question. And it should not have to be put, or attempted to be put into a bill such as this one.

Mr. Lawlor: Hear, hear!

Mr. Singer: It is my great regret that when this debate took place the other day, that whatever else happened, the Premier of the province sloughed off his responsibility. The best he could do was to prevail upon the Speaker to withdraw an unfortunate opinion and that is as far as he went. He did not say as Premier of this province, "I believe that every one of the 117 members has a right to inform himself about everything that goes on under the aegis of this government and under the aegis of every department and throughout all of the governmental institutions."

Had he said this he would have gained the respect, the increased respect, of all the members of this House and the people of the province. So it is unfortunate, sir, that this particular method of procedure has to be resorted to. It is unfortunate that the Minister did not stand up and say that at least as far as his department was concerned, this was the way he would conduct the affairs of those institutions that come under his control.

In view of that, sir, we have no alternative but to support this amendment and to continue to put forward amendments ourselves, or to support similar amendments, at every opportunity that presents itself in order that this very important principle can be established as a principle that governs the conduct of all of the members of this Legislature.

Mr. MacDonald: Mr. Chairman, this amendment was originally put because I think this House is faced with an extraordinary situation. We tried to cope with the extraordinary situation last week, and the longer we debated it the other day we realized that we were getting into a rather difficult area. Has the Speaker, for example, the right to order the conduct and the movement of members of the Legislature outside the House and that is now being considered by the Speaker. We wanted to draw to the attention of the Minister and to the House that there are other ways of coping with it. They are extraordinary ways.

We are going to have to resort to them. In short, there are other ways of coping with it if a Minister is going to act in the fashion that he has.

Our original intention was to put this amendment as part of the whole examination of this problem. But, quite frankly, the Minister leaves us no intention but to "man the barricades" and fight this. The hon. member for Lakeshore referred to the Minister as being arrogant. Now some people might have thought that that was a little strong; but what does the Minister do? He gets up and he reads one letter, and dismisses the members of the Legislature as any Tom, Dick and Harry, or Morton.

Now if the members of the Legislature are any Tom, Dick and Harry to the Minister, then obviously this Minister has got to have his position circumscribed, because it is supreme arrogance.

Hon. Mr. Dymond: Mr. Chairman, on a point of privilege, the hon. member is misleading the House. I quoted, and I did not state that those were my own words, nor did I say "Tom, Dick and Harry". I quoted the author of the letter as saying "Tom, Dick and Morton", and surely we cannot be denied the right, sir, to quote one letter when this group over there takes up hours and hours and hours of the time of this House quoting letters.

Mr. Chairman: On speaking to the point of privilege raised by the hon. Minister I distinctly heard him quote from a letter and he did not say "Tom, Dick or Harry", he said "Tom, Dick or Morton".

Mr. MacDonald: All right, I am finished. All I was saying was that the Minister, in quoting from that letter—and obviously that letter supported his position—revealed a supreme arrogance. Not just an arrogance, a

supreme arrogance. And obviously it has got to be circumscribed for our protection to begin with, and for the protection of the people in his institutions.

Mr. Chairman: The hon. Minister of Correctional Services.

Hon. Mr. Grossman: Mr. Chairman, I think both the hon. member for Lakeshore, and the hon. member for Downsview, have both given a very good reason why this should not be handled in this fashion.

The hon. member for Lakeshore said, at the beginning of his remarks in speaking to his own motion, that this should be a matter for the privileges and elections committee. And I think, if there should be any decision made, perhaps it should start at that level, so we are not picking on a particular department and a particular bill at a particular time.

Then the hon. member for Downsview also pointed out that it was unfortunate, in his view, that it should have to be handled in this way. But it does not, Mr. Chairman, have to be handled in this way.

I think a policy should be laid down, and that policy should concern itself with all departments of the government.

May I point out that one of the objections that I would have, sir, in respect of this amendment, is that it really does not lay down any kind of conditions in respect of possible—let me put it that way—possible irresponsibility of a member at a particular institution.

There is a vague possibility, at least, Mr. Chairman, that some particular member, at some particular time, may, in an irresponsible fashion, conduct himself in such a way as to create havoc at a particular institution. Under legislation, if it is put on the books this way, there would be no way of controlling such a member.

Mr. Lawlor: What kind of people do you think we are?

Hon. Mr. Grossman: Mr. Chairman, I think the best way to handle it would be to bring it up at the privileges and elections committee, and have it thrashed out thoroughly there. On that account, sir, I do not think we can possibly do other than vote against this amendment, because it is dealing with a particular department and a particular bill.

Mr. MacDonald: Now Mr. Chairman, the Ministers of the Crown are being more provocative tonight than they know.

An hon. member: It has to be a point of order before—

Mr. MacDonald: In the committee you can speak any number of times. If the Minister wants to be reminded of it let me put it in blunt terms. The committee on elections and privileges, as I have seen it operated, and I have also been the victim of, is a whitewash directed by the majority on the government side, and therefore—

Hon. Mr. Grossman: You could say the same thing about the Legislature.

Mr. MacDonald: And therefore, if you think that we expect to get anything other than an airing, rather than a settlement, of this issue; if you think you are going to sidetrack us with a consideration of that being the appropriate place, you are kidding yourself, sir. Let me put it as bluntly as that.

We are putting this matter before the House again, because the last time we put it before the House—and we were going to have imposed upon us a situation which even the government recognized, after an hour's debate to be intolerable—

Hon. Mr. McKeough: Not so.

Mr. MacDonald: And so the Prime Minister beat a retreat, and we are now having it reconsidered by the Speaker. But I do not think it can be dealt with at that level, because it deals with the conduct of the members outside of the House. And there is serious doubt as to whether the Speaker has jurisdiction over the conduct of the members outside of the House.

We are dealing with the most arrogant of Ministers, who provoked the whole thing, and we will deal with it in the legislation regarding his department, that will circumscribe him to some extent.

Mr. Chairman: The hon. member for Humber.

Mr. Ben: First of all, Mr. Chairman, there is absolutely no doubt in my mind that the Speaker has no jurisdiction to tell me how I shall conduct myself outside of the House. I would not pay heed to him and I would go on record as so saying.

Now, Mr. Chairman, I said before, if a person acts irresponsibly then the proper thing to do is to cite him before the committee on elections and privileges, and there deal with him, and—

Hon. Mr. Grossman: You cannot do that with this.

Mr. Ben: —and, if a member is irresponsible, I would point out to you that, in a democracy, a member has a right to be irresponsible, subject to the sanctions that would be imposed by the body of which he is a member.

Hon. Mr. Grossman: You could not do it with this in the statutes.

Mr. Ben: Look, the hon. Minister of Correctional Institutions, in trying to deprive 117 members of their democratic right—in fact their responsibility to their electors to investigate—is being as asinine as the Minister of Health when he suggests that by reading one letter—as the hon. member for Downsview pointed out—he purports to speak for every mother who has a child in every hospital in this province.

He uses one way-out example—and it was probably written by his secretary to boot—and it suggests that this is speaking for every mother, and is representative of every mother in this province. What about the mothers who have children up in Smith's Falls and Orillia? I do not recall them writing such letters.

Mr. Chairman: Well I think the hon. member should stick to the motion before us.

Mr. Ben: I am sticking to the motion. I am sticking to the motion. They are not. They are dragging across what we would describe as a red herring—and I think it is probably some of those herrings that they must have got from the polluted waters at Newfoundland there.

At any rate, all this government does is tell the Opposition, day after day that, in due course, in the fullness of time, they are going to do something. But they have not done anything. As a matter of fact, when the Opposition members cry for some rights or privileges here, they treat them like little Oliver was treated when he went and asked for some more.

Mr. Chairman: The hon. member is straying, surely, from this motion. I would ask him to confine his remarks to this motion before the committee.

Mr. Ben: I am, sir. I am confining myself—

Mr. Chairman: In the opinion of the chair, the member is straying.

Mr. Ben: Two members who spoke for the government side are giving reasons why this amendment should not be voted for, and I am giving reasons why their arguments do not hold water.

Mr. Chairman: The hon. member is straying too far from the subject matter of this particular motion.

Mr. Ben: All right. So Oliver Twist was in England, and the red herrings were in Newfoundland. But I am still speaking to the bill.

We may not like the particular form of the amendment. The fact is that such an amendment is needed and, until such time as this government does introduce a rule in this House that the members have these rights, I suggest that it will be proper to bring forth such amendment in every bill that is brought up in this House.

Mr. N. Whitney (Prince Edward-Lennox): What kind of rule would you obey?

Mr. Ben: And we will support it.

Mr. T. P. Reid (Rainy River): Mr. Chairman, it is not very often I rise to take part in a debate of this kind, but I feel that I must this evening.

I dislike the idea, though members have spoken before me, of putting legislation or an amendment into the legislation, that would protect the rights and privileges of the members of this House. It is a very sad state of affairs when we have to spend the time of this Legislature, as we had the other day and tonight, debating the privileges and the rights of the members of this Legislature. It is unfortunate that the government over there, in their myopia have felt that they must treat the members of the Legislature in the way they do because of the possible irresponsibility of one member.

I would liken the government opposite to a jackass who is being bothered by a mosquito. The mosquito cannot really bother the jackass unless it allows it to. In this case, the mosquito has pestered the jackass so much that it has driven itself over a deep cliff and into an abyss.

But I would suggest to you, Mr. Chairman, that this whole problem would never have arisen and should not have arisen; this amendment would not have been necessary and should not be necessary, although it is, if the Premier of the province and the leader of the government side in this Legislature, had stood in his place the other day when this matter was first brought up and said clearly, for all to understand and to hear, that it was the government's belief that as a matter of principle, each and every one of the members of this Legislature, as a responsible person,

had the right and the privilege to visit and investigate every institution in this province.

We are now faced, tonight, with an amendment to this Act and there will be more, but this amendment will be a precedent that will be set for similar amendments to be made in each department of government. Each time this bill is brought up, we will consume more time of this House when this whole matter should never have arisen if the Premier had accepted his responsibility, stood in his place and said, "we will not restrict the movements of the members of this Legislature around this province or into any institution that is governed by this Legislature." It is his responsibility. It was his responsibility and he sloughed that responsibility off and tonight, we are forced into the position by this government of setting a ridiculous but necessary precedent.

Mr. Lawlor: Mr. Chairman, the latinity of the disease from which the Minister of Health suffers is in terms of strutheo cameline tactics. The latin of strutheo cameline has to do with ostriches, in placing one's head in the sand. That is the way Cicero would have put it. It is the way that this Minister responds to his responsibilities and the way he abnegates them in this particular area. I said during second reading that, the way Ministers mature affects the whole purpose of the legislation, it is the designation and orientation and direction of his department that is at stake here. As some Ministers mature they achieve suavity, serenity, peace of mind and a certain mellowness in their latter years. What have we got here? A sourness and a wilfulness and a recalcitrance. His own Prime Minster cannot control him. Rather than run counter to this particular wilfulness, to this particular kind of whimsicality which besets the Scot, in his determination not to yield in this particular issue—

Mr. Chairman: The hon. member is again straying from his own motion.

Mr. Lawlor: Well surely, I only worded, Mr. Chairman—

Mr. Chairman: Has to be—

Mr. Lawlor: Mr. Chairman, surely it is obvious to the whole world, but apparently not to this Minister, that the efficacy of the exercise of attending upon institutions is rendered useless and valueless, if notice is given in advance.

Surely, that must be the most obvious thing. I imagine it is obvious to everybody else but the Minister. How he then can have the pertinacity and the radical gall to stand up here and with honey tones and platitudes mixed in his phrases, seek to avoid the full impact of what our obligations are over here, strikes me as a sheer piece of hypocrisy.

Interjections by hon. members.

Mr. Chairman: Order! The hon. member for Scarborough East.

Mr. T. Reid: Mr. Chairman, I would like to remind the government members of a section in The Public Schools Act, section 8, subsections 1 and 2, concerning the principle of members of the Legislature visiting public institutions in this province. Since the province pays so much of the cost of the public schools, I think it is highly relevant and I would like to simply suggest, Mr. Chairman, that I put this in the record. It shows that since institutions called public schools can be visited by members of the assembly, perhaps other institutions should also be able to be visited by the members. The section reads as follows, Mr. Chairman:

> Judges, members of the assembly and members of municipal councils are school visitors in the municipalities where they respectively reside and every clergyman is a school visitor in the municipality where has pastoral charge. School visitors may visit public schools, may attend any school exercise and at the time of a visit may examine the progress of the pupils and the state and management of the schools and give such advice to the teachers and pupils and any others present, as they deem expedient.

I would suggest, sir, that the principle of members of the Legislature being able to visit schools is not only condoned in fact, but is spelled out very explicitly in The Public Schools Act.

Mr. Kerr: Only in their own towns, not their own riding!

Mr. Chairman: Order!

Mr. T. Reid: I would like to urge therefore, Mr. Chairman, that members of the government vote for this amendment so that they too will be able to visit public institutions in order that they can see, at the time of their visits, the progress of the inmates of those institutions, the state and management of those institutions and to give such advice to the people in those institutions and any others present, perhaps some Cabinet Ministers, as they, the private members, deem expedient.

Mr. Chairman: The hon. Minister of Correctional Services.

Hon. Mr. Grossman: The hon. member brought up a very bad example and I was wondering when he was going to. I tried this once and happened to go there when the principal was not there. I guess it was the vice-principal who said to me, "If you do not mind, Mr. Grossman, I would like very much for the principal to be here when you are coming." I think he said, "About 3 o'clock this afternoon. Would you mind coming back then?" That is precisely what happened.

Mr. MacDonald: They knew with whom they were dealing.

Mr. Lewis: He denied you your rights. They knew about the irresponsibility of the Cabinet Minister and they—

Interjection by an hon. member.

Mr. Lewis: —if one can imagine a more divisive and disruptive force than the Minister of Correctional Services cutting a swath through the schools of our province. A veritable nemesis, Mr. Chairman, you would not have him anywhere near the schools of this province.

I simply wanted to rise, sir, as always, directly on the clause to say this, that we in this caucus take exception to the occasional inference that is raised in this House, that everything is due to the irresponsibility of a given member. I say to the House, Mr. Chairman, that the need for the amendment arose in this case because of the irresponsibility of a given Cabinet Minister, and for no other reason.

We come back to the characteristic which distinguishes this Cabinet Minister, and always isolates him from his confreres, and that is that he alone adopts policies which others, even Tories, even high Tories, have eschewed. There are very few others on the Cabinet benches, even the Minister of Correctional Services on occasion is generous enough to allow members of this House into some of his precincts without prior notice.

I can recall back in 1965, Mr. Chairman, making a review of the Ontario Hospital system, hospital by hospital. I do not think it caused any particular disruption. It may have caused some marginal discomfort in the House thereafter, but it certainly did not topple the institutions or the government or, I am ashamed and embarrassed to say, the Minister. I may say, Mr. Chairman, that that is precisely the point we are getting at. The right of members to visit, at will, institutions in the province.

There is not the slightest reason in the world why this should be withstood by the Cabinet, not at all. The Cabinet has been boxed in by a typically intransigent stand on the part of their Minister of Health. They regret it enormously, they flagellate him at Cabinet meetings, but he has taken the stand publicly, and there is nothing they can do with him. They have now to support him, and one knows what happened in the dark recesses of the Cabinet session last week, when the entire Cabinet turned its wrath and fury on the Minister of Health, and asked, "Why have you put us in this untenable position again?" And the Minister says, "I am predisposed. That is my political proclivity."

Hon. Mr. Dymond: I never said that, he has had a nightmare.

Mr. Lewis: Mr. Chairman, coming right back directly on the clause, I will not be diverted from this clause, no matter what you say. I will not be put off by these ruses and devices.

Interjections by hon. members.

Mr. Chairman: Order, order!

Mr. Lewis: Mr. Chairman, the fact of the matter is we are dealing with a state of paranoia on the part of the Minister of Health.

Hon. Mr. Dymond: Boy, it takes one to know one.

Mr. Chairman: I suggest the hon. member should stick to the motion instead of expressing his opinion about the hon. Minister.

Mr. Lewis: Let me say, Mr. Chairman, that even if by some mischance this amendment does not carry, we will continue to visit the institutions in the flower of the day, in the dead of the night, we will visit your institutions, and if there are any heinous acts therein, we will expose them in the Legislature. But let it be known, Mr. Chairman—

Hon. Mr. Grossman: What is the flower of the day?

Mr. MacDonald: Full bloom!

Mr. Lewis: —without any reservation that there is only one Minister of the government who, again and again, compromises his colleagues and impugns the rights of members

of the Legislature. It is this Minister. That is why we are in this unhappy predicament of having to put an amendment which everyone in the House would like to support, but which the Tory party, driven to the extremity by its own Minister of Health, will have to oppose, and that is unfortunate.

Mr. Chairman: Those in favour of Mr. Lawlor's motion will please say, "aye."

Those opposed will please say, "nay."

In my opinion the "nays" have it.

Call in the members.

Mr. Chairman: Those in favour of Mr. Lawlor's motion will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 27, the "nays" 42.

Mr. Chairman: I declare the motion lost. Section 4 will stand as part of the bill.

Section 4 agreed to.

Sections 5 to 13, inclusive, agreed to.

Bill 97 reported.

Hon. Mr. Welch moves that the committee of the whole House rise and report certain bills without amendment and one bill with certain amendments, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain bills without amendment and one bill with certain amendments, and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will return to the consideration of the estimates of The Department of Social and Family Services.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:30 o'clock, p.m.

No. 107



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, May 6, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969



Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, May 6, 1969

Housing advisory committee, statement by Mr. Randall 3995

Ontario Human Rights Code, 1961-1962, bill to amend, Mr. Bales, first reading 3996

Pickering Hydro project, questions to Mr. Simonett, Mr. Nixon 3996

Cabinet documents, questions to Mr. Robarts, Mr. Knight 3997

Housing crisis, questions to Mr. Robarts, Mr. Peacock 3997

Ontario housing corporation, questions to Mr. Randall, Mr. Peacock and Mr. De Monte 3998

City of Hamilton agreement, question to Mr. McKeough, Mr. Deans 3999

Health conditions at Armstrong, questions to Mr. Dymond, Mr. Stokes and Mr. T. P. Reid 4000

Meeting with Indian representatives, questions to Mr. Yaremko, Mr. Stokes 4000

United Community Fund, questions to Mr. Yaremko, Mr. Braithwaite 4000

Population of Ontario, questions to Mr. McKeough, Mr. Young 4000

Positions for elementary teachers, questions to Mr. Davis, Mr. Pitman 4001

Newspaper strike in Peterborough, question to Mr. Bales, Mr. Pitman 4003

Mr. Peter G. Bowers, questions to Mr. Davis, Mr. T. Reid 4003

Grants to students, question to Mr. Davis, Mr. T. Reid 4004

Public support for separate schools, questions to Mr. Davis, Mr. Lawlor 4004

District library facilities and boards, questions to Mr. Davis, Mr. R. S. Smith 4004

Metro high school teachers, question to Mr. Davis, Mr. Martel 4004

Agricultural specialists, question to Mr. Stewart, Mr. Makarchuk 4004

Farm income report, question to Mr. Stewart, Mr. Makarchuk 4004

Shooting of Angelo Nobrega, questions to Mr. Wishart, Mr. De Monte 4005

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 4005

Recess, 6 o'clock 4036

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 6, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: Today we are pleased to have many guests with us: in the east gallery, students from Colchester North Public School, R.R. 2, Essex, and from Barrie District North Collegiate, Barrie; in the west gallery, students from Upper Canada College in Toronto; Bayview Junior High School, Willowdale; Burlington Central High School in Burlington, and from Toronto Teachers' College, 951 Carlaw Avenue, Toronto.

Later this afternoon there will be, in the east gallery, students from Main Street School for New Canadians in Toronto, and this evening some Scout troops from Toronto and Bramalea and students from the Cayuga Technical School in Cayuga.

Today we also have with us a distinguished visitor from the United States, Mr. Richard M. Scammon, director of elections research centre of the Government Affairs Institute in Washington, D.C., who is in Mr. Speaker's gallery.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

The hon. Minister of Trade and Development has a statement.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I would like at this time to announce the government's intention to establish a housing advisory committee to bring together senior representatives from the construction industry and a number of government departments for the purpose of collecting and evaluating information and advising government on this important matter.

The proposal that an advisory group of some type be formed was first raised in a brief to the Prime Minister (Mr. Robarts) by the Ontario council of the National House Builders' Association. The brief dealt with a variety of matters which the NHBA believes have an effect upon the productivity of the residential construction industry and the cost of housing.

Following the presentation of the brief my colleagues, the Minister of Municipal Affairs (Mr. McKeough), and the Minister of Energy and Resources Management (Mr. Simonett) and I, met with the house builders to discuss the matter further.

We felt there was a great deal of merit in this suggestion and it is the government's intention to establish a committee which would look at the construction industry as a whole, recommend where research needs to be carried out and make periodic reports. Topics would range from a review of the industry and its present capabilities, new techniques such as industrialized building, the economics of housing, and other considerations pertaining to social and physical development in the province.

We see this group as a continuing body performing an important advisory function to government rather than as a committee or task force given a specific job to perform, after which it ceases to exist.

Among the organizations being invited to participate are the Ontario council of the NHBA, the Urban Development Institute (Ontario), the Ontario Association of Architects, the Ontario Association of Professional Engineers, the Ontario Construction Association and the Ontario Association of Real Estate Boards. Government departments and agencies that will, in all probability be represented, include The Department of Municipal Affairs, The Department of Energy and Resources Management, The Department of Treasury and Economics, and the Ontario Housing Corporation.

Precise terms of reference will be worked out in collaboration with the organizations involved.

In conclusion, we believe that such a committee, on which representatives of private industry and of government departments can jointly investigate matters of mutual concern, will result in many worthwhile recommendations that will help keep Ontario in the lead in the construction field.

Mr. J. Renwick (Riverdale): Mr. Speaker, for clarification, would the Minister indicate whether he intends to have any representatives from social planning agencies throughout the province involved in this, or is this strictly going to be a no-people operation?

Hon. Mr. Randall: No. I would say this is the beginning of a committee that perhaps would include other people, and would embrace other organizations as we go along. This is to get us started. We will take a look at anybody else who wants representation.

Mr. H. Peacock (Windsor West): Mr. Speaker, if the advisory committee is to deal with productivity in the building industry, can the Minister say why representatives of the building trade unions in the province have not been invited to participate?

Hon. Mr. Randall: I said to the member's colleague that we are prepared to look at any groups that wish to participate. This is the beginning of a new group.

Mr. Peacock: Do they have to indicate to the Minister that they wish to be included, or does the Minister intend to extend an invitation to them?

Hon. Mr. Randall: They are invited.

Mr. I. Deans (Wentworth): I might ask if the terms of reference will include a look at land costs as part of the overall picture.

Mr. Speaker: The hon. member is not asking for clarification of the statement; he is asking for something else to be included in it and the question is not in order.

The hon. Minister of Labour has requested that the House return to the order of introduction of bills. Have I the approval of the House for this?

Introduction of bills.

THE ONTARIO HUMAN RIGHTS CODE, 1961-1962

Hon. D. A. Bales (Minister of Labour) moves first reading of bill intituled, An Act to amend The Ontario Human Rights Code, 1961-1962.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, may I outline briefly the three areas in which this bill will amend The Ontario Human Rights Code. Up to the present the prohibitions in the code against discrimination in connection with employment have not applied to:

> An exclusively religious, philanthropic, educational, fraternal, or social organization that is not operated for private profit, or to any organization that is operated primarily to foster the welfare of a religious or ethnic group and it is not operated for private profit.

I am sure the members will agree with our proposal to limit it to those circumstances where the factors of race and religion will constitute a reasonable occupational qualification.

With this amendment we are not responding to the pressure of a group problem for no such problem exists. Most organizations in this category are exemplary in their respect for an observance of the principles of human rights. Rather, we are introducing the amendment in the belief that human rights are indivisible.

The second change will provide specific protection against reprisal, both for any person who exercised his rights under the Code, or for any person who testifies in a proceeding under the Code. Finally, the penalties for violation of the code are established at more realistic and meaningful levels. They are increased from $100 to $500 for an individual who contravenes the legislation, and from $50 to $2,000 maximum for a corporation or trade union.

Mr. Speaker: The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Speaker, I have a question for the hon. Minister of Energy and Resources Management.

1. Has there been damage to the heat exchangers at the Pickering Hydro project?

2. Will this damage, if in fact there has been any, hold up construction of the facility?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, some of the heat exchangers at the Pickering project were received from the suppliers in a damaged condition. The company's staff is proceeding to repair the damage. It is not expected that the repairs will adversely affect the planned in-service date.

Mr. Nixon: I wonder if the Minister can tell me, Mr. Speaker, if the heat exchangers will have to be returned to the factory where they were manufactured or if the repairs can take place at Pickering?

Hon. Mr. Simonett: I said, Mr. Speaker, the company staff is proceeding to repair the damage on the site.

Mr. Speaker: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have a question for the Minister of Education.

What percentage of educational costs in 1968 were paid by provincial grants to each of the 13 municipalities with populations over 60,000, namely: Metropolitan Toronto, Ottawa, Hamilton, London, Windsor, Brantford, Burlington, Kitchener, Mississauga, Oshawa, St. Catharines, Sudbury and Sault Ste. Marie?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I understand that it would be agreeable to put this on the order paper. We have one report in, I think from the 13 areas so far. I think it will be several weeks before we have the financial statements in from these boards so that it will take a period of time to get this answer.

Mr. Speaker: The hon. member for Port Arthur has a question.

Mr. R. H. Knight (Port Arthur): Thank you, Mr. Speaker, I have a question for the hon. Premier of Ontario.

For what period of time are Cabinet documents available to the public?

Is there a regular programme consistent with other jurisdictions to make classified material available to the public?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, there is no laid down period of time. By Cabinet documents, I might take it that the member meant any papers at all that may be dealt with in the Cabinet. Of course, most of that material is classified. On balance, our archivist recommends that probably a period between 25 and 30 years is considered reasonable to keep confidential documents from the public. He points out that any shorter periods of time might very well result in these documents not being prepared or perhaps being destroyed immediately and never being available for the records.

I presume that this question arises from one that was asked the Prime Minister of Canada in the House of Commons when he was dealing with documents that might be made public. I would point out that there is a great deal of departmental discussion in this matter as well. From an operational point of view there are probably some records that the departments could make available in lesser periods of time. And, it might very well be that there would be some that the departments would consider wise to keep from public view for a period longer than 30 years.

But as a rough rule of thumb, I would say some place between 25 and 30 years. I might say in answer to the second part of the question: Our practice here is more or less in line with that of other jurisdictions.

Mr. Speaker: The hon. member for Windsor West has questions.

Mr. Peacock: Yes, Mr. Speaker. I have a question of the Prime Minister, to whom I will have to refer to as the Premier in my question in order to distinguish them.

Hon. Mr. Robarts: I beg pardon?

Mr. Peacock: Courteously. Mr. Speaker, from Ontario's viewpoint, does the Premier agree with the Prime Minister of Canada's statement in Montreal, Sunday, that the nation does not have a housing crisis?

In view of Mr. Trudeau's insistence that housing is essentially a provincial matter, does the Premier now intend to establish an Ontario department of housing?

Hon. Mr. Robarts: Mr. Speaker, one can put several interpretations on the words of the Prime Minister of Canada. I would not agree that we do not have a housing crisis. On the other hand, I believe Mr. Trudeau said that there were plenty of houses available and this perhaps is true; but they are not available necessarily to those people who need them most—and this is where the crisis lies in the approach that this government is taking to housing. There are lots of—

Mr. V. M. Singer (Downsview): The Premier must tell us about that—

Hon. Mr. Robarts: I think we tell the members pretty frequently, but they do not care to listen most of the time. I am quite certain that the Minister would be more than happy to make an hour and a half statement on what we have done. As a matter of fact we have done more in this province—

Mr. Singer: Seems to be a backing-up approach rather than—

Hon. Mr. Robarts: Now the member has got me started, I will just have to tell him that we have done more in this province than in all the rest of Canada put together. I

might say that this has been recognized and acknowledged by the federal government.

So you see Mr. Speaker, the minute we attempt to point out all the good things this government has done, we run into this barrage of shouting. Terrible, I think it is just terrible.

But in any event, the members will see I agree with the Prime Minister in one respect, and I disagree with him in another respect —if he means that there is, indeed, no crisis. I think we would all admit that there is a crisis in housing for certain income levels of our population in Canada.

In answer to the second part of the question: We are satisfied that the present administrative arrangements dealing with housing in the province are adequate. The Minister has just made a statement on another step we are taking to try and see if we cannot create housing for those people who require it most. That is what our HOME programme is about. That is why we are interested in condominium housing, and promoting it, in order to put housing into the hands of those who need it most; and I am quite certain that—

Interjection by an hon. member.

Hon. Mr. Robarts: I am sorry, Mr. Speaker, I missed the interjection. Perhaps it did not mean much anyway.

Mr. Nixon: The government is still calling that Home Ownership Made Easy?

Hon. Mr. Robarts: Home Ownership Made Easy, the HOME programme; that is exactly what I am referring to.

Mr. Singer: When are they going to make it easy?

Hon. Mr. Robarts: So, Mr. Speaker, the answer, in essence, to the second part of the question, is no.

Mr. Speaker: The hon. member has a further question?

Mr. Peacock: I have a question of the Minister of Trade and Development to test his answer against that of the Prime Minister.

Does the Minister agree with Dr. Albert Rose, director of the Ontario Housing Corporation, that there will be a crisis as long as only two per cent of the total starts are public housing units?

Part 2: will the Ontario Housing Corporation account for two per cent or more of the total housing starts in the province of Ontario for 1969-70?

Part 3: if not, is the Minister prepared to revise Ontario Housing Corporation's programme of new construction, so that the two per cent target will be achieved?

Hon. Mr. Randall: Mr. Speaker, I did not read Dr. Rose's announcement. I presume he is talking about Canadian—

Mr. Singer: I wonder what happened to that hour and a half?

Hon. Mr. Randall: I presume he is talking about a national average when he is talking about two per cent.

The proportion of total starts in Ontario, represented by the Ontario housing programme, was 10.4 per cent for 1967, and 6.1 per cent for 1968. The proposed programme for 1969 would have represented a proportion of approximately ten per cent. However, a substantial part of our programme has been held up for several months due to our inability to obtain lending approval through Central Mortgage and Housing Corporation, pending establishment of federal guidelines for public housing. I have written to the Hon. Paul T. Hellyer on a number of occasions concerning this, the last occasion being on April 23. To date no guidelines have been forthcoming. I am now attempting to contact Mr. Andras, who has assumed this responsibility. I might say I tried to contact Mr. Richardson, who I thought had the job, but I found I could not get the right guy.

While I agree in essence with the views expressed by Dr. Albert Rose, it is my firm belief that a—

Mr. Singer: How could he agree with them when he did not read them?

Hon. Mr. Randall: —massive public housing programme will not in itself provide the solution of the housing needs of this province. It is for this reason that the Ontario housing programme, which is operated through Ontario Housing Corporation, is an example of flexibility and diversification which most other provinces of Canada are now attempting to follow.

Mr. D. M. De Monte (Dovercourt): I have a question for the Minister of Trade and Development, Mr. Speaker.

How is it that Ontario Housing Corporation is refusing families with children of school age in its new development at Bedford and Avenue Road because of an alleged shortage of school space, when in fact a school in the immediate area is being closed at the end of this school term for lack of students?

Hon. Mr. Randall: Mr. Speaker, when the Ontario Housing Corporation was created and assumed responsibility for the development of rent-to-income housing in Metropolitan Toronto, arrangements were made with the municipality of Metropolitan Toronto to create a co-ordinating committee which would give Metropolitan Toronto a voice in the location of developments throughout the municipality. This committee, which is known as the metropolitan housing advisory committee, comprises a representative of Ontario Housing Corporation, the commissioners of planning and housing for Metropolitan Toronto, and representatives of the Metropolitan Toronto School Board and the Metropolitan Separate School Board. All proposed sites for the development of Ontario Housing in Metropolitan Toronto are brought before this committee and no development takes place until the approval of the committee has been received.

In the case of the Ontario Housing Corporation development at Davenport and Bedford, the one referred to in the hon. member's question, the commissioner of planning for Metropolitan Toronto reported to the Metropolitan Toronto housing advisory committee on June 8, 1967, as follows:

> Further to our report of June 5, 1967, this site was examined by members of the committee on June 7.
>
> It has been noted that the relative inaccessibility of the site generally makes it unsuitable for family housing, which fact is emphasized by the remoteness and overcrowded conditions prevailing at Huron Street public school, and the relatively poor community services available in the neighbourhood. In addition, it is understood that the public school's present requirements will make it necessary to reduce the classroom size to 30 pupils which again will reduce the total amount of pupil accommodation available.
>
> If the site is to be used for residential purposes, therefore, its designed occupancy should be restricted to adult families and non-family households. The site can be recommended to the Ontario Housing Corporation only to meet this sector of the demand for public housing.

It is recorded in the minutes of the committee, dated Wednesday, June 7, 1967, that the committee inspected the site and approved of it with OHC agreeing to use the development for adult tenants only.

As the hon. member will appreciate, I am sure, we look upon the municipality of Metropolitan Toronto as our partner in the development of housing to meet the needs of the municipality. If, in the considered opinion of Metro or its appointed representatives, a site is unsuitable for family accommodation, then OHC complies in accordance with the spirit and arrangements under which the Metropolitan housing advisory committee was created.

Mr. Speaker: The hon. member has another question of this Minister?

Mr. De Monte: No.

Mr. Speaker: I am sorry, he has placed the same question twice.

Hon. Mr. Randall: Does he want me to answer it twice?

Mr. Speaker: The hon. member for Wentworth is on his feet.

Mr. Deans: I have a question for the Minister of Municipal Affairs.

Is the Minister aware of the terms and conditions of the proposed agreement between the corporation of the city of Hamilton and First Wentworth Development Company?

Is the Minister convinced that the city can financially meet the accelerated vacant occupancy proposal?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, in reply to the first part of the question, I do not believe we have received the agreement yet, so I am not aware, and therefore I am not able to answer the second part of the question.

Mr. Deans: If I might, Mr. Speaker, just by way of a supplementary question, ask the Minister if he would make himself aware that the signing date is June 3, which is quite close.

Mr. Speaker: Unfortunately, the question of the hon. member for Huron-Bruce (Mr. Gaunt) has not reached Mr. Speaker's office.

The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker.

Mr. Speaker: Perhaps before the hon. member for Wentworth completes his question, he might advise me whether a question of the Minister of Education, which I have since early in April, is still on the books or has it been withdrawn?

Mr. Deans: I believe probably it—

Mr. Speaker: It had to do with county boards and I think probably it has been answered one way or another.

Mr. Deans: I think it was answered by the Minister's general statement.

Mr. Speaker: Thank you. The hon. member for Thunder Bay:

Mr. Stokes: A question of the Minister of Health:

What action does the Minister plan to take as a result of a letter sent to him and all other members by Hector King of Armstrong, regarding inadequate water supply and evidence of hepatitis?

Mr. Speaker: Perhaps the hon. member for Rainy River might place his question of the same Minister?

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker.

How many cases of infectious hepatitis have been reported in the Armstrong area this year?

Has the Minister replied to the letter of Hector C. King, president of the Armstrong Indian Association in connection with health facilities at Armstrong?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the chief public health inspector for northern Ontario public health services visited Armstrong with the public health inspector for this portion of northern Ontario on April 30 and May 1, 1969. They investigated environmental conditions and took samples of a number of the wells. They interviewed the local nurse, officials of Lands and Forests, the armed forces base, and other citizens of Armstrong. They tried to interview Mr. King but he was not in Armstrong at that time. The field sanitary survey is being carried out and recommendations will be made. There is one proven case of infectious hepatitis and five probables have been reported. I have not yet answered Mr. King's letter because it only came to my desk yesterday afternoon.

Mr. Speaker: The hon. member for Thunday Bay has another question?

Mr. Stokes: I have a question of the Minister of Social and Family Services:

Does the Minister plan to meet representatives of Indian people in northwestern Ontario on May 9? If not, when?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, arrangements have been made for the director of Indian development to meet with representatives of Indian people in northwestern Ontario at an early date and for me to meet with the representatives at a subsequent date.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I have a question of the Minister of Social and Family Services:

Is the government prepared to assist the United Community Fund of Toronto or its agencies through grants that would be sufficient to meet family counselling programmes planned by voluntary service agencies?

Hon. Mr. Yaremko: Mr. Speaker, the government has not received the formal request for grants for family counselling programmes from the United Community Fund of Toronto. If and when such a request is received, it will be given due consideration.

Mr. Braithwaite: As a supplementary, could the Minister say whether any moneys would be available, if such a request was made?

Hon. Mr. Yaremko: I know of no provision at the present time, but I would assume that this would be a long-term proposition.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Municipal Affairs.

As of June 1, 1968, the Dominion Bureau of Statistics estimated the population of Ontario at 7,306,000 persons. The current "Municipal Directory" lists Ontario's 1968 population at 6,905000. Allowing for the 115,000 people specifically excluded in the directory figure which the Minister gave us yesterday, how does the Minister account for the remaining discrepancy of 286,000 persons?

Hon. Mr. McKeough: Mr. Speaker, the directory reports the population residing in municipalities in Ontario, and this, of course, would exclude any persons residing outside municipalities and unorganized territories. The document is referred to as the "Municipal Directory" for this very reason because it does exclude the unorganized territories.

The Dominion Bureau of Statistics figure, of course, is an estimate calculated as of June 1, which is based on a sampling technique. The figure in the directory is based on the actual census figure compiled by the local

assessor over the period in which the assessment is made, which would probably be anywhere from March or April through to September.

Under the circumstances, a difference of three per cent, rather than proving the inaccuracy of the directory, to me seems to verify its accuracy.

Mr. Young: Mr. Speaker, could I ask the Minister, through you, a supplementary question?

Has the Minister any idea how many people there would be in the unorganized territories?

Hon. Mr. McKeough: I was afraid the member was going to ask that. I would think there are something less than 208,000. I do not know that; we did not know it. But there is still an error and I think, from our point of view, we would suspect perhaps the DBS sample is a little high.

Mr. Speaker: The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I could direct a question to the hon. Minister of Education.

In view of the events of the past few days, can the Minister assure the House that there are sufficient positions for elementary teachers now enrolled in the province's colleges?

Hon. Mr. Davis: Mr. Speaker, recent reports in the press and on TV have indicated an oversupply of elementary school teachers for 1969-70. But I would suggest at the present time that it is still too early to state precisely what balance exists between supply and demand. As the member for Peterborough and others know, the teachers' contracts provide they may resign up until May 31, that is the end of this month. So it is premature to make any accurate guess at this particular moment.

The formal reports from the principals of our teachers' colleges are not due until the end of next week. But, in an informal survey they indicate that with the exception of Metropolitan Toronto, the hiring rate is comparable to other years. In Metro, it is below this. I think it should also be pointed out that when one looks at the total province and recognizes the need for teachers in many other areas of the province beside the large urban centres, I do not believe there will be a large problem of oversupply of elementary school teachers—if you look at it in the entire provincial context.

I must say this, Mr. Speaker, that when I look back a few years, I really did not think I would be asked a question in this House about an oversupply of elementary school teachers.

Mr. Pitman: I wonder if I might ask a supplementary question.

In view of the fact that last fall there was something like a 30 per cent increase in the expectations of enrolment in the teachers' colleges, I would wonder whether anyone in the department is making any kind of projections in the whole area of teacher need in trying to relate enrolment in teachers' colleges to that need.

Hon. Mr. Davis: Mr. Speaker, this is a process of an on-going study, and of course, it relates as well to the plans for future teacher education that may result in the beginning of a two- or three-year programme and, of course, this has to be taken into account as well. I would just emphasize, Mr. Speaker, that one does not want to discourage prospective teachers, who are thinking this year of entering teachers' colleges, and that we should not, at this moment, emphasize any great oversupply when one looks at the total province and the need for teachers.

Mr. Pitman: I wonder if I might ask another question, Mr. Speaker. This is a question from some days ago.

What body represents the Minister in negotiations for terms, conditions and remuneration for those who are employed as faculty in the colleges of applied arts and technology in Ontario?

Secondly, has the council of regents any committee with responsibility for negotiating salaries for the faculty members of colleges of applied arts and technology?

Thirdly, if so, with whom is the committee dealing?

Finally, how were salary decisions made for those who were members of the colleges of applied arts and technology during the academic year, 1968-69?

Hon. Mr. Davis: Mr. Speaker, section 6(1) of the regulations under section 14(a) of The Department of Education Act directs that each colleges' boards of governors shall appoint faculty members, at salaries and wage rates according to the terms and conditions of employment established by the council of regents and approved by the Minister.

Because of the dual involvement of boards of governors and the council of regents in the employing and establishing of salaries and conditions, the council of regents established a standing committee on which there

are representatives from members of the council, members of the board of governors plus the chairman, who is a member, of course, of the council of regents, and the staff relations committee has the necessary authority to negotiate with the appropriate staff associations. This is a fairly involved area, Mr. Speaker, as the member is well aware. The staff relations committee recognizes, of course, the ruling of the Ontario Labour Relations Board, that the CAATs are Crown agencies and that, as such, the Civil Service Association of Ontario has the right to represent all Crown employees under The Ontario Public Service Act.

Since an injunction issued by the Supreme Court of Ontario restrains the Civil Service Association of Ontario from representing those faculty members who sought the injunction, the staff relations committee is not able to negotiate conditions of employment with any faculty association at the present time. This whole question is under review at the moment, Mr. Speaker.

Lacking any faculty association which can be legally recognized, the staff relations committee requested that the council of regents establish salary rates for the 1968-69 academic year according to the provisions of section 6, subsection 1 of the regulations at a level compatible with salaries for other teaching positions in the province.

Mr. Pitman: Mr. Speaker, I wonder if I might ask another question.

Is there any possibility of ending this legal hang-up which we have in regard to the faculties of the colleges of applied arts and technology?

Hon. Mr. Davis: I cannot say just what the solution will be, Mr. Speaker, but we are studying this very carefully at the moment.

Mr. Pitman: May I ask another question, then?

Have there been briefs requesting some changes in the legislation designating the powers of the council of regents for the colleges of applied arts and technology—changes in the legislation governing the responsibilities and powers of the council of regents being planned—and why have members of the council of regents not received any honorarium at present? Perhaps I might withdraw the fourth question on that.

Hon. Mr. Davis: Mr. Speaker, the council of regents and the association, composed of the chairmen, and vice-chairmen of the boards of governors and their presidents, have discussed the suggestion for amendments in the legislation with myself and officials of the department, fairly recently. We are in the process of studying some amendments to section 14(a) of The Department of Education Act and the regulations made under section 14(a) at the present moment. Section 14(a) of the Act in its present form does not permit payments legally of honoraria to members of the council of regents—although the feeling is that, of course, they should be paid, we will be making amendments to see that this can be legally done.

Mr. Pitman: Will this be in the present session, is it expected?

These are other questions going back a bit further, Mr. Speaker. Has the Mitchell Construction Company been awarded a management contract to revamp the old O'Keefe warehouse on behalf of Ryerson Polytechnical Institute? Why was this system of construction elected? What will the total cost be? Is the firm of Crang and Boake to be the architects? Is any present or past employee of Ryerson Polytechnical Institute associated with this firm?

Hon. Mr. Davis: Yes, Mr. Speaker, the contract to renovate the old O'Keefe warehouse was given to the Mitchell Construction Company on the basis of the lowest tender submitted—the project was advertised in three newspapers for three days and also in the *Daily Commercial News*. In the recommendation of the Ryerson Polytechnical administration, time was given, of course, as the critical factor, and in order to complete the work in time to equip and furnish the building, the management-type contract was used. This is being used by a number of post-secondary institutions. The total cost was $1,674,000 for the renovations. Crang and Boake are the architects for the project. I am not aware of any past employees but I do not have a complete list of all the employees of the Crang and Boake firm.

Mr. Pitman: A final question, Mr. Speaker.

Were tenders called for the renovations of the T. Eaton Company garage on the corner of Bay and Teraulay Streets on behalf of the George Brown College of Applied Arts and Technology? To whom was the contract awarded? What was the bid of the company to whom the contract was awarded? What other general contractors made a bid on this project and what were the bids of each of these contractors?

Hon. Mr. Davis: Mr. Speaker, the George Brown College of Applied Arts and Technology occupies space in the Teraulay Street property; of which the T. Eaton Company is the owner. Matters arising out of the renovations to the building are the concern of the owners of the property, that is, the T. Eaton Company, and consequently, the details of the contracts, etc., are not available to the board of governors of George Brown. They are the tenants. The landlord did the renovations and any contracts were let by the owner.

Mr. Pitman: A question to the Minister of Labour, Mr. Speaker.

What is the formal status of the dispute between the Toronto Newspaper Guild and the Peterborough *Examiner* insofar as The Department of Labour is concerned at the present time?

Hon. Mr. Bales: Mr. Speaker, in reply to the question, as the hon. member knows, during the strike against the newspaper, The Department of Labour took a number of initiatives to assist the parties to resolve the dispute. More than that, other persons, including the hon. member himself, and the president of Trent University, for example, did many things to try to assist the parties. I am advised an arrangement has been worked out whereby employees will return to work without a collective agreement but I have had no formal notification of that situation.

Mr. Pitman: May I ask the Minister, will the final agreement be filed with The Department of Labour in view of the role the department has played over the past few months?

Hon. Mr. Bales: Mr. Speaker, as I indicated, they may be returning to work but I do not think there is an collective agreement. If there is a collective agreement in the future it will be filed in our library.

Mr. Pitman: If I might ask another question, is there any responsibility for the company to take on workers who went on strike, or is it possible for them to refuse to take someone who went on strike during that dispute?

Hon. Mr. Bales: Mr. Speaker, there is nothing to force them at this time, but I think the hon. member is as aware as I am that there were certain employees who went back and others who chose not to go back.

Mr. Pitman: And others were not told that they could not come back?

Hon. Mr. Bales: That may be, I am not aware of it.

Mr. Speaker: The hon. member for Scarborough East.

Mr. Pitman: A final question, if I might ask one more supplementary?

Mr. Speaker: I think the hon. member has pursued this further than supplementary questions. If the Minister is willing to answer it then I have no objection, but there must be a limit.

Mr. Pitman: It is a very formal question, Mr. Speaker. I just wanted to know whether there had been any move to decertify the newspaper guild on the part of the—

Mr. Speaker: I would rule that that was not supplementary to the question asked, but the Minister may answer if he wishes.

Hon. Mr. Bales: Mr. Speaker, I am not aware of any at the moment.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): A question for the Minister of Education, Mr. Speaker.

Why is Mr. Peter G. Bowers, P.Eng., assistant superintendent engineering, educational television branch, of the Ontario Department of Education, and a full-time employee in receipt of a salary of $17,793 per annum:

(a) displaying a professional card in the broadcast consultant list in the April, 1969, directory issue of the *Canadian Broadcaster* magazine?

(b) using the ETV branch, Bayview Avenue address as his private consultant address?

(c) using the Ontario government telephone number as his consultant telephone number?

Hon. Mr. Davis: Mr. Speaker, the name of Peter G. Bowers appears in *Canadian Broadcaster* magazine in a listing of broadcast consultants who are recognized by the federal Department of Transport.

Mr. Bowers' name appears solely for the benefits accruing to The Department of Education. He has not, is not, and does not intend to offer his services for personal gain while an employee of The Department of Education.

The listing itself is not a professional card in the sense that the listing is free of charge and quite distinct from professional cards for advertising purposes which appear elsewhere in the magazine.

Mr. T. Reid: If I could ask the Minister a supplementary. Is Mr. Bowers receiving any outside income?

Hon. Mr. Davis: Not to my knowledge, Mr. Speaker.

Mr. T. Reid: The second question to the Minister: What percentage of the university students who received an Ontario government grant as part of their student award in the current academic year failed their year last year, 1967-1968?

Hon. Mr. Davis: Mr. Speaker, The Department of University Affairs cannot provide this specific information. It would have to come from each individual university. The student aid committee is in the process of getting some general information related to this for its own and my consumption.

The application form for 1968-1969 asked for a listing of successful years completed in order to determine the eligibility of the applicant for independent status. It does not specifically ask for an accounting of years in which the student might have failed. In other words, the philosophy has been, Mr. Speaker, that if a student is admitted, or readmitted, into a university, he is entitled to whatever support is available under the general programme.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, a question for the Minister of Education.

1. Has the Minister estimated the cost of full public support for Separate School grades up to and including grade 13?

2. If so, what is the additional cost over what is now being paid?

3. If not, will the Minister undertake that such a study be made?

Hon. Mr. Davis: Mr. Speaker, neither the department, nor the Minister, has made an estimate of No. 1 so we cannot answer No. 2 and we are not contemplating a study at the present time.

Mr. Speaker: The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): A question of the Minister of Education from the other day:

Will the Minister advise if it is his intention to have the administration of district library facilities taken over by district boards of education?

Will grants to the district library boards be provided on the same monthly basis as those to be made to the district school boards announced last week by the Minister?

Hon. Mr. Davis: There is no acceleration in grants for the library boards. I answered the first part of the question last Thursday for another hon. member when I indicated that we had meetings with several library groups in the past few weeks. There has been no decision made as to just what direction will be given or what direction we will take with respect to the library service. I indicated that I doubted whether there would be any legislation in this current session.

Mr. Speaker, while I am on my feet, there was a question presented recently by the member for Sudbury East (Mr. Martel). I indicated that I required certain information from the Metro school board. I now have this information available. It is question 1366:

> How many people employed in Metro Toronto high schools as teachers do not hold teacher certificates? How many are teaching on letters of permission and how many are teaching on letters of standing?

The total number of secondary school teachers employed in Metro Toronto as of September 30, 1968, was 7,129. The number who do not hold an Ontario basic teaching certificate, including those teaching on letters of standing, is 312. The number without an Ontario basic teaching certificate or a letter of standing who are teaching on a letter of permission is 188. The number who are teaching on a letter of standing is 124.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have two questions of the Minister of Agriculture and Food.

How many agricultural specialists have been hired by the department in the recent cross-country recruiting campaign conducted by the department?

2. Is the Minister planning to implement some of the recommendations of the farm income report before the general vote on the General Farm Organization?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in reply to the first question, the campaign is just under way and it is impossible to say how many have been hired. We are hoping to hire a sufficient number to carry out the programme which I announced would be carried out at the time that the junior farmer loan was withdrawn in the province of Ontario.

In reply to the second question, we have already implemented some of the recommendations of the farm income report pertaining to administrative procedures within the department. The consolidation, or at least the avoidance of competition in the farm credit field, first of all by our trying to work out an arrangement with the federal government throught the Farm Credit Corporation in co-ordination with the Junior Farmer Loan Board. That was not possible, so we withdrew from the field of actually providing credit and are concentrating on the recommendations of the report where it proposes that there should be a vastly expanded system of farm management consulting services provided.

This includes accounting, budgeting, bookkeeping—all of the necessities that are required to make management decisions. These management decisions might include leaving farming in certain areas, and, the services would help them make that adjustment out of farming where it is deemed to be in the best interests of the farmers involved.

Those matters are already under way and there may be others that come along that are possible for us to implement. But, the matters pertaining to public consideration of the farmers themselves will be, of course, left to the General Farm Organization if and when it is established.

Mr. Makarchuk: By way of a supplementary question, Mr. Speaker, the Minister said: "sufficient number." What is a "sufficient number"? How many do you plan to hire? And, the second part, would you have bilingual experts as well or are you looking for any bilingual experts?

Hon. Mr. Stewart: Yes, Mr. Speaker, we have always had bilingual people wherever we could hire them. As a matter of fact, they are so very difficult to obtain that we have tried to make arrangements on a reciprocal basis with the province of Quebec whereby we might be able to get some of their bilingual people to work for us and *vice versa.* We have been able to make some exchanges in students there. It is most difficult to obtain qualified bilingual personnel for either The Department of Agriculture and Food extension service or for the home economics service of The Department of Agriculture and Food.

Of course, it is most difficult to determine what is a "sufficient number". We are trying to hire as many qualified people as we can. Here again, I am afraid the numbers that we will hire will perhaps be limited by the number of qualified people that are obtainable.

Mr. Speaker: The hon. member for Dovercourt.

Mr. De Monte: Thank you, Mr. Speaker, I have a question for the Attorney General.

Is the Attorney General considering a thorough investigation of the shooting by Detective Kevin Boyd of Angelo Nobrega of Follis Avenue, Toronto? Have criminal charges been laid against the detective involved?

What was the type of the investigation that the detective was pursuing when he shot Mr. Nobrega? If no inquest is held, is the Attorney General considering a full-scale investigation?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, an investigation is being carried on now. It will be a very thorough investigation headed by Mr. Lloyd Graburn, Crown attorney for York county. If it should turn out that the decision is that criminal charges are not laid, there will definitely be an inquest. As to the part of the question—What were the officers investigating?—that will appear during the investigation. I am sure it will be complete and thorough. I will be able to give that information when that is received.

Mr. Speaker: Orders of the day.

Clerk of the House: The 41st order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(continued)

On vote 2003:

Mr. Chairman: The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): I do not want to deal with this particular vote but it includes the allocation for the Indian committee and the community development projects. I would think there will be several members who want to question the Minister on changes in these matters and if you want to proceed with it now—

Mr. Chairman: I think we will keep to the format we have been using, and that is programme by programme. The rehabilitation services will be the first general progamme.

The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, referring to the bottom of page 155—

Mr. Chairman: We are at 154 to start with and the top of 155.

Mr. B. Newman: Right. May I ask of the Minister if he is making continual grants to organizations in the city of Windsor, that is the Inn, and the second is the Leone House. The Inn, by the way, is the female counterpart of the St. Leonard's House, the institution devoted to the rehabilitation of individuals who get into trouble.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, the particular grant that the hon. member is referring to does not come under this programme. It would come under programme 4, vote 2004.

Mr. B. Newman: Vote 2004, Mr. Chairman?

Hon. Mr. Yaremko: Yes.

Mr. B. Newman: Well, that is quite all right, thank you.

Hon. Mr. Yaremko: This is rehabilitation. I am not going to take the time of the House because I hope some day that we will have an adequate brochure to give the details of this particular programme, which in the past decade has become one of the outstanding but little-known and unsung programmes within the department. They have achieved a tremendous success in rehabilitation, primarily of the physically handicapped persons, and some of the stories of the return to normal life that have taken place in recent years and the tremendous amount of work that is done in this field through agencies that we are in partnership with is a great story to be told at some time.

Mr. J. Renwick (Riverdale): Mr. Chairman, I wish the Minister would take a little bit of time, and I would like the Minister to comment specifically on the arrangements that flow from my remarks, because one of the problems which is a recurring one and which is of urgent concern is the relationship between the rehabilitation branch of the workmen's compensation board—which comes under, or at least is reported on by the Minister of Labour (Mr. Bales), to this assembly —the rehabilitation programme of this department and the manpower retraining programmes of The Department of Manpower of the federal government. My colleague, the member for Scarborough West (Mr. Lewis), refers to the rehabilitation services in The Department of Health.

One of the major problems that is involved in the question of the return of persons into the economic life of the province derives from the workmen's compensation board—the whole question of persons discharged from compensation or reduced to 50 per cent of compensation, fit for modified employment or light work. In many cases they do not have the background of skills or training which will enable them to accept light work, if there were light work, or the kind of light work which is available is not the kind for which they are qualified.

I would like to have a clear statement from the Minister of what plans are available to co-ordinate the work of rehabilitation within the province. I am somewhat aware, but not in any detail, of the rehabilitation programme for those persons who are physically handicapped in the accepted sense, that is, an actual visible physical handicap. But in the area where men and women require retraining in order to re-enter the economic life of the province, either because of injuries which they suffered during the course of their employment or because they have lost their place in the economic life of the society, I would like to know what a person does in order to be retrained in the province. What is the procedure which he follows and what does this department do in terms of the rehabilitation work through the workmen's compensation board and The Department of Manpower and Retraining?

Hon. Mr. Yaremko: Mr. Chairman, our programme is separate and apart from the programme of the workmen's compensation board. I would think that within our programme we cover everybody who is not within the workmen's compensation sector, and our work relates to the handicapped in all respects—the visibly physically handicapped and the mentally retarded handicapped, who may or may not be physically so. That encompasses persons of all ages, from the very young to perhaps even senior people. We have our own programme, but we use all the other facilities which are available within government departments at all government levels, and community facilities. We are an agency and we take whatever facilities we need to carry out our programme.

If somebody comes to our attention, a mentally retarded or a physically handicapped person, either directly or through some agency, there is an assessment made of whether that person, that human being, can

be assisted within our programme. My own direct contact leads me to believe that always, if there is the slightest hope, the tendency is to assume that there is a possibility of rehabilitation. There is the assessment at all levels—the mental assessment and the physical assessment. Then there is the counselling that takes place, the guidance. Then comes the rehabilitation process in the provision or orthopaedic equipment, I believe, or whatever equipment may be necessary to make the person equipped to take the training. And then in the training, the person is channelled into his level of intelligence.

I had ocasion to visit, last week, the workshop on Beverley Street under the retarded associations of Metropolitan Toronto. They literally had the four floors divided. There was one person who was being assessed, and it was very interesting for one who has his full capabilities to see this machine where a person did a very simple repetitive motion in order that he be assessed to see how much of the stress and strain of this thing he could take. Then there was the lowest level to which a subject could be sent. At the main level, the persons there were making an economic contribution beyond the mere subsidy that would be taking place in such a workshop.

All the time we are using the Health and Welfare facilities, and medical facilities, all the equipment and counselling that is available sociologically within a community to make the person re-establish. I have, for example, without getting the details, a mentally retarded young man who never got beyond grade two. He was taught special skills so he is now a cabinet refinisher, which is a fairly highly skilled undertaking. A polio victim who had discontinued school at the age of 12 completed post-graduate studies and is now a history professor. Then there is a paraplegic injured in a driving accident who languished in a wheelchair for many years, and he has been provided with saw-filing equipment and has his own saw-filing business.

I know that dollars and cents are not an adequate yardstick but they are a significant yardstick. We took one group of retrainees and discovered that it had cost us $1 million to retrain them and they were now returning into the community $3 million worth of productivity. The investment in that particular group was very beneficial, not only to the individuals involved, for whom there was a completely new lease on life, but also for the community as a whole.

Of course, there are those who will never achieve that economic independence. But I may say that at this stage of our social development, these young people have been brought out of the corners and the dark areas of the communities and homes where they used to languish, into a community setting where they are, in their way, playing a role. When I say that our programme is separate and apart from the workmen's compensation board, this is not to say that we are not in continuous contact with them directly and through conferences, whereby there is an exchange of ideas and a flow of information back and forth.

Mr. J. Renwick: Mr. Chairman, I would like to pursue this in as many specifics as I can. Does the Minister receive from the workmen's compensation board, into this branch, any regular statement of the names of the persons whose compensation has been cut from total compensation to 50 per cent compensation because the person has been considered to be fit for modified employment?

Hon. Mr. Yaremko: We do not, Mr. Chairman.

Mr. J. Renwick: What would his advice be to a person who receives that information from the workmen's compensation board, and is now told that he is going to get $37.50 a week, when he was formerly getting, on the figures that I have used, $100 a week? What is the Minister's advice to him as to the assistance which he can obtain through this rehabilitation and special services branch of the department?

Hon. Mr. Yaremko: Our Act excludes from its operation those persons who are entitled to goods and services under The Workmen's Compensation Act and The Veterans Rehabilitation Act. Those two are, as I say, separate programmes. The people coming under those programmes are to be dealt with within those programmes.

Mr. J. Renwick: Apart from the rehabilitation hospital operating at Downsview, which I understand is a successful example of rehabilitation work in the fields which it covers, there is, for practical purposes, no rehabilitation through the workmen's compensation board in the sense of retraining of persons. If they are not covered by the government's programme, I take it then that the only recourse for such a person is to go to the manpower centre, to find out what is available through that centre through the federal government. Is that correct?

Hon. Mr. Yaremko: I think that that would be correct. I am not directly cognizant of that, but I think that would be the procedure. Incidentally, with our own placement programmes, we also work directly with the manpower centres. I am advised that the workmen's compensation board does have over 50 counsellors in the rehabilitation field. As to the specifics of the programme, I do not have them with me. Perhaps this could be directed to the Minister of Labour at the right time.

Mr. J. Renwick: Mr. Chairman, I do not want to direct that to the Minister of Labour; I do not know when we are going to reach his estimates. I want to try and deal with the social problem that we are faced with. I am thinking, for example, of a man who suffered a back injury during the course of his employment. He was paid compensation for about nine months at the full rate; then he was reduced for the next three months to—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order—although this is rehabilitation in general, I may say that it does not come within the specific jurisdiction of the department's rehabilitation services. We are now discussing the rehabilitation service of The Department of Social and Family Services. I suggest that what the hon. member is referring to, quite properly belongs within the discussion of The Department of Labour at the appropriate time.

Mr. J. Renwick: Perhaps you would just let me finish my example and the point that I wanted to draw, and then decide whether it falls within this branch. This particular man was reduced to 50 per cent compensation which was something in the neighbourhood of $37.50 a week.

His former employer was finally able to provide him with some kind of modified employment after about three months and he returned to work to do this modified employment. He did it for a period of a month and then was put back on the original work in the course of which he suffered his original injury, despite the fact that he was only fit for modified or light work. He wore his brace for another several months doing this heavy work and suffered a heart attack, which was undoubtedly due to the strain. That matter is now being dealt with by the board.

My point is that at the point at which a person under the workmen's compensation system has been told he is fit only for modified employment, is there any facility in this branch of the Minister's department that would permit him to be retrained or to obtain retraining in order to qualify him for a different form of economic activity, which would not require the physical exertion that many of the heavy duty jobs require?

Hon. Mr. Yaremko: Mr. Chairman, as I pointed out to the hon. member, under the regulations of The Vocational Rehabilitation Services Act, there is a specific exclusion from our programme of these individuals. But I would assume that the rehabilitative programme being so similar the services of the rehabilitation counsellors in The Department of Labour under the workmen's compensation board would follow more or less the same channels within the limits of the physical disability. They deal with it as we deal with it, although we are dealing with a completely different type of person. I imagine, however, that a paraplegic could evolve from an employment accident, as he could in private life.

But there is a distinction between the two programmes.

Mr. J. Renwick: All right. Mr. Chairman, I take that to mean that if a person is under the workmen's compensation programme, apart from extreme cases of physical disability where the department may have some function to perform, there is no connection?

Now we look at it from the point of view of The Department of Manpower—or the manpower branch of The Department of Manpower and Immigration of the federal government. What is the relationship between the work which is done through that branch and through the branch of the Minister's department?

Hon. Mr. Yaremko: They would refer to us individuals for assistance under The Vocational Rehabilitation Services Act. Our agreement is with that department. Our cost-sharing agreement in this instance is not under the Canada Assistance Plan. It is with The Department of Manpower in Ottawa and we work together in this field. They would refer persons to us and then, I would imagine, we follow-up, process them and then try to achieve certain placement back with them. It is a continuous stream. A person could start with us and end up with placement, or he could start up with Manpower and come to us and end up with placement. We use the full circle in our programme.

Mr. J. Renwick: Mr. Chairman, at some point, not during his estimates, would the Minister make a note to be good enough either

to let me have or table in the assembly, a copy of the agreement between the government of Ontario and the government of Canada under this Vocational Rehabilitation Services Act?

Hon. Mr. Yaremko: Yes, I would be pleased to do it. As a matter of fact, it is an excellent Act and our relationship under this agreement, to my mind, is first rate. It has been one of our best agreements.

Mr. J. Renwick: I would like to have a copy of the agreement in due course.

Mr. Chairman, I do not want to monopolize the point. I do not think I can pursue it very much further. What is the length of time, at present, from the receipt of a request from a person to this branch, and the time when the facilities of this branch are then available, to make the assessment which, I understand, is the first step in the procedure to consider the rehabilitation of the person? What is the length of time which it now takes before the assessment can be made?

Hon. Mr. Yaremko: I do not have the specifics of the individual times, because there is a continuous flow of persons through the programme.

Last year there were about 2,900 new referrals. There was an increase of ten per cent, I believe, in numbers, for a total case load of upwards of 6,500 persons; which has gone up from almost a handful of people in the early stages.

I do know this, that this particular department has a continuous flow of business, and the better they do the job, the greater the demands are, as more and more people become aware of the programme.

Mr. J. Renwick: Mr. Chairman, I know that there is a continuous flow through it. I also think there is a back up in the system. A year ago, there was a period of time, an almost indefinite period before the assessment was carried out, when an applicant or a person applied to get into the stream of persons through this branch.

I was wondering whether or not you could tell me whether it was a week from the time an application was received, a month, two months, three months, six months? How long does it take?

Hon. Mr. Yaremko: I do not think we can give the hon. member an average time, because the cases vary greatly from a matter of a few days to a matter of weeks, and several months in some instances, before the person is actually within a retraining programme. In this area, there are really no hard and fast rules, because the variable, in conjunction with the individuals, is so great that it covers the whole spectrum of mental and physical disability.

Mr. J. Renwick: Mr. Chairman, I do not think the Minister understands what I am saying.

What is the period of time—the likely period of time—between the time that a person applies to this branch for assistance, and the time when the first interview takes place leading to an assessment? Secondly, how many assessment officers are there in the branch, and what is the case load which each of those assessment officers carry?

Hon. Mr. Yaremko: I do not have the time limits as referred to by the hon. member. Actually, we do not have the kind of classification that the hon. member refers to. We do have a director, an assistant director, three regional supervisors, six supervisors, one senior rehabilitation counsellor, 15 rehabilitation counsellors, 45 rehabilitation case workers, and there would be about 30 supporting personnel for a total complement of 115.

Mr. Chairman: Vote on rehabilitation. The hon. member for Riverdale.

Mr. J. Renwick: Forty-five case workers and 15 rehabilitation officers—I believe those are the terms that the Minister used—means that there is a total of about 60 persons engaged in the assessment, and the follow-up, of the caseload of this department. Is that right?

Hon. Mr. Yaremko: That is correct.

Mr. J. Renwick: And the caseload is about 3,000 cases a year, at the present time?

Hon. Mr. Yaremko: I gave the figure a moment ago.

Mr. J. Renwick: I think the Minister said 2,900.

Hon. Mr. Yaremko: Yes, there were about 2,900 new referrals during the course of the year. To grasp the picture, however, it must be recognized that our staff here are using all the facilities within the community and I do not know how many personnel, but I would imagine they are in the hundreds, within all the agencies that we use in conjunction with the work we do.

Mr. Chairman: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, the agencies that the Minister refers to, I suppose, are various volunteer agencies, members of the United Appeal such as the centres for crippled civilians and crippled children—not crippled children but that type of agency. They are the volunteer agencies that the department works through, or works in co-operation with. In what way does the department co-operate with these agencies in this rehabilitation work, so there is no overlap?

Hon. Mr. Yaremko: We have a whole host of agencies. I have here some three foolscap pages listing all the agencies. They come under the Ontario Association for the Mentally Retarded, Canadian Mental Health Association, the Rehabilitation Foundation for the Disabled, the Canadian National Institute for the Blind. And the hon. member is quite right, we do have the Society for Crippled Civilians and various adult training centres, the sheltered workshops.

To summarize our work in a very general way, we make grants to the individual agencies—both capital and operating grants—by way of a subsidy. Then we also provide maintenance allowances for those who are getting the training programme.

Then we also provide, I believe, subsidies to pick up the deficits in respect of these sheltered workshops—that is, a special grant for operating costs to make up the difference between what the persons working in the sheltered workshops can bring in to the agency, and what it costs to operate because of the work that is done by the persons in the sheltered workshop.

It is not really economically sound from a strict business sense, but it is economically sound that in the provision of finding employment there may be some contribution on the part of the individuals, which may vary from minor contribution, to somebody who attains full-fledged contribution.

Mr. Deacon: I understand, for example, the crippled civilians centre looked after about 700 people last year—I think they had about that number under their aegis, so to speak. And the revenue from the centre—the sale of its repaired merchandise and other sale items—brought in about 92 per cent of their total budget. But I had thought that the balance of the budget came from the United Appeal. I was wondering in what way the department works into this. I do not understand the distinction between where the United Appeal covers the deficits, and where the department does. In this particular instance I just cite this as an example. It is the same situation I understand with other agencies the Minister has mentioned, such as the association for the mentally retarded.

Hon. Mr. Yaremko: Is it the mentally retarded the hon. member is talking about?

Mr. Deacon: I mentioned that, but I say the crippled civilians centre at this moment. They, I understood, last year earned about 92 per cent of their total cost out of their sales and I thought the eight per cent deficit was made up by the United Appeal receipts. I had not realized that the department came into this at all.

Hon. Mr. Yaremko: The Society for Crippled Civilians in Toronto, I think, is in the neighbourhood of $90,000 for operating costs.

Mr. Deacon: This would be paid to them on the basis of certain individuals that the department approved of for rehabilitation work and out of that several hundred people that are going through the department, or how is it allocated?

Hon. Mr. Yaremko: I am sorry, that $90,000 is for a capital grant. They received, I believe about $50,000 under the other because it works out to about $20 per person per month that the shelter workshop is enabled to take.

Mr. Deacon: How does the department co-operate with The Department of Education, which I understand also has these retraining programmes, and co-operate with The Department of Manpower and Immigration of the federal government? What is the differentiation here between the responsibility of The Department of Social and Family Services and the responsibility of The Department of Education? How does the Minister differentiate between that? How does a person know which department to go to?

Hon. Mr. Yaremko: I do not think that education is presently involved in that programme. I think that in respect of the mentally and physically handicapped, the programme presently is with our department.

Mr. Deacon: I see. Then the Minister is dealing strictly with the mentally and physically handicapped where there are people maybe who are needing retraining but have their normal faculties?

Hon. Mr. Yaremko: That is a correct appraisal.

Mr. Chairman: Anything further on rehabilitation? The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, earlier in the debate I made mention of the study conducted in the city of Windsor from January 25, 1965, to June 24, 1965, a six-month study, in which 102 individuals or families on welfare had been studied. As a result of this study it had clearly indicated that there could have been savings by a fairly intensive rehabilitation programme. In fact I think the report indicates a saving of approximately $60,000 a year by this type of programme.

What follow-up has been conducted by the department since this study, because as I look in the paper today, Mr. Chairman, I find that there are more people on welfare in the community today than there were one year ago—well over 3,000 on welfare now.

Hon. Mr. Yaremko: That particular report has yet to be evaluated within the confines of our research. Is that the Windsor programme? So far as I know that has yet to be evaluated by our research and planning branch in conjunction with the developments which would be taking place through our family counselling services. I do not think the hon. member relates the number of unemployed to this. I do not think there is necessarily a valid connection between the two because the unemployment factors may be completely different.

I do say that this rehabilitation programme is basically in respect of those who are handicapped in some way, other than a handicap which might exist from a lack of incentive, or lack of initiative, to go to work, or any other of the things which prevent a man who is capable of working from doing so. That is a completely different field, one in which we will be taking more and more action.

Mr. B. Newman: Mr. Chairman, what the Minister says may be true, but we have never had fewer than 1,900 who were receiving public assistance. That means we must have approximately 1,900 hard-core cases that could stand rehabilitating.

The hon. Minister says that he has not evaluated the study although he has had the study now since March 15, 1966; that is well over three years. Surely he has had sufficient time to evaluate it and to put into practice some of the recommendations that are in it. I do not think he should be waiting that long. The government would be saving itself money, as the study indicates it saved $60,000 by this six-month study that it conducted. It saved the municipality and itself the sum of $60,000. Were the government to continue with this and implement some of the recommendations contained, it would be to its advantage as well as to the community's advantage.

Mr. Chairman, I think the Minister is a little slow on the uptake here. His department should have pursued this a little more. There is no use having studies if he is not going to follow them up. How many rehabilitative officers has he in the community?

Hon. Mr. Yaremko: Mr. Chairman, actually this phase that the hon. member has touched upon really relates back to the previous vote because it falls within the ambit of working out the work activity programmes, which we will have going, in conjunction with the federal government under the Canada Assistance Plan. It is one aspect of the plan in which agreements have not as yet been worked out and signed with the federal authorities. That particular programme will come under the Canada Assistance Plan programme and not the vocational rehabilitation programme that we are discussing.

However, I may say that the thinking and the experience in that has led us to start taking action in regard to other spheres, that is the development of county and district welfare administration boards. Under that setup rehabilitation officers, or those doing rehabilitation and preventative work, may work at the municipal level. Our counsellors will work in conjunction with the municipal authorities.

That type of programme is separate and apart from this type of rehabilitation programme although it all comes under the umbrella of rehabilitation.

Mr. B. Newman: Mr. Chairman, I will drop it at that, but in spite of all of that, the fact that he had the study for three years, and still has not evaluated the study with the implementation of some of the recommendations, shows some laxity on his part, or on the part of his department, if only from the point of view of saving the taxpayers' dollars. How many rehabilitation officers are there in Essex county then, if there are none in the city, Mr. Chairman?

Hon. Mr. Yaremko: There are two counsellors and one supervisor in this programme.

Mr. B. Newman: The recommendation is that a case-load of 35 would be sufficient for

an officer. One can see that the department would be terribly understaffed were it to attempt to implement some of the recommendations of the programme.

Hon. Mr. Yaremko: This particular rehabilitation programme is separate from the kind of programme envisaged by the recommendations of that report.

Mr. B. Newman: May I ask of the Minister if there are workshop grants for the retarded children's schools in the community.

Hon. Mr. Yaremko: Not for the schools but for the workshops. The schools come under the board of education.

Mr. B. Newman: Mr. Chairman, I was simply going to ask if the workshop of the association for retarded children, then, has grants available?

Hon. Mr. Yaremko: Yes.

Mr. B. Newman: Are the grants increased according to the cost of living increase or not?

Hon. Mr. Yaremko: I am sorry, I did not hear that.

Mr. B. Newman: Are the grants increased, year by year, according to the cost of living increase, according to a *per capita* increase, or are they the same as they were last year?

Hon. Mr. Yaremko: They are the same as they were last year.

Mr. B. Newman: Would the Minister consider always increasing them according to a cost-of-living increase, so that they could always at least stay even, rather than fall behind?

Hon. Mr. Yaremko: That, of course, is a problem with which we are confronted in all aspects of our department. It is something that we will have in mind.

Mr. B. Newman: Thank you, Mr. Chairman.

Mr. Chairman: Anything further on rehabilitation? The hon. member for Scarborough Centre was trying to get the floor previously.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, I would like to ask the Minister, when the department works in cooperation with the Canadian National Institute for the Blind, and accepts responsibility for financing a person in the rehabilitation training programme, what is done to help the person find a job? That is my first question, Mr. Chairman. I presume the person is without funds when he comes for this service, and therefore, after he is trained he has nothing to live on for the next month. Is there any sort of way that assistance is given to place the person? Is a month's allowance made in order to allow the person time to search for a position?

Hon. Mr. Yaremko: I know that assistance is given during the course of training, but not beyond the period of training. The CNIB in this instance takes charge of the placement, or exploring the possibility of placement, and of course, if there is no placement the person would return to our family benefits programme.

Mrs. M. Renwick: I would like to ask what the hold-up or the hang-up is in the work activity project. I believe the Minister spoke a few minutes ago about the fact that the agreements were not signed between the province and the federal government.

Hon. Mr. Yaremko: Mr. Chairman, that matter came under the previous note in conjunction with the Canada Assistance Plan, and the work activity portion under the plan has yet to be worked out between the province of Ontario and the federal government.

Mrs. M. Renwick: Will the work activity project, then, fall under this department of rehabilitation?

Hon. Mr. Yaremko: No, it will work out under general welfare assistance participation.

Mrs. M. Renwick: Am I wrong in assuming that the purpose of a work activity project is rehabilitation?

Hon. Mr. Yaremko: It is a different type of programme. This programme is basically designed to serve the mentally and physically handicapped. The other programme is rehabilitation designed to provide initiative and incentive to get persons back to work who, for some reason, are, to use a common phrase, alienated from the desire to work. Structurally they are fully capable, but they lack the motivation to do work.

Mrs. M. Renwick: Under rehabilitation, are the 15 rehabilitation officers the persons who will determine what sort of rehabilitation the recipient should take; or is that determined through the case interviewer; or is the case interviewer just a monetary exercise, and the officer of rehabilitation the one who directs the course of action?

Hon. Mr. Yaremko: The counsellor will have the direct contact with the applicant, and based on the information gathered then, there is a selection committee which will evaluate the facts of the matter and make the relevant decision.

Mrs. M. Renwick: They will make the decision as to which type of rehabilitation will be offered? This is made by the committee rather than the case worker or the rehabilitation officer? It is made by a committee, then?

Hon. Mr. Yaremko: The information on assessment is as follows:

> This initial step involves medical, social and vocational diagnosis to determine the nature and degree of disability, the individual's potential and work capacity, the need for medical and social and vocational services. This assessment is made by counsellors of the branch in consultation with the client's attending physician and, if necessary, in consultation with psychologists, teachers and employers. It may be supplemented by the use of specialized rehabilitation facilities and workshops.

The type of examination that I referred to earlier.

Mrs. M. Renwick: Mr. Chairman, what I am trying to determine for certain is on whose responsibility is the guidance given, which will, in fact, either rehabilitate a person or simply put him through six or eight weeks, or two or three months, of some sort of semi-productive semi-learning. I think from what the Minister has read, it mentions the rehabilitation officer will decide. If so, then I would like to have him confirm that, please. You see, Mr. Chairman, to put it very simply, to start from the beginning when a person needs this service, who is the first person that that person sees? The case worker?

Hon. Mr. Yaremko: The counsellor.

Mrs. M. Renwick: Of which there are 45, is that right?

Hon. Mr. Yaremko: No, there are 60 altogether, but their classification is "rehabilitation case-worker" and "rehabilitation counsellor". There are two classifications. The case worker and counsellor carry out the same functions. They make all the direct contacts, but the selection committee as it is named, makes the decision based upon the recommendations and assessment of the case worker.

Mrs. M. Renwick: Mr. Chairman, is it correct to assume then, that the committee finally decides? I cannot really understand yet, and I am sorry I want to know in whose hands this responsibility lies. At one point I thought the Minister was saying there were 15 people in the separate classification. I see now why the 60 people are divided—45 are workers and 15 are, perhaps, specially trained people. Could I ask the Minister, is that the difference between the two? This decision, of course, is a very serious responsibility in the hands of someone.

Hon. Mr. Yaremko: Both the rehabilitation counsellors and the case workers are professionally trained. The selection committee that makes the recommendation comprises a committee made up of representatives from our department, from Manpower and from The Department of Education. They work in conjunction and report the facts as appraised by the counsellor, who counsels and guides and participates in the counselling, the guidance and the placement—the actual execution of the rehabilitative process.

Mrs. M. Renwick: The actual execution of the process is done by the counsellor—one of the 15 counsellors or one of the 45?

Hon. Mr. Yaremko: One of the 60.

Mrs. M. Renwick: One of the 60. Could I ask very clearly what the difference of qualification is between the 45 and the 15?

Hon. Mr. Yaremko: There are various classifications. There is social work 2, social work 1, welfare field worker 2, welfare field worker 1.

Mrs. M. Renwick: Which are we speaking about?

Hon. Mr. Yaremko: Of the 15 rehabilitation counsellors, 14 are social worker 2, and one is a social worker 1. Of the 45 rehabilitation case workers, 28 are field worker 2, and 17 are welfare field worker 1.

Mrs. M. Renwick: That is what I wanted to find out, Mr. Chairman, thank you. The majority of these people are field workers rather than social workers, and of course we have discovered to our sadness the problems created by that, in other votes under general welfare assistance.

I would like to read into the record two pages from a law student's brief. In his concern for people in this plight, he wound up wanting to rehabilitate them rather than continue the cash payment system of any assistance:

> Government interference and inter-meddling in the personal life of a citizen is still

a noxious thing in our society. When the involvement becomes so delicate and intricate, as it does in rehabilitation, the unregulated and ungovernable ordering of a citizen's life becomes unpalatable in the extreme, no matter how vaunted the end goal. The power in the hands of the rehabilitative manager is dangerously great when compared to the absolute powerlessness of the recipient. The situation is remarkably analogous to the rehabilitation some advocate for convicted criminals. In this context, Lon Fuller noted, "We must not imagine that the realization of this ideal will in practice be entrusted to a few perceptive—"

Hon. Mr. Yaremko: May I ask the hon. member a question, please?

Mrs. M. Renwick: Could I please finish the quote?

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. We are discussing the estimates of The Department of Social and Family Services in the province of Ontario. I suggest, if the hon. member is reaching into the far corners of the world, that unless she can relate it to a specific situation in the province of Ontario, she is out of order.

Mr. Chairman: I am inclined to agree with the hon. Minister on the reading of briefs, law students' briefs or other briefs, not necessarily relevant to these particular votes. The material the hon. member is dealing with should be related to these particular votes.

Mrs. M. Renwick: Mr. Chairman, these are four paragraphs on the dangers of the type of rehabilitation that is going on because there are no regulations governing the guidance of the people who are left to administer the rehabilitation. They can rehabilitate a person one way one day and one way another, because there are no regulations governing those actions.

This says it very clearly, and I think it is very important, Mr. Chairman. I was one person who always thought rehabilitation, any kind, is wonderful. This is what I have been begging the Minister to put his money into, but I think this is a very important point to raise with the Minister—that along with rehabilitation has to go a conscious effort that it is being administered the same way by statute and by regulation. Of course, we do not have this.

Mr. Chairman: What the hon. member is suggesting is that the rehabilitation programme of this department is not regulated by statute or—

Mrs. M. Renwick: There is an Act covering it—the blanket Act—but the regulations leave sections of it ungovernable.

Mr. Chairman: Perhaps the hon. member could proceed and we will determine whether or not it is relevant.

Mrs. M. Renwick: I think, Mr. Chairman, that if you will, you will see that it is; I hope so. I think if the Minister had not been quite so anxious to interrupt where he did, what I was quoting would apply absolutely anywhere with any person who has these unregulated activities at government expense. To quote from Mr. Lon Fuller:

> We must not imagine that the realization of this ideal will in practice be entrusted to a few perceptive and timely social scientists. The person subjected to curative measures will inevitably have his chief and most intimate contact with attendants and caretakers who will be ordinary human beings subject to ordinary human frailties.

In other words, Mr. Chairman, unless we regulate what these people are to be guided into and set it out, they will be treated one way one day and another day the other, maybe according to what the gentleman ate the night before.

> Lest it be thought that our relatively mercenary welfare system is free from this danger, it must be remembered first that our system requires the recipient to integrate with a number of workers in ways unregulated by statute.
>
> Ungovernable rehabilitation is going to increase. James S. Band, deputy Minister of The Department of Social and Family Services, indicates that in social insurance, as security plans take over more of the maintenance function, welfare departments will be increasingly involved with rehabilitation. Moreover, jurisprudence in Ontario is predominantly positivist and to a great extent still of the persuasion that laws and recourse to the courts are universally operative safeguards. Witness to this view is the entire body of the Royal commission inquiry into civil rights, in particular, section 3 of volume 3, which deals with The Family Benefits Act.
>
> Serious consideration must be given to the possibility that we cannot, in a democratic society, rehabilitate our welfare recipients through the department of welfare. It may be necessary to retrench and

> reply on money assistance to a much greater degree than appears to be planned. This would pass the polycentric problem of rehabilitation on to the recipient in conjunction with newly-created opportunities for self-improvement. Income support may be the only safe course.

I think the hon. Attorney General may be interested in that, if the hon. Minister of Social and Family Services is, perhaps, finding it a little unpalatable for his particular interest in this department, Mr. Chairman. Thank you.

Mr. Chairman: Anyone else on rehabilitation?

Rehabilitation services agreed to.

The next section of the programme is family counselling services. Is this programme carried?

Mrs. M. Renwick: Mr. Chairman, family counselling carried?

Mr. Chairman: Family counselling services is what I called.

Mrs. M. Renwick: I would like to ask the Minister: how much family counselling is being done? Is it being done with deserted wives; the problem of placing the charge against the husband? Is there family counselling being involved in that deserted wives unit—or what is the correct term—maybe the Minister will put the correct name on it.

Hon. Mr. Yaremko: That activity comes under vote 2002, part of the field services activities under The Family Benefits Act of our department.

Mrs. M. Renwick: May I ask the Minister exactly what counselling comes under this particular vote which is always so minimal? I see it is $211,000 this year. What counselling is this, Mr. Chairman?

Hon. Mr. Yaremko: It is to assist recipients of the departmental income maintenance programme in appropriate ways which are designed to enable them to achieve economic independence and more effective functioning in society. The objectives are carried out through the following activities: the provision of a field staff of family counsellors who will first select those persons who can benefit from a counselling service; to assess the social problems; and to provide counselling treatment in such problems as marital discord, poor financial management and conflicts with employers.

The staff assists families to find improved housing and employment, and to deal with related problems, and refers families and individuals to appropriate community resources when necessary. There is the assessment, in co-operation with the relevant local organizations, of the need for family services in local communities and the participation and development of such needed services; the provision of consultation to municipalities to assist them in the development and utilization of special services to recipients of general welfare assistance.

Mrs. M. Renwick: Mr. Chairman, could I ask the Minister if this is where the three men on George Street fall—the three men who find positions for people under general welfare assistance?

Hon. Mr. Yaremko: They are working at the municipal level. We participate with those municipalities who have not yet reached that level of their own development.

Mrs. M. Renwick: Where are these people working, these people in this vote? Where are they doing this counselling?

Hon. Mr. Yaremko: Presently in Toronto. We are moving into London and Hamilton and there has been a counsellor operating out of Ottawa and Brampton.

Mrs. M. Renwick: They do not do any family counselling, such as marital counselling and that sort of thing?

Hon. Mr. Yaremko: With relationship to our own programme, our own recipients.

Mrs. M. Renwick: Your own family benefits?

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Could I just ask the Minister, does that mean that under that vote for the deserted wives unit or deserted husbands unit—whatever it is properly called—is there no counselling from the government given there?

Hon. Mr. Yaremko: Yes, there is counselling given, but the hon. member was talking about the placing of charges under the deserted wives section. The technical procedures are carried out by the field service workers who are presently extended throughout the length and breadth of the province.

Mr. Chairman: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Chairman, on this same item, family counselling services, it would appear to me that possibly this is the one service that could be extended. I think that if the Minister looked in the records of some of these families who have been on welfare you would see that they go back three, four or five generations—or go back into the 1880s and 1890s. So, obviously, from that point of view perhaps, the family counselling service is successful. But, it certainly does not take care of the problem.

You are only spending $211,000—perhaps this figure can be increased. Also your department should go and try to see if they could work with local agencies and with various family service bureaus to see if you could co-ordinate some of their activities; and get after these multi-problem families that have been around for so many years and continue to create the same problem which you never seem to take care of.

Perhaps the Minister is not too concerned about the welfare of the people in this case but I am sure that he is concerned strictly in terms of dollars and cents. An increased investment in family counselling services would probably cut down your welfare costs by a great amount—or by a great percentage anyway.

Hon. Mr. Yaremko: I do not know how many times I will repeat for the hon. member's benefit: we are interested in rehabilitation and preventative policies. Those are the first two words that I used as Minister of the department when the department was already under way with this programme.

Family counselling and counselling in all of its aspects is, I think, the great road to solving a lot of our difficulties—not from the point of view of the taxpayers' dollars and cents but from the point of view of dignity and independence and well-being of the recipient. This is where our efforts will be.

However, building up a staff capable of achieving and working under the very difficult circumstances is not an overnight proposition. This is a long-term proposition and we hope that this is where the basic gains will be coming.

Mr. Makarchuk: I hope he is right, Mr. Chairman. I believe in Brantford, as an example, there are about 26 families that have been around for many years—and we still have 26 families. If you are taking care of this particular problem we hope to see the numbers of these families cut down in the next few years. I will be looking at these figures and looking forward to some more action from your department.

Mr. Chairman: Anything further under family counselling? The hon. member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Yes, Mr. Chairman, I agree with the member for Brantford. This is an important facet of the department and it is the key to future success in the rehabilitation programme. I wonder if the Minister would elaborate somewhat on this family counselling section.

I have noticed a great lack of this in the Hamilton area. He mentioned briefly in an answer to the member for Scarborough East that something was taking place in Hamilton. The Hamilton branch, of course, is very accommodating in many cases. But, I found it difficult to find someone to get information for a family that needed this type of help. How is this kind of service initiated from the Hamilton branch? Do they pick their own cases? Are there special officers in the Hamilton branch or do we have to request, through them, that a particular case be looked into?

Hon. Mr. Yaremko: No, we will be developing this work in the Hamilton regional office. As I stated, all the cases will be examined to see what potential cases there are which can be rehabilitated. The work will go on from there.

Mr. Makarchuk: Mr. Chairman, regarding the family services agencies—or the family counselling agencies—and private agencies that are in existence at the moment, is the Minister planning or is he giving them any financial assistance in order to hire more people or better qualified people? Or, do you have any plans in this direction, in the future?

Hon. Mr. Yaremko: We do not currently supply any funds to private agencies within the particular field.

Mr. Makarchuk: Do you intend to supply funds at any time?

Hon. Mr. Yaremko: That is a matter for future consideration, Mr. Chairman.

Mr. Chairman: Anything further under family counselling? The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): I wonder if the Minister could indicate how many are actually working in the area of family counselling services in his department as

compared to the private agencies of family counselling across the province?

Hon. Mr. Yaremko: I would think that the total number in the private sector would be greater than those specifically assigned from our department. This is one area in which there is.

I have begun to grasp, the overlap that exists between private agencies in the various fields. The children's aid society is moving more and more into not just the work related to children, but to the family as a unit. Then there are the family service bureaus as they existed through the years in which there was assistance to needy families but at first without the kind of counselling service that is available today. Family service bureaus always provided in the early days the Christmas baskets at Christmastime and camp in the summer. They are all worthwhile objects but not, at least at that time, of the highly specialized professional kind of work.

One of the problems that will be confronting the research and planning branch is to take an inventory of all the services within the province. As I have stated we will find out who is doing what with whose dollar. The use of the words "family service" is something that we will have to examine in detail before we come to any conclusions as to where we will go from here.

Mr. Pitman: I wonder if the Minister could indicate whether there is anything specifically or philosophically different in the kind of services which the family counselling agencies are providing in the private sector and the family counselling which the Minister's department is attempting to initiate and to expand? It seems to me that you have, at present, a great deal of family counselling going on in the province of Ontario. This is specifically what the Minister himself wants.

In other words, I think the Minister has said on occasion here, during the discussion of his estimates, that we have to look at social services in a family setting. We have a whole spectrum of services going at each family and it seems to me that the family counselling service are doing exactly this. It is quite within the Minister's legislative possibilities to provide full support for family counselling agencies across this province. What I find particularly disconcerting, to say the least, is the fact that you have family counselling service agencies starved for funds —trying to get along on pennies.

At the same time, the Minister—as I say I think the Minister will agree it is the same kind of service—is going ahead and launching his own family counselling operation without doing something about the existing services which exist at the present time.

Hon. Mr. Yaremko: I do not think there is much difference basically or philosophicaly, at least in the stated goals. I am not in a position to give, at this point, a ministerial evaluation of the individual form, but philosophically they are the same. We are developing our own programmes designed basically to our own particular clientele. I can see where the family service bureaus might have a clientele outside of our own sphere because their family counselling can quite possibly take place in families where there is no welfare problem.

I do not know how the ultimate integration of these two services will take place because we have had the traditional family service bureaus which have been in existence for a considerable period of time. We have the children's aid societies which, in dealing with the children's problems, are dealing with the family unit. We have our own department moving into this sphere in recent times and there will come a time when there will have to be evaluation and a meshing or an integration of all these programmes to make sure that: 1. There is no overlapping; and 2. That there are no areas in which there are people falling through the mesh.

Mr. Pitman: To proceed just a bit further: There are though, family counselling agencies in the province of Ontario which are providing services for those who are receiving either general welfare assistance or family benefits. I think this is undoubtedly true. What I would like to know is this: Does this Minister's department provide any recompense for services rendered where his department cannot provide the service which, under his own legislation, he should be able to provide? That is, the private agencies are providing that service and receiving no help whatever from the province.

Hon. Mr. Yaremko: The member's assessment is quite correct; we have not reached into that point of assistance as yet.

Mr. Pitman: I do not think any private family counselling service would deny the Minister's right to organize this service under his department, particularly for those people who are receiving general welfare assistance and family benefits. At the present time when these family counselling services are in dire

need of help, they should be at least recompensed for the services they are rendering through the Minister's department.

I think this is something that all the family counselling services across the province have a right to demand. I think they have a right particularly when legislation exists in this country which would allow the Minister to give full recompense to all these family counselling services—if the Minister wished to put this legislation into effect in the province of Ontario.

Mr. Chairman: The hon. member for Brantford.

Mr. Makarchuk: Thank you, Mr. Chairman. It seems to me that the Minister says that his philosophy is to go into preventive maintenance, but when you look at this figure, $211,000, this is about one-third of one per cent of your total budget. To try to prevent welfare, I suggest that you put your dollars where your philosophy is supposed to be. Perhaps we could get some action in this particular welfare matter because family counselling is a matter of very urgent importance as has been stressed by other people.

In every community, I am sure, there are generations of families who have been on welfare. They are the so-called multi-problem families and really your department has done very little with them. The private agencies, of course, do not have the facilities. As an example, in Brantford you have one qualified social worker trying to handle the work in a city of about 65,000 people. You realize that this is hardly an adequate ratio to provide the proper kind of service or counselling for these families.

Mr. Chairman: We will move on to the next programme, Indian community development service.

Mr. Nixon: Mr. Chairman, the matter has been raised already in the deliberations of the Legislature since we began our work last fall. But, I want to begin by telling the Minister that I sense a general dissatisfaction with his efforts and the efforts of the government in co-ordinating provincial services for the Indian people in the province.

I do not think it is necessary for us to repeat the information that has been put before the Legislature already this session—particularly relating the Minister's actions with the statement by his predecessor, Mr. Cecile, in 1966. Predictions were made then of massive expenditures, new initiatives in the care and development of the Indian people, assistance for the solutions of many of the problems that have plagued them both in the southern parts of the province and the different problems that they face in the northern part of Ontario.

I would like to assess some of the things that are usually brought forward as specific complaints as far as the Minister's leadership in this regard is concerned. First, I would say that the Cabinet committee chaired by the Minister of Social and Family Services carries with it the overtones of welfare which have plagued our efforts to assist Indians for too long. Most of the work that is carried out under the direction of the department—and I would say it is pitifully little—is associated with the welfare responsibilities on the reserves, or with the provincial welfare offices off of the reserves. Because of this, it carries with it a taint which is sometimes reflected in the attitudes of those people employed by the Minister's department and others associated with it.

Now, when I use the word taint, I hope I am not offending anyone particularly, because I am simply referring to the fact that for more than 100 years the approach that we have taken in this Legislature and through The Department of Indian Affairs federally, has always been from the standpoint of welfare. Sometimes it is just a handout to tide the Indian people over a period of difficulty. This has been the extent to which we have been prepared to use our initiative and the resources of the state—and specifically this province.

I do not believe that the government's approach can any longer be effective if it is tied to any one department—and specifically not the department that is usually thought of as the department of welfare. I believe that it must be government policy and that the responsibility be removed from this Minister and centred in the office of the Premier (Mr. Robarts). So, if we are going to continue with a committee approach, it will not be with any thought or policy which would indicate that any one department—whether it is Education, Health, or Welfare—will have the predominant role to play in the solution to problems plaguing the Indian community—particularly those problems plaguing the white community and what their relationship should be with Indian citizens.

Many complaints have been put forward by those in the Indian community, sometimes working for government and sometimes not, which have drawn public attention to the inadequacies of the role played by the

Minister and his department. Some of these have been put on the record previously, but I feel that I should bring to your attention, Mr. Chairman, those which were specifically listed by the president of the Indian-Eskimo association in his report to that organization in the fall of last year.

It will only take a moment, because it refers specifically to the lack of enthusiasm demonstrated by the Minister and his advisors in acceding to Indian initiatives. I quote from the report of the president to the third annual meeting of the members of the Ontario division of the Indian-Eskimo Association of Canada. The report was delivered in London, Ontario, on September 21, 1968. I quote:

> Indian initiative has been expressed by grant requests to support folk school projects, the Indian Hall of Fame at the CNE, the Union of Ontario Indian Field Work Project on changes in The Indian Act, and the Canadian Indian Youth Workshop at Waterloo.

This, of course, is a list that is already ten months old and there are other requests, I understand, that have been put to the community development programme that acts under this branch, which have been turned down for reasons which the Indians feel have been inadequate. Their chief criticism is that the government programme setting aside $1 million to finance it tends to bring forward these initiatives. But, it appears that the government has not taken the time and has not put forward the effort to develop the machinery for the implementation of programmes that depend on Indian initiative.

I suppose that there are some other ones even among the three or four that I have listed to you, Mr. Chairman, that perhaps could have been replaced by programmes that might have been more effective. But, still, the record of the department is dismal and extremely lacking in support for approaches taken by the Indians to make use of these community development fronts.

It appears to the Indians and others that the Minister's role in this matter has been aggressive. He is there to deliver the speeches, indicating the continuing and growing interest of, not only the people of Ontario but in his words the government of Ontario. In fact, little or nothing has been done to activate government machinery which must, in the long run, make available to the Indians—on and off the reserve—the complete range of facilities that are available to citizens in this province.

The Minister has an advisory committee, chaired by a very good friend of mine, a citizen of the Six Nations Reserve, Elliot Moses. I believe he is the chairman, is that correct? Right. This advisory committee, as I understand—

Hon. Mr. Yaremko: Hon. members, a clarification. At my request, the Indian advisory committee is present with us this afternoon.

Mr. Nixon: And I would say further that the capacity of the committee to advise the Minister in this regard, I feel has to be emphasized far more than it has in the past. This committee must be representative of the aspirations of the Indian communities in the reserves and off the reserves, and it must be made clear to Indians who are perhaps not closely associated with those groups from whom the advisory community has been chosen. In fact their responsibilities so far are only advisory. They have been given by the Minister under a provincial programme; there are no particular responsibilities, let us say, to extract from the Indian community what their requirements are. Admittedly, these requirements are frenquently in conflict, one with the other, but the advisory committee, I believe, must be a channel, a pipeline, so that those in the Indian community, many of whom are becoming increasingly active in these matters, will have a clear channel to the Minister and to the public in what I hope would be a responsible way.

Too often the lack of this clear channel has forced Indians, who perhaps have very strong views on some matters that are not reflected by the advisory committee or by this Minister or by his counterpart at the federal level, to take public positions, which I suppose are somewhat embarrassing to their fellow-Indians. This is something that the Minister must be aware of. He has within his power and the prestige of his office, the responsibility to upgrade this advisory committee, to make it a clear channel for the voice of the Indians in contacting government so that they can use this vehicle to express publicly so many of their views. They are sometimes in conflict now and not always expressed in the general support of the Indian cause.

The advisory committee, as I said, has no power to make decisions. I feel that the Minister has a tendency to relegate them to a position where they perhaps cannot perform their functions as effectively as they might otherwise do. The net result is that in an attempt to move into the areas of providing provincial services, too frequently we are hung

by the time-consuming problem of joint committees between those people representing the appropriate branch of the administration provincially, with their counterparts in the federal level. If we are always going to have to move through the machinery of a joint committee whenever there is a problem associated with handling funds and expertise in the development of Indian housing, or water resources, or economic development, or the provision of adequate medical insurance, or the establishment of an ARDA programme on an Indian reserve or even a new departure in the provisions of education, either on the reserve or integrated schools off the reserves, in my view and in my experience, these joint committees are often an excuse for postponement and procrastination. They usually result in the public services at both levels coming into conflict not associated with personalities, I trust, but associated with conflicting regulations and perhaps views of what should be the ultimate result in these important matters.

I have felt that this Minister, if he is going to continue in the role of having a chief governmental responsibility, should be meeting on a regular basis with the top officials or his counterparts at the federal level. Then decisions can be arrived at which can be implemented at the civil service level rather than having the exploratory discussions among the bureaucrats—I use the word I hope, in its best sense—and waiting until some common areas are exposed before the Ministers involve themselves. Unfortunately the Ministers reach a position where they can make a decision far too infrequently. The net result is that we find Ministers at both levels accusing opposite numbers of, perhaps, obscuring the issue.

This is particularly true in the provision of medical insurance services for Indians on and off the reserve. This Minister, while he has the chief responsibility apparently for the Cabinet, has not entered into the great debate between his colleague, the Minister of Health (Mr. Dymond), and the Minister of Health and Welfare at Ottawa on just who does have the prime responsibility for paying for the OMSIP premium for indigent Indians. We know who has the responsibility for paying the premium for citizens of Ontario in general and it is our feeling on this side of the House that this should be extended to all citizens, Indians and otherwise. There can be no doubt in the mind of anyone in this province that if they live in Ontario, they can have equal and fair access to the facilities of the medical services insurance programmes.

But this is an area where the Minister of Social and Family Services, who has been designated as the man who bears the continuing responsibility, has failed not only his colleagues, who surely do not want to be involved in a continuing controversy on this specific issue or any other, but has failed the Indians in the province, who are partly in a position where they can get OMSIP sometimes by subterfuge, but who apparently do not have the same right to it as other citizens in Ontario.

I do not know what the alternatives are. I want to list a few of the alternatives to the present impasse that the policy of this government has arrived at in implementing what have been well-spoken ideals, put forward by the Premier and by this Minister. They simply do not get past those stages. All of the fine words that we remember over the years specifically from 1966—have come to naught. I would say that there is general dissatisfaction with the government policy and with the present Minister's inability to bring it to any kind of fruition that will indicate that we are moving in this important field.

In British Columbia, the Prime Minister there, has set aside a fund of $1 million, the interest from which is going to be used to serve the needs of the Indian population. In describing this, I thought the Prime Minister of British Columbia used a very unfortunate phrase indeed. I believe he said that it was going to be recognized for 1,000 years as a monument to Social Credit policy.

There is something about that that I find extremely offensive but, nevertheless, this is the way Mr. Bennett has coped with the situation, which is a bit different in British Columbia admittedly, but still has been a continuing problem. For one thing, I do not think the funds are sufficient. If he is going to tie it to politics as tightly as he has, it is obvious that it is going to be a failure before it even gets underway.

In Alberta, there has been a more sophisticated approach culminating in the appointment of a human resources development authority. This has gathered together the various responsibilities provincially and, I understand, through ARDA at least, a large chunk of federal funds and federal responsibility which co-ordinates welfare, health, education, lands and forests and the broader aspects of ARDA. In the province of Alberta, there is this authority, which I suppose is somewhat independent of the political direction of the government itself. But it is an attempt to co-ordinate, not just under one

department but under a broader purview, the approach to the solution of the difficulties as they are experienced in Alberta.

In Saskatchewan, Premier Thatcher has taken a very direct approach. He has set aside a substantial sum of money. I should know what it is but he has simply created a department of Indian and Metis affairs. Out there, of course, the proportion of the community of Metis extraction is substantial and the approach the government has taken over the years has been considerably different from the inaction characteristic of Ontario's policy.

I would say again, Mr. Chairman, that I feel we must move away from the co-ordination or attempted co-ordination of Ontario's policy by one Minister, because it tends to give the whole policy the slant and shadow of the approach of that Minister's department.

I feel this is particularly bad when that department happens to be the department of welfare. There is no doubt that over the years and in the future the facilities of this department must be an important aspect of our total Indian policy in the province. But it cannot intrude itself into all of the matters that are our concern.

I understand that the community development officers already available work through the welfare facilities or the welfare office on the reserve, or the welfare offices in the communities close to the reserves in those areas where they are dealing with Indians who are not reserve Indians.

I have also been informed that few, if any, of these development officers are of Indian extraction themselves, although I believe I know of one who specifically is. I feel this is an area for substantial improvement.

The result of our experience, I believe, should be that if we are going to have a Cabinet committee roughly corresponding to the Alberta human resources development authority, and close to the Cabinet. I have no objection to this. As a matter of fact, it appeals to me more than having a more independent authority. It should come directly under the Premier so that it will have no cast associated with any particular department. I have the feeling, and maybe I am unfair in this, that the Minister's reference to the Cabinet committee of which he is the chairman, is in essence a farce. Perhaps there are certain messages going among the different members of the Cabinet that would bring them into the effectiveness of certain projects. There is no continuing committee that deals with this on a substantial basis gathering to themselves the responsibility to solve the problem, or at least make the provincial involvement meaningful to the Indians in this province.

I believe that the Minister should recommend that he be removed from this responsibility; that it go to the Prime Minister's office and that it have its own secretariat which, in fact, would be, let us say, roughly comparable to the human resources development authority in Alberta.

I am not for a moment suggesting that there be a separate department charged with this responsibility. I think it is obvious that the facilities, services and programmes of all provincial departments must be made uniformly available. While the Minister, for some years now, has protested this is the goal of government policy and that, in fact, many of our programmes are available to Indians, yet I do not think there has been a sufficient deployment of personnel who are knowledgeable. I do not believe there has been the thrust to take these programmes out to the Indian reserves and those with the responsibility for ordering Indian affairs among the Indian community itself.

But while it may look good on paper, we are still labouring along at about the same level, as was characteristic of the government's effort five, six, seven, even ten years ago. There has been a number of studies relating to this matter carried out by this Legislature. I recall the members of the select committee on Indian affairs visiting the Six Nations Reserve back in the late 1950's. The report is available in the library and their emphasis on expanding provincial responsibility and moving away from the error in constitutional interpretation that so often has been the reason for the province to shirk its duties. These recommendations are still there in the report of this select committee.

Still, I feel that the members of this Legislature might be brought into the matters of evolving Indian policy perhaps a little more immediately than we are at present. There were one or two occasions on private members' motions and the voting of this particular sum of money when we could discuss it quite freely. Yet we do not have an opportunity to sit down with the representatives of the Indian community, whether or not it would be the members of the Minister's advisory committee. We take this responsibility on ourselves, particularly those of us who come from constituencies where there are significant Indian populations and where

we are in a position to avail ourselves of the opinions that they would put forward.

I would make definite recommendation to the Minister that he recommend to his Cabinet colleagues that he be divested of his specific responsibilities since over the years, even though there have been many proud announcements, in effect little or nothing has been accomplished. I believe the only possible way that government policy is going to be implemented would be by a committee responsible to the Prime Minister. It would have associated with it a staff of people interested and expert, taken from the Indian community itself and from those in the community at large, who are capable of bringing into effect the policies that have been announced in the recent past and bringing these policies up to date, particularly those having to do with the provision of health services.

In this way, if the committee is properly funded from an appropriate vote in the Prime Minister's department or elsewhere in the estimates, we can move forward in meeting the problems that have been such a difficulty and, I submit, an embarrassment to us all for so long. There was a time when Indian affairs occupied very little of the interest of the members of this House. There was a general consensus that our colleagues in Ottawa had the responsibility and the wherewithal to deal with it. While we were prepared to be critical of that still we now feel that the load of responsibility is transferring to us.

I can assure you, Mr. Chairman, that we on this side are prepared to co-operate with the government in a meaningful revision of present policy and putting forward the funds that will implement this policy in conjunction with the advice that comes to us from the Indian community.

This, as the Minister knows, is a very difficult thing to undertake. The advice that comes from the Indian community is not always as coherent and easy to act upon as we would hope.

The Minister's advisory committee, as I have already said, must be strengthened so that it can serve as a pipeline from the administration to the Indian community. We, as private members must try to make ourselves available for this purpose as well.

Mr. Chairman, I trust that this will be the last time that the main arm of government policy will be the Minister of welfare. I believe we must move away from this and, surely the Minister himself realizes that his continuing position under the Prime Minister in this regard is something that, of course, will be of great importance.

But I would hope and trust that during the discussion of voting of $1.3 million for this purpose, we can hear from the Minister, not what he has accomplished in the past year—because no amount of oratory or selling is going to convince me that it has been effective—but that we are prepared to step away from the entrapments of previous policy and previous decisions—that we are prepared to make a new approach and new decisions with the acceptance of common goals at the provincial and federal level. I do not believe it is worthwhile wasting the time of the House recalling to the Minister the need for meaningful consultation with the Indian community and not moving in a policy area unless it is going to be accepted by these people. We are prepared, and must be seen to be prepared, to make available all provincial programmes, from OMSIP on up and down, and that this is the area where practical implementation of provincial programmes is our chief responsibility.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, it is with a good deal of chagrin that I enter this debate for the proper allocation of funds to the Indian development branch of The Department of Social and Family Services. I remember quite vividly about a year ago we voted $1,428,000 for this purpose. It is very difficult to ascertain in a real way just how much has been spent in the past year because the 36th annual report of The Department of Social and Family Services brings us up to the fiscal year 1966-1967, wherein the Indian development branch shows an expenditure of $111,370. Out of $1,428,000, supposedly allocated for the various programmes that this government felt should be instituted by this department, I am told that a little over $200,000 of those actual moneys was spent.

Mr. S. Lewis (Scarborough West): How do you explain that?

Mr. Stokes: This year, we are asked to appropriate a sum of $1,348,000. I do not know how much of that is going to be spent, but if the Minister is saying that he is fulfilling his obligations towards the native people of this province by spending about one-fifth of total moneys allocated for this purpose, I think he is wearing either blinders or rose-coloured glasses. If he was repre-

senting a constituency, such as I have the privilege of representing, where we have some 22 Indian reservations and Indian communities, he would see that such is not the case. I suppose I was a little bit naive, taking the Minister at his word and sitting back and waiting, all, or at least some of it, would have been accomplished in the intervening year.

Mr. D. C. MacDonald (York South): He can outsit you any day.

Mr. Stokes: I want to refer specifically to what the Minister has said during the estimates of this department. On May 27, 1968, in *Hansard*, in response to some of the specific problems that we drew to his attention, I quote:

I touch very briefly upon the Cabinet committee and its counterpart in the civil service, the interdepartmental committee. The interdepartmental committee is becoming an accepted vehicle throughout the government in total for carrying out responsibilities where there are overlapping jurisdictions. It has been my conviction that no other departmental committee is as important in making effective our work as this one is in order to come to grips with a problem. I am delighted to say that at the meeting with the sub-committee of Cabinet, I think that I can say without any breach of my oath of secrecy, that never have I attended a Cabinet committee meeting in which there was such an out-and-out complete endorsation of the necessity for interdepartmental cooperation and enthusiasm.

I turn to my immediate colleagues here, the Minister of Agriculture and Food (Mr. Stewart) and the Minister of Health (Mr. Dymond), both of whom have responsibilities with regard to the Indians and both of whom have an intimate knowledge of Indians because they have contact with them. The Minister of Lands and Forests (Mr. Brunelle), who traditionally has had this over a period of years, had a great interest and I am delighted to say that he is going to build upon his predecessor.

Mr. MacDonald: Words, words, words.

Mr. Lewis: He built upon his predecessor?

Mr. Stokes: Further he states:

We have the know-how and the resources, Mr. Chairman. We set up our own organization, the Cabinet sub-committee, and the interdepartmental committees to be channelled through the newly-established Indian developments branch, to be channelled at the grass-roots level to the Indian development officer. And this is one place where I disagree with the hon. member from York South; I believe that the Indian development officer has a great contribution to make because he is at the end of this know-how and resources.

Mr. Lewis: And he is usually right.

Mr. Stokes: Quoting:

We have set up with this vehicle, within the provincial sector, another very basic principle of the involvement of the Indian himself.

Of course, he was dealing with the responsibilities for certain phase of assistance to our native people that fell within the purview of the department of Indian affairs, at the federal level, and what he considered to be a provincial responsibility. He says:

Without taking a hard and fast position on that, we have gone further. We have provided $1 million in the department branch to look after these things, where before we had assumed that the money for those things would be coming from Ottawa under an Indian development agreement.

Again, let me reiterate about one-fifth of the total money appropriated during last year's budget were actually spent towards that end. Further, Mr. Chairman, he says:

I point out that Item 24 is Indians and land reserved for Indians, and that is the same listing as such things as currency and coinage, naturalization and alienism, so that it is clear to me at least that this is a matter I shall be discussing in more detail with the Attorney General where the constitutional responsibility lies.

My colleague, the hon. member for Riverdale, in speaking during the constitutional debate about three weeks ago, outlined our party's position with regard to the constitutional responsibility for the problems of our native people. I recommend it to you; it is excellent reading.

I have had an excellent response from the Indian community on the position that our party has taken with regard to the constitutional question and, as I say once again, I recommend it to the Minister. I could go on and on about what the Minister says he is doing; what his department is going to do in the intervening year. Here we are, one year later, right back in a worse position actually than we were last year. Time is running out for the white community according to the dialogue that I have had with the Indian people, whether it be the Canadian union or the Canadian Indian brotherhood that met recently in Ottawa.

I had occasion to speak to one of those delegates just this morning. They came away completely frustrated and they are looking to the province for some kind of solution to their problems. In speaking to the union of Ontario Indians, the same kind of frustration has manifested itself.

On August 14, 1967, a communication was addressed to the Minister from the union of Ontario Indians, over the signature of Omar Peters, who was the president at that time. He made a request for funds to The Department of Social and Family Services so that they could identify the problems and concerns of Indian people; to provide facilities for joint planning and co-operative action among

Indians; and to assist in examining and evaluating current services and to ensure that needed services are extended to all Indians; and to assist Indians to fully understand the services that are available to them and the procedures by which these services provide an opportunity for Indian people to participate in the planning and conducting of services. The union of Ontario Indians feels that effective programmes must be accompanied by participation by Indians in each region of the province.

The leader of the Opposition alluded on many occasions during his remarks to the Indian advisory board. I can only echo the sentiments that were expressed by the hon. leader of the Opposition—that there is complete and total frustration among these people. I have had the opportunity of reading many of the recommendations that went to the Minister and his department which emanated from this board. About the only one of any consequence, I am told, that was ever initiated or acted upon, was that this department was able to bring two young Indian boys from a northern reserve down to act as page boys in this Legislature.

If this is the only kind of contribution that this Indian advisory board is going to make, or if this is the only kind of consultation that the Minister is going to engage himself in with this body, it is little wonder that this board has become utterly and totally frustrated with the Minister and his Indian development branch.

In March of this year, the union of Ontario Indians again came back and requested financial assistance to send an Indian fact-finding team into every reserve and Indian settlement to document existing conditions. This documentation would be in the field of housing, employment, education, recreation, sanitation, water supply, communication facilities, food pricing as it relates to welfare payments, social and cultural aspects, economic development opportunities, and law enforcement, along with religious involvement and political involvement.

Upon completion of this fact-finding tour, they would submit recommendations to the government in order that programmes be instituted to alleviate the present problem facing our native people. It is estimated that five Indian field workers will be occupied for nine months making this comprehensive survey at a cost in the neighbourhood of $54,000. To date, they have had no assurance that either the federal or the provincial government is interested in their plan or willing to assist.

My leader, the member for York South, put a question before the orders of the day to the Minister, asking what action the Minister plans to take as a result of this request. We got the same time-honoured reply that he was consulting with his counterparts in Ottawa and in due course they would reach some kind of decision. That was his reply.

As late as a week ago last Friday, the Minister travelled to the Lakehead to open a new health facility there. He was met by a group of Indian people representing the Metis association of Lake Nipigon, the Armstrong Indian association and various other groups in northwestern Ontario. He assured them that they would be given a very close and sympathetic hearing of their problems. I asked the Minister a little earlier today when he planned to meet them, as a result of three urgent phone calls, two last night and one this morning, wondering when they might get on with the business of looking after the people they happen to represent and for whom they are the spokesmen.

He tells me the director of the Indian development branch will be going up in the near future and he will be travelling through northwestern Ontario some time later. I want to emphasize, Mr. Chairman, to the Minister that if he does not get with it, it is not going to be too long before the Indians are going to become much more militant. I cannot say that I disagree with the position they are taking, because when they find that all their efforts through various organizations, both at the federal and provincial levels, have led to nothing but frustration, I can readily see they will be frustrated to the point where they will have to take much more militant action.

If you go back into the history of how we have treated the Indians, I think it is safe to say that the white man has stolen the Indians' land. The white man has almost destroyed the Indian culture and stripped him of his pride. White men have forced their Indian brothers to live in conditions that no white man would want for himself. The average life span for a Canadian Indian is 31 years, compared with 64 for a white. Of all Indian families, 88 per cent live below the poverty line of $3,000 per annum; 47 per cent of all the Indian families earn less than $1,000; 90 per cent of the Indian homes on Canadian reserves have no indoor toilets; almost as many have no running water, and only a half have electricity.

In order to better themselves, many Indians are moving to our cities but in the cities of Canada, Indians have great difficulty in finding employment, because only half the Indians of school age attend school. They lack the educational qualifications, the technical skills and the social skills to find employment. Many who want jobs do not know how to go about finding them. One result has been that many Indians are coming into conflict with white man's law and large numbers of Indians are appearing in our courts and jails.

Why has this happened? It has happened because in his arrogance and pride, the white man deliberately set out to destroy the Indian's culture and tried to make the Indian in his own image. The white man did not even stop to see if there was anything he could learn from the Indian and there is much that can be learned. Indian society is based on co-operation and sharing, not competition and acquisitiveness. The Indian culture has a respect for nature, which the white man is only now beginning to discover.

The Indian has a respect for the dignity of his fellow-man, which is too often lacking in our white society. Because the white man did not respect the Indian culture, Indians were not consulted before The Indian Act was presented to Parliament in 1951. The result was an Act totally unsuited to the needs of the Indian people. The effect of the Act is to sap initiative and to destroy self-respect. The Act gives control of every facet of the Indian life to those outside the community. The original Act even denied the Indians the right to vote.

The Indian affairs branch of The Department of Indian Affairs and Northern Development and, indeed, the Indian development branch of The Department of Social and Family Services, determine the pattern of life for treaty Indians. Band elections can be invalidated by the Minister at his discretion. I will not condemn this Minister for anything he has done in a positive way because actually, as the leader of the Opposition has said, really he has not done anything. So he stands condemned for his inaction rather than his action.

On the reserve, Indians have no control over their educational system; off the reserve, Indians are never members of a local school board and other representative bodies. One result of this latter situation is the high Indian drop-out rate from white urban schools. An Indian child who is suspended or expelled from school is automatically classified as a juvenile delinquent.

Finally, the composition of the staff of The Department of Indian Affairs and the Indian development branch of The Department of Social and Family Services reflects the paternalistic attitude of the white man towards the Indian—only 10 per cent of the staff at the federal level, and I would say that it is even less than that at the provincial level, if indeed there are any at all of Indian origin. In discussing the problem of recruitment for community development officers with officials of this department, I find that last year there were 13 short. I understand now there is a shortage of up to five. The union of Ontario Indians has agreed to make native people available for these surveys. They will go in, because they are much more readily accepted, than people that you could recruit, by our native people living on reserves and in Indian settlements off reserves in many cases and on the fringes of unorganized communities.

It would be much simpler for native people and, in some cases, even they are not accepted right off the bat. But it would be much simpler to have native people going to these reserves and Indian settlements where they could communicate with their own people and gain the confidence of them. I think that the dialogue would be much more meaningful. I think that we would be able to get to the root of the problem and the social needs, much more readily than anybody that you could recruit for this type of work in your department.

I am further given to understand that you will not allow any recruitment outside the province. It is quite possible that we may be able to recruit a lot of these people from other jurisdictions where they have had some dialogue, some exchange with native people in other areas. They might be willing to come to Ontario and serve as community development officers where they are needed.

But I think the union of Ontario Indians has come up with the right answer: Send their own people in where they can communicate more effectively. They can seek out the troubled areas and come back with a meaningful approach to the problems that they find in these reserves. I just simply cannot understand the Minister's reluctance to accede to wishes and accept the hand of co-operation from these people. They will need the resources, but certainly they will provide the personnel and—for a modest sum of $54,000 which they have outlined—would look after the problem. I think that the Minister and

his department is missing a golden opportunity in not accepting this and I would recommend this course of action to him and insist that he get on with the job.

Without consultation with the Indian people, where they have the confidence of people in such dire social need, I do not know how we are going to resolve this problem. It is not a case of whether or not you should do it. I do not think the Minister has any option at all. I think it is just a case of when you are going to get on with it.

Over the past year since I have had the pleasure of representing Thunder Bay in this Legislature, I have had occasion to bring to the Minister's attention many cases of social needs in small communities in the north. Armstrong, for example, where the social need is so great for housing, or proper educational facilities, for homemaker training courses, for health nurses, for the kind of people who would go into those communities and assist these people to spend their money wisely.

I do not know how the Minister can procrastinate to the extent that he has, certainly over the past year, when I have been close to the scene. The same conditions exist to a lesser degree in places like MacDiarmid where people are living off reserves. The crying need is for housing and a good many of the social services. The assistance that the Indian people need is lacking in those settings where they find themselves, a good many of them squatting on Crown land where really the federal authorities or the provincial authorities keep sloughing the responsibility for these needs from one to the other. It is no wonder that the native people have become completely frustrated.

To try to pinpoint the problem, I became aware just recently of a programme for off-reserve housing for Indian people. Just to show you how meaningless it is, I would like to outline briefly what it entails.

The Department of Indian Affairs, at the federal level, in connection with Central Mortgage and Housing, has made a housing plan, similar to The Veterans Land Act programme, available to Indians living off reserves. It is not much known by the Indians and it would not be much use to them if it was. The programme provides for a first mortgage under NHA for an Indian who can qualify for an ordinary NHA mortgage loan. This would cut out most of them. In addition, it provides a forgivable second mortgage for the entire down payment but Indians must reside on the property for ten years to get this. Otherwise, he pays the second mortgage at the usual rates.

So, it is no-down-payment housing with grants for a second mortgage if he stays on the property for ten years, and a first mortgage at regular NHA rates. I have known of only one person who has qualified to date in all of northwestern Ontario. As a matter of fact, I had the pleasure of assisting him on the negotiations for the only one, I think, that has been provided—this is for new homes in all of northwestern Ontario.

Now just recently in the *Telegram* of April 12, 1969, they make mention of a programme that is being initiated by this level of government. It says:

> Two heartening programmes of aid to Ontario's northern Indians were described in the *Telegram's* news columns this week. The first one talks about making doctors available to isolated communities of the north. The second one says an Ontario government plan will provide low-cost loans to Indian individuals and co-operatives to allow them to build their own homes in areas where Indians have been unable to qualify for federal aid. Indians on reserves have been eligible for substantial housing assistance from the federal Department of Indian Affairs. Indians in cities or other organized municipalities have likewise been able to receive special and generous federal housing aid through The Department of Indian Affairs. Left between, and very much on their own, have been the majority of northern Ontario Indians who do not live on reserves or in towns or organized municipalities. They live on the fringes of settlements like Moosonee where a few jobs are available in tiny and isolated camps where trapping and hunting can still provide a minimal existence, but no more. Indian citizens are constitutionally a federal responsibility. Logically, the federal government should have recognized the dire housing need of the off-reserve hinterland people and should have provided for it. The Ontario government is to be congratulated however, for attacking the problem on its own.

Now I sent a communication to this particular department a short while ago, and it said, "The programme has not got off the ground yet. We are still consulting with various governmental agencies, particularly the Ontario Housing Corporation, and in due course we will announce this particular plan," this department said. This seems to be the way that this government and this department acts with regard to all of the social needs and all of the problems that are confronting the Indian people in this province.

It is a disgrace, it is really a shame that we should be treating our native people in this way. One of the richest countries in the world, and without a doubt the richest province in the richest country in the world, it is shameful that we should find it advisable to treat our native people in this way.

I would like to say to the Minister that if his programme, which he announced last year, and the request for funds that he is asking for in this estimate, is not spent in a much more meaningful way—or at least spent in some way; he did even spend it last year—if it is not being spent in another way, I would go along with the recommendation made by the leader of the official Opposition to have the responsibility for our native people shifted to some other department of government. It might even be The Department of Lands and Forests, where they are much more aware of what the problems of our native people are. I am not necessarily recommending that, but at least they are making some attempt to provide and act as a liaison for, the Indian people. It does, to a limited extent anyway, provide them with employment.

I can only say to the Minister that if the programme of the Indian development branch is not any more meaningful in the next 12 months than it has been in the last 12 months, I can see there is no hope for the Indian people living in Ontario insofar as this government is concerned, and I will await with a great deal of interest to see what the Minister has to say in reply to the various problems that I have brought to his attention—and his complete disregard for the social needs of our Indian people. I will have more to say as we are discussing these things in more detail later on.

Mr. Chairman: Does the hon. Minister wish to reply at this time, or does some other member wish to speak?

Hon. Mr. Yaremko: Perhaps, Mr. Chairman, if any other member of the House wishes to make some general remarks, this would be an appropriate time.

Mr. Chairman: The hon. member for Port Arthur.

Mr. R. H. Knight (Port Arthur): I would certainly like to rise to support the very forceful arguments of my leader earlier in relation to the Indian problem. There is need for action, for very definite action. I get the feeling myself that this department is taking a very delicate and careful approach to the whole thing, and certainly there has got to be caution, but there has got to be far more action.

I think also, that if this department cannot handle the matter as was suggested by my leader, then it should be, in effect, handed over to some other department. I certainly endorse the statement of the member for Thunder Bay that militancy is in the wind, that the Indian people are getting organized, especially up north and all across Canada, and they are making their problems known. One sees the considerable amount of organization; it has been especially evident in the last year or two from the correspondence that has been coming across the desks of the members. I think we should commend the Indian people for trying to do something about their own problems, trying to convey their difficulties and their needs, and their wishes to all levels of government. And while I agree that there is militancy in the wind, I cannot agree that this should be encouraged or that it should be condoned, or that it should even be understood. I just simply cannot see the need for militancy when so many people—

Mr. MacDonald: How is it possible that you cannot understand it?

Mr. Knight: No. I cannot accept it.

Mr. MacDonald: You said you could not understand it?

Mr. Knight: No, I cannot understand the need for militancy.

Mr. MacDonald: Oh.

Mr. Knight: I can understand the inclination towards militancy, I can understand that there may very well be non-Indian trouble makers in the north who are trying to stir a great deal of militancy, and I certainly would not encourage that—

Interjections by hon. members.

Mr. Knight: I also think that it is a bad reflection on the Indian people continually saying that there is going to be trouble in five or ten years, and that they are going to perhaps become violent, without stating that there are many Indian leaders in the north who want a peaceful solution to their problems, who want this result in a democratic manner. And that leads me up to my recommendation. I think that this department, this Minister, should seek out those Indian leaders in the north who do seek a peaceful solution to their problems, and a proper solution, and subsidize those people to the hilt. I think

everything possible should be done to head off the dangers that those of us who live in the north see coming for say five or ten years' time from now.

Everything should be done to encourage those leaders who do want to help. But I know some, Mr. Chairman, who are getting tired; there are some Indian individuals in the north who have a good foothold in our civilized world, and at the same time are well respected by their own people, their native people, who do all kinds of things. They are in effect ombudsmen between this department and The Indian Affairs Department in Ottawa, and all the other various agencies of government at both levels. They are people who dig into their own pocket continually, day after day, week after week, month after month, to help their Indian friends, and who keep wondering why they are not getting any assistance to do this from this department, or from Ottawa.

What is happening is that many of these people are getting discouraged, and they keep saying, "I am going to give it up one of these days", but when they see one of their brothers, one of their Indian brothers come along with a problem, they just cannot say no. So it is a question of what is going to give out first, their finances or their health, and I think that this department should—well, this red tape is one of their big problems. The average Indian person finds difficulty, the average resident of Ontario finds difficulty in cutting the red tape necessary to get something accomplished through a department of this government or any government for that matter. You can imagine where the native Indian stands when he is trying to cut the red tape, and you will understand this statement, Mr. Chairman, I am sure—

Mr. Nixon: He can, but he will not say so.

Mr. Knight: So the result is that the Indian people, like anyone else, turn to anyone who might be able to help them. And unfortunately a lot of Indian people go without the benefits that this government might be able to offer them because they are ignorant of those benefits as are many other people. But the problems fall back on a handful of people, and last year I can remember bringing up the name of Mr. Xavier Michon. I bring it up again. He is just one that I happen to know of, a man who not only the Indian people go to, but departments of government. The agents of government who are situated at the Lakehead will call up "Mish" and ask him to help sort out a problem or to help them in some manner with no recompense to Mr. Michon. I think it is about time that some department of government acknowledged people like Mr. Michon, and gave them not only encouragement and congratulations but some financial assistance.

While the Minister is making his reply, Mr. Chairman, I wonder if he could tell me what the appropriation will be to the Indian Youth Friendship Centre in Port Arthur this year? Whether it has increased over last year; whether it matches the federal government contribution?

I would also like to know whether the Minister is prepared to consider this idea of an ombudsman for the Indian people. Last year on Michon's initiative, the member for Thunder Bay and the member for Scarborough Centre and myself looked into a housing angle on behalf of the Indian people. Mr. Michon had an idea that some kind of a half-way housing project could be established where those Indians coming off the reserve and into the civilized city might be able to stop by for a period of five or six months and be prepared to enter the city, so that rather than wind up in the slums somewhere, they might be able to wind up in, possibly, a better section of the city where they and their children will have a better opportunity to adapt to the civilized world, which is very difficult for these people. I saw no action along these lines but I know that the idea came from Mr. Michon because he saw the problem; he saw people in this difficulty.

I would also like to ask the Minister, through you, Mr. Chairman, whether his department, inasmuch as it deals with welfare—if that is a mentionable word at this time—or at least those families who must live on whatever they can obtain from his department through the municipal department, is keeping pace with the plans for urban renewal in the city of Port Arthur?

There is an area slated for urban renewal in the city which houses quite a few poor families and many of them are Indian people. The question around the city has been, "Where will these people go?" What will happen to them?" I think that should very definitely be a matter of concern for this department. As much as we are talking about Indian affairs and assistance to them at this time, I think I would like to hear the Minister's comments on what his department is doing about families that are displaced or will be displaced through this urban renewal programme.

As a matter of fact, Mr. Chairman, I would like to hear from the Minister to what extent this department seeks to assist the nontreaty Indians or at least Indians who no longer live on reserves, but find themselves assimilated in the city. Are they treated as just another family in difficulty; another family on welfare, you might say. Or are they treated as a family on welfare with the added problem of having come from a reserve with the disadvantages that many of our native people have when they come into society. Are these people in a special category, or are they treated just like all the others? I would like that point clarified.

Certainly, there is need for action. I must say I was happy to learn recently that the Minister was planning on going up into northwestern Ontario to confer personally with the people up there. It is a shade of what my own federal member, Robert Andrews, has been trying to do. He tried to do this in his formal portfolio on behalf of the Indian people; that is, dialogue consultation and I think the more of that the better. After a while, that dialogue and consultation has got to lead to action, and I think that what this side has been asking for this afternoon has been action.

I hope, Mr. Chairman, the hon. Minister will be able to have some very encouraging remarks on those lines.

Mr. Chairman: The hon. Minister.

Hon. Mr. Yaremko: Mr. Chairman, may I say at the outset that a good deal of what has been said on former occasions in relationship to general observations made by the hon. leader of the Opposition, the leader of the NDP, and the member for Riverdale. I associate myself with—

Mr. Stokes: You said that last year.

Hon. Mr. Yaremko: In relationship to the member for Thunder Bay, he quoted quite extensively from my remarks of a year ago. I stand by those remarks today. They say this —that there are two sides to a disagreement, that is, in comments directed to the attitude of this particular Minister, his colleagues in the government, in relationship to the key factor touched upon very lightly this afternoon, and that is the constitutional factor.

My second interim remarks are there; the past more than two and half years, has been, for me, a great period of education in departmental activities as a whole, and in reference to Indian matters specifically. I must say that when I assumed this portfolio, my knowledge of Indian matters was very limited. In fact, I had a personal picture which related back to the days of my youth. I may say that in all my personal experience, both in the legal profession, in matters which have come before this House, in all departments, there has been no single matter that I have regarded as so complex as the Indian matters. Now, the leader of the NDP may make a wry face and disagree with me—

Mr. MacDonald: How long do you expect Indians to wait while you are educated?

Hon. Mr. Yaremko: The hon. member and I disagree. He says it is the most simple; I say it is the most complex—

Mr. MacDonald: And you are overwhelmed by its complexities.

Mr. Stokes: Just start listening to Indian people.

Mr. Lewis: Nothing is as simple as breaking through the complexity.

Mr. MacDonald: Just get going—do something.

Hon. Mr. Yaremko: It is the most complex thing that I have been in contact with. As a matter of fact, I am still in the process of learning. I have learned from my predecessors in a very general way, including the father of the leader of the Opposition, who provided the very broad picture in relationship to attitude and cultures basically. I have learned from members of this House on all sides; members of the Opposition who spoke this afternoon; the member for Kenora (Mr. Bernier) who has spoken not only in this House, but who has spent hours, side by side outside this room and at my side.

Mr. Lewis: Why do you incriminate him?

Hon. Mr. Yaremko: I have learned from those members of our Indian population with whom I had direct contact; with members of the Indian advisory committee and with those who are active outside the committee. I have read and now intend to expand my knowledge by a visit to northwestern Ontario which will fulfill the specific request of those who have communicated with me in very recent days, as well as to give me a much better picture. My visit there is not going to be limited to this one particular phase although it will be a very important, and very integral part.

It is a very complex matter. Secondly, I would say to hon. members—and to the

leader of the Opposition in particular—that nothing in my public focus as a private member or as a member of Cabinet has disappointed me more than the fact that the condition of our fellow Indian citizens is not much different today in the total picture from what it was ten years ago or two years ago. The only hopeful aspect is that there has been a tremendous, re-awakened interest on the part of the general public of Canada, and of Ontario in particular, in communities which have very direct contact with Indian citizens in substantial numbers. In this Legislature I can well recall that until the select committee referred to by the hon. member, which resulted in an amendment, I think, a follow-up to The Indian Act of that period, there was hardly a word spoken because the assumption had been that Indian affairs in their totality was a federal matter.

Latterly, as a result, perhaps, of the select committee, the province of Ontario has been moving into various fields as individual departments began to expand their programmes within this sector. This did not evolve, I do not think, as a result of any general government policy or new direction at the government level. It was as each department began. For example, The Department of Lands and Forests began to take a more active interest in certain affairs just as The Department of Education began to move into certain areas. Certain areas where there may have been a vacuum and because of course, as it often happens, the provincial level of government and their representatives, in this House are much more close to the people in general in all aspects than Ottawa. This is a common happening because we invariably deal directly with the needs of the people. I have examined in detail the propositions put forth as to the vehicles through which the services at the provincial level might be brought to bear.

As of today I doubt whether anyone can really determine what vehicle is the best vehicle because no matter what vehicle is chosen, the prime problem will still exist and this is the constitutional problem—

Mr. MacDonald: Oh come, come.

Mr. Lewis: Have you ever thought of the Indian vehicle rather than the federal or provincial vehicle?

Hon. Mr. Yaremko: This is the constitutional problem which must be resolved as to the responsibility, the legal responsibility and financial responsibility between the federal authority and the provincial authority.

Interjections by hon. members.

Hon. Mr. Yaremko: I read with a great deal of interest the comments of the member for Riverdale. I have read them three times. There is very little of that speech which I could not adopt myself and utter in this House as a general principle.

Mr. MacDonald: Well, why do you not move?

Hon. Mr. Yaremko: I have examined the remarks of the people who have written in the field—Professor Lysyk, the Hawthorne-Tremblay report—all of these matters as they deal with this aspect of the federal-provincial activity in the field. In my opinion—and the speech of the member for Riverdale bears this out completely—there is no legal bar to the provinces being active in this field. It is under the Constitution, section 91(24) of The BNA Act, and it refers to Indians and lands reserved for Indians, accurately quoted by the member for Riverdale; inaccurately quoted, however, by the leader of the NDP who has spoken on previous occasions. On November 26, 1968, the member for York South stated:

> There is a mythology regarding Indian affairs which must be destroyed. It has been widely believed precisely because governmental authorities have propagated the belief that Indian affairs are primarily a federal matter. Constitutional and legal experts have dismissed this contention as a misreading of The BNA Act.

Listen carefully, I say to the hon. member.

> The BNA Act states that the federal government shall be responsible for Indian lands and treaties. It says nothing about services to Indians.

The hon. leader of the Opposition has misquoted—

Mr. Nixon: Careful, careful.

Hon. Mr. Yaremko: —misquoted the significant portion of the Act which reads, "Indians and lands reserved for Indians". Now, in agreeing with the member for Riverdale and with the other constitutional—

Mr. MacDonald: How have I misquoted it?

Mr. Lewis: The leader of the NDP—

Hon. Mr. Yaremko: "The BNA Act states that the federal government shall be responsible for Indian lands and treaties". That is not the way The BNA Act reads.

Mr. Pitman: He was not quoting the Act.

Hon. Mr. Yaremko: He was stating what the Act says and—

Mr. Lewis: Well, it is right.

Hon. Mr. Yaremko: I completely disagree with the position of the leader of the NDP. He is stating what The BNA Act says, and I say to him that it is when words such as this are used that the misapprehension develops.

Mr. MacDonald: You are not just a failure, you are a disaster.

Mr. Lewis: You are not just a disaster you are a catastrophe.

Hon. Mr. Yaremko: When I suggested that I agree almost in total with the member for Riverdale's interpretation of the constitutional situation, it is true that the way the section 94(1) has been interpreted from the point of view of constitutional lawyers means that the federal authority has exclusive jurisdiction when it wishes to exercise that jurisdiction. If it occupies the field, it supersedes provincial entry into the field. I think the term is: It reigns supreme. If they are not in a field it has been interpreted that the province can move into the field.

Mr. MacDonald: Why do you not take the other interpretation and get to work?

Hon. Mr. Yaremko: It has been interpreted that the province can move into the field. There is no legal bar, when the federal government has not moved into the field, to the province being in the field.

Mr. MacDonald: Right, there is not.

Hon. Mr. Yaremko: And then there was an amendment made in the early 1950s to The Indian Act which more or less stated this type of delegation of authority and this has been accepted as saying that there is no bar to the province entering the field. The one item in which the experts in the field disagree and members of this House, particularly of the Opposition, and the leader of the Opposition may have touched upon this—the leader of the NDP has overlooked that; the member for Riverdale has, I think, if I recall correctly, touched upon it—it is the financial responsibility. This is the crunch of the matter. Who is going to pay for the activity?

Mr. MacDonald: The crunch is to get the job done.

Mr. J. Renwick: The province of Ontario is going to pay.

Mr. MacDonald: Lack of a fiscal agreement is a roadblock. Let's face the fact that the Minister himself is the main roadblock.

Interjections by hon. members.

Hon. C. S. MacNaughton (Provincial Treasurer): This posturing is the worst—that is all you do over there. You never stop.

Hon. Mr. Yaremko: This is one of the fundamental matters which has to be resolved—

Mr. MacDonald: Go on.

Hon. Mr. MacNaughton: Go on, yourself; you never stop posturing.

Hon. Mr. Yaremko: This is one of the fundamental matters which has to be resolved. I may say—I say this again—if there is one field of activity, one field of political activity, if I may even use that term, in which there should be the minimum of political attitudes, it is in this field. It would endure to the benefits, the credit and to the pride of all political parties when this problem is cleared up once and for all, because I say this, as a citizen of the province of Ontario, as a citizen of Canada: I am not proud of the record over any period of time of Canadians as a whole in this particular field. And this is why I say, until this specific point is cleared up, delineated, whatever it may be—

Mr. Makarchuk: We will let them starve.

Hon. Mr. Yaremko: —whatever it may be, this will be a hurdle, a bar, to the exercise of the provincial know-how that I touched upon. I am convinced that we have within our government activity, within the department, within The Department of Health, we have the facilities, the know-how necessary to cope with the situation.

Mr. MacDonald: Except the will to do it.

Hon. Mr. Yaremko: We have in The Department of Education, we have in all our departments, in Trade and Development, we have the know-how to come to grips with the specific need of the housing—

Mr. Lewis: Well, why do you not do it?

Hon. Mr. Yaremko: When we come to the critical bread and butter issues of health; housing, education and training and economic development, it is the province of Ontario in particular, that has this ability. The question, of course, comes when this ability is going to be applied: Who is going to pay for it?

Mr. J. E. Bullbrook (Sarnia): The Minister is finally being truthful.

Mr. J. Renwick: Mr. Chairman, will the Minister permit just one comment to him?

Hon. Mr. Yaremko: The hon. member will have an opportunity.

Mr. J. Renwick: No, one comment. The Minister said the crux of the problem is who is going to pay for it. It is about three years ago that with great fanfare there was announced a joint programme of the federal government and the government of the province of Ontario. The amount was $500 million. The joker in the pack, of course, was that it was to be spread over 50 years. But even on the basis of dividing $50 into $500 million, there was to be $10 million in one year. This Minister cannot spend $1 million. Now, does that agreement exist any longer? Was there ever such an agreement or was it just part of the general way in which the government conducts its business by public announcement, with no substance? Let us answer that question first of all.

Hon. Mr. Yaremko: Mr. Chairman, this province has entered into two agreements with the federal authority through this department. We have a welfare services agreement and an Indian development agreement. Now, the welfare services agreement is working out, in my opinion, extremely well. There are certain shortcomings which have been brought to my attention in recent times but I do not anticipate any great difficulty in dealing the welfare sources.

And if my full responsibility were in the welfare field—I do not intend using that expression again and I am going to use the expression "social services" because of a specific reason—if those were my only responsibility as a Minister I would have no qualms. I would be prepared to back up by and large that specific programme in relationship to the Indian citizens of Ontario, as I am to the general citizenry as a whole. We did enter into the other agreement, the Indian development agreement, it was signed.

When it came to putting the agreement into effect, we then discovered that in the interpretation which was put on the Indian development agreement there was a difference of opinion between the provincial point of view and the federal point of view.

Mr. Nixon: The Indians did not think much of it, either, at the time.

Hon. Mr. Yaremko: I will come to that point in a moment. I do not think it was really at the time, but I think it may not be the issue that it is today, because the Indians are looking to a resolution of these bread and butter issues of the Indian development. They are looking to see the results of the Indian development agreement. We signed that agreement, we were the only province to sign either agreement. We signed both agreements.

Mr. MacDonald: They are getting more disillusioned every day while they look.

Hon. Mr. Yaremko: When the other provinces see the interpretation that was placed upon the limitation of expenditure of funds, at the federal level, they will find that they only participate to the extent of salaries of the Indian development officers and certain related administrative portions which limit the agreement to the point where it just has not produced the results that we anticipated. And this is where, I say to the hon. member for Riverdale, the crunch of the matter really is. That is one very fundamental issue: The fiscal issue between the two levels of government.

Now, the other issue, of course, in the participation, is the presence of the third party, the Indian.

Mr. Lewis: The first party.

Hon. Mr. Yaremko: Well, the first party, one of the three parties in this tri-partite—

Mr. Lewis: It is not tri-partite, that is the problem.

Hon. Mr. Yaremko: Because as I began to learn, I found, being a lawyer and dealing with the constitutional issues from a legal point of view, an item which I had a tendency to pass over very lightly, but which I have learned in recent days is of very great significance—and that is the attitude of the Indians towards the ancient Indian treaties. The treaties, of course, are at the federal level because they preceded the constitution. This is where the hon. leader of the NDP brought the Indian treaties into—

Interjections by hon. members.

Hon. Mr. Yaremko: From the Indian point of view, there are the two main issues: the Indian treaties and lands and what I will refer to as the Indian status—the whole complex of the maintenance of our Indian citizens as a cultural entity. I for one completely subscribe to the continuance and the preservation of the Indian cultural entity. I am less familiar with the Eskimo cultural entity,

which is, of course, more prevelant at the national level than it is within our province. I am dedicated, completely, as a person and in my political beliefs, to this. This aspect is, I believe, properly at the federal and national level and should continue there.

Now, I am going to use broad, general terms. When it comes to the bread and butter issues, I believe the provision of social services—that the leader of the NDP touched upon—is where the province has a role to play. Currently we have the Minister of Health, who deals with the federal Minister of Health and Welfare in his health capacity; we have the Minister of Agriculture and Food (Mr. Stewart), who deals with the federal Minister of Agriculture in the agricultural field; and we perhaps have the Minister of Lands and Forests dealing with resources Ministers and their counterparts.

I deal with the Minister of Health and Welfare in the social service field, but I have the additional responsibility of the carriage of the matter on behalf of the province, *vis-à-vis,* Mr. Chretien, whose sole responsibility it is. Now, I envisage—

Mr. E. W. Martel (Sudbury East): You have all failed miserably.

Hon. Mr. Yaremko: I envisage a plan whereby the federal and provincial authorities, with the consent, consultation and agreement of the Indian population—however that agreement or rapport is established and through whatever agency is used—will evolve some sort of a blanket plan. This blanket understanding between the federal and the provincial authorities will delineate these lines of responsibility—both legal and fiscal. Then, there will be, perhaps, a blanket agreement or understanding between the two levels under which we can work.

Last February at a meeting of the Ministers of Health and Welfare in Ottawa, I put forward the proposition that a full-scale provincial-federal gathering be held to deal with only Indian matters. I outlined the kind of an agenda I envisaged, where I would be—

Mr. MacDonald: Another excuse for delaying action.

Hon. Mr. Yaremko: I outlined an agenda whereby, for example, I would be present continuously as the Minister heading the Cabinet committee and Mr. Chretien would be there continuously also on, say, a Monday morning, the Minister of Education (Mr. Davis) from the province of Ontario and the other provinces, would be present to discuss education matters; in the afternoon, the Ministers of Health—in conjunction with Mr. Munro—would be there; and the provincial Ministers and their federal counterparts would meet to delineate these matters—by and with, I say, their consent, before any decisions are made, with relationship to the Indian community of Canada and of the province. Mr. Chretien and his department have been involved in discussions at the local and provincial level across Canada in respect to The Indian Act. Last week there was a full-fledged conference which I watched with a great deal of interest. It is difficult to say which should come first, how this complex situation can be tackled in order that eventually the right solution will come forward. Now, I know that until this matter is resolved, an Indian development corporation as propounded by some persons and as adopted by the leader of the NDP will not work, although I think he modified his idea somewhat in his remarks of last Sunday—I was not present but I heard of them—I think he has modified his position slightly.

The hon. leader of the Opposition suggests a comparable committee, but directly responsible to the Prime Minister—which is not too greatly different from the present vehicle. Regardless of what vehicle is used, these fundamental things must be cleared up and must be delineated.

I am still convinced that if that is resolved, the Cabinet committee and the inter-departmental committee can work because I see that it has the potential to set up another agency—which would be a government in miniature—does not appeal to me. One of the things I learned was that the old structure of the federal Department of Indian Affairs was a government within a government and the whole range of services which governments have for all their people. That attitude, I think, has changed somewhat in recent times. I, too, was a little hesitant about the association—

Mr. Bullbrook: Are you going to answer the question?

Hon. Mr. Yaremko: I, too, was a little concerned about the association of the whole field of Indian affairs within the particular department, particularly when it was called Public Welfare. My experience in this went back to when I, as the Provincial Secretary, began to talk in terms of the appointment of marriage licence issuers and discovered that people were thinking in terms of using the

welfare officers for this particular role. I queried it. I said, "What in the world has a welfare officer got to do with marriage licence issuers?

Mr. Nixon: It was the only official you had then. It is the same now.

Hon. Mr. Yaremko: I know, but it did not appeal to me. Now since we have a Department of Social and Family Services, the idea of an Indian development branch within this context is not as distasteful, either to myself or to the members of the department or, I think, to the Indian citizens as a whole, as they learn more and more of the fact that the department is a social service department.

In relationship to the Indian advisory committee I may say that one of the great roles they have played is the process of educating the Minister. I hope that also, in this context, there has been a two-way flow of information. Their status has caused them concern themselves, and I have had discussions with them along these lines. They do have a major role to play and I still think that in this particular role, the responsible Minister must have a committee to which he must—and I still hold to this belief—in private, and in confidence turn; in which there can be a completely frank exchange of ideas and thoughts within the atmosphere of confidence and privacy as people seek to find out what the right course is. Within the community there is no doubt there have been emerging very articulate elements. In the most recent times the Union of Ontario Indians has come forward as a very positive, stable, thoughtful authority, and I look forward to working with them in the days ahead.

Mr. MacDonald: Why do you not respond to help them do their job?

Hon. Mr. Yaremko: They will have their particular role to play. I have spoken to them, to each of them, and they each have very responsible roles to play because, as has been pointed out by members, there is a militancy which is emerging. I make no comment upon that at this time but I say, militancy or no militancy, there is required the stable influence of people who would know, who understand and appreciate the difficulties of government evolving policies and programmes, and who will have an understanding and have direct contact. As I have been educated by them, I have been sharing some of my problems with them as I share them with the House today.

Mr. MacDonald: Why do you not make $54,000 available to them to help them do the job?

Mr. Lewis: Even Rudyard Kipling was not as patronizing as you are.

Hon. Mr. Yaremko: That, Mr. Chairman, was a completely unnecessary remark.

Mr. Lewis: Well. What is this condescending attitude?

Hon. Mr. Yaremko: It is not condescending. The hon. member has a habit of injecting what I call nasty words—

Mr. Lewis: Rudyard Kipling was a very lovely poet.

Hon. Mr. Yaremko: —just to muddy it up. As I say, there is no group of men or women that I have a greater regard and respect for than members of our Indian community.

Mr. MacDonald: Your attitude belies your words.

Hon. Mr. Yaremko: As I say, it is the position that I take.

Mr. Lewis: You have not even spent the money. I repeat the words—you share the white man's burden.

Mr. J. Renwick: Do you not understand you have done nothing?

Hon. Mr. Yaremko: Mr. Chairman, these two are the basic problems.

Mr. MacDonald: You are the basic problem.

Mr. J. Renwick: The whole government is the basic problem.

Hon. Mr. Yaremko: Two problems have to be resolved. This is not to say that within the province of Ontario we have not embarked on very extensive programmes for the extension of services to our Indian citizens. I will not make mention of the social services within our department; we have been extending them over the years and we have been providing the legislative vehicles through which this may be done.

Each department has been playing a role. Over the last two years I have been getting an understanding of this; in the immediate days ahead all this material will be put together—

Mr. MacDonald: A little bit of knowledge is a dangerous thing.

Hon. Mr. Yaremko: It is not a little bit of knowledge because of the scope of some of the departmental programmes and the entries that they have made into various areas, even cost sharing programmes. For example, The Department of Labour has one with its counterpart, The Department of Lands and Forests; The Department of Agriculture also. They have been working out these individual programmes. I do not think this is the proper course. But I will be able to document for the government and for our Indian citizens, what is available for them through the provincial activities to date.

But what is necessary is this massive approach to the massive turning out of material and personnel to cope with those two basic problems that must be resolved.

Mr. Knight: Who ran the Ottawa survey?

Hon. Mr. Yaremko: The hon. member did touch upon that in a question about the urban renewal. One of the complexities of the Indian challenge is the fact that there are really no neat categories. There is a broad spectrum. There is the Indian who is on the reserve and always has been on the reserve. There is the Indian who has lived off the reserve but in what is known as the unorganized Indian communities, the franchised and the disenfranchised; the treaty and the non-treaty. There is the Indian who has moved into the urban areas, whether they be at the Lakehead or whether in the city of Toronto. Then, those of our citizens who have come to the highly urbanized development, have available to them exactly the same full range of services that are available to any citizen. In turn, it has been pointed out to me very forcibly by my Indian friends, they, too, are paying taxes just as any other citizen of Toronto or any other urbanized citizen. There is this role that they are playing.

In that spectrum you have the one in respect of whom there is no distinction whatsoever except that he might have, because of the change of environment, certain problems which are not common to the rest of the population but which would be common to somebody coming from the east coast—from that rural type of setting into a highly urbanized area.

Mr. Knight: Does he get as much help as a new immigrant coming from across the Atlantic?

Mr. Yaremko: It is hard to evaluate because we do have, as the hon. member touched upon, the Indian friendship centres which are one vehicle which have been used but are only one type of possible vehicles which might be evolved and used in order to assist in this period of transition, when an Indian wishes to take up full community life within an urbanized society and has to undergo this transition period. We have much to do in this area.

This is why I say, when the hon. member for Scarborough West talks about the simplicity of the matter, I do not agree with him. The spectrum of the type of person involved, the spectrum of the problems they face, the spectrum of the responsibilities, all these things have permutations and combinations which take a lot of sorting out.

Mr. Lewis: There has not been a concrete word in 45 minutes, since this Minister began.

Hon. Mr. Yaremko: Mr. Chairman, other provinces have watched, I am sure, with a great deal of interest, our activities in this field—

Mr. Stokes: They are way ahead of you.

Hon. Mr. Yaremko: —*vis-à-vis* the federal authorities. I have been watching with a great deal of interest what has been going on in other provinces. I am aware of in a general way, of the activities in British Columbia, and in the Western provinces. We will be examining in detail and evaluating the merits of their approaches and evaluating what their positions are, *vis-à-vis* the federal authorities.

For a long time there was a very hard position taken by other provinces. They would not move in this field at all because they took the position it was exclusively a federal matter. Now we will be taking an interest to see what financial arrangements have been mad in those provinces, and what vehicles have been used, that is what federal-provincial vehicles have been used in those provinces in contradistinction to the vehicles we have used in order to resolve one of these two problems.

Now in relationship to the expenditure of the moneys that have been voted, it is obvious the writing is large, we have not spent the money that we had been provided with. The figures speak for themselves. We have been getting into development projects, not to the degree of our expectations, but we have had experience in certain areas such as the Amik Corporation, the Widjiitiwin. In these specific instances, we see the merit of it. This is where the disappointment lies from

a personal and from a ministerial view because you have high hopes that it can be done; it is possible; it is not easy, it is difficult, but it is not insoluble.

Interjection by an hon. member.

Hon. Mr. Yaremko: It is not an insoluble problem. In fact, I take the position that it is not insoluble, and it will be solved, because there is no alternative but to find a solution.

That is the position I take in this, and that of course is the difficult thing. It is related to the point when this fundamental proposition is resolved.

Now I want to touch on most of the points that I have not touched upon. In relation to the Indian advisory committee: first, they are an advisory committee to the Minister, and they play that unique role that advisory committees have played traditionally within the government. They have played a major role in delineating to me many aspects—they have been part of my education process. I think there is a great deal of merit in what one hon. member—I forget which—touched upon: that there should be some sort of a contact between the Indian advisory committee and the members of the Legislature.

It is my intent to have them meet with the Cabinet committee in a formal way in order that there be a general review of some of the relationships. I think that it can be worked out that this committee might appear—as was suggested, before either the committee on commissions, or perhaps even better the committee on social and family and correctional services—or a select committee, because they will have a role to play. When the hon. member for York South tries to delineate that there is a simple solution to this matter, and that these problems—

Interjections by hon. members.

Mr. MacDonald: I never said it was simple. But don't let its complexities overwhelm you into doing anything about it.

Hon. Mr. Yaremko: I see that the advisory committee, apart from their advisory role to the Minister, could play, I believe, a role in this; and I think there is great merit in this aspect and this proposition.

It being 6 o'clock, p.m., the House took recess.

No. 108



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, May 6, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

CANADIANA 5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, May 6, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 4039

Motion to adjourn, Mr. Welch, agreed to 4073

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. J. N. Allan (Haldimand-Norfolk): Mr. Chairman, I should like to draw the attention of the hon. members to a class from the Cayuga Technical School who are in the west gallery tonight, and particularly to point out that a great number of them are very fine Indian youths from that area.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(*Continued*)

On vote 2003:

Mr. Chairman: Indian community developments; the hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): We are still talking about Indians!

Mr. Chairman: That is correct.

Mr. Pitman: Well Mr. Chairman, this afternoon I think we saw one of the most incredible perfomances by a Minister that has ever taken place in this House.

Mr. J. Renwick (Riverdale): Depressing!

Mr. Pitman: First we were told the Minister does not understand the problem, and then we were told that he cannot do anything because he cannot solve any of the constitutional hang-ups. I would suggest, Mr. Chairman, that if this country breaks apart, it is going to be over that problem more than any other problem. It is not going to be because the French- or the English-speaking people of this country cannot get along, but because we have not got the wit to solve our own constitutional problems.

Mr. D. C. MacDonald (York South): Or the will!

Mr. Pitman: Or the will rather, as my leader suggests.

Then he could not find a way to solve the money difficulty.

I could not help thinking, as I sat here, Mr. Chairman, that over the past few months there have been planes going back and forth between Ontario and the Caribbean Islands and these planes have been filled with desks and textbooks for the children of people in the Caribbean Islands, and no one in this Chamber would do anything but congratulate the Minister of Education for his activities in providing this kind of help to those people. But how ironic that we can solve the problems or help solve the problems of the native peoples of the Caribbean, when we cannot do anything about the native peoples of this province.

Now I am going to present to the Minister a difficulty, a problem; and it is simple. It is almost simplistic, as though no complexities were involved in it at all so far as the constitutional issue is concerned.

It involves education; we in this province have been dealing with education in regard to Indian people for quite some time. Besides that, the federal government is quite happy to have the province of Ontario involved in this particular experiment. Thirdly, in relation to money, the federal government has already indicated its intentions and its willingness to contribute money toward this particular project.

There should be no problem at all. So far as the project itself is concerned, it involves providing an experimental course during the summer for teachers of Indian children in the province of Ontario.

As I said, the federal government has agreed. It is quite happy to support it, and yet we cannot seem to get it through this committee and through this department and get something done in what seems to me the most obvious kind of a problem.

I do not think the Minister would surely agree with one fact, and that is that one of the reasons for this poverty which we have among the Indian people is the fact that they have not been able to institute the skills, they have not been able to institute the knowledge either, to do their best within their own heritage or to do something within the cultural society in which they might move in our western society.

In other words, they are unable to make

either choice effectively because of the situation.

We know the province already is dealing with something like 21,000 Indian young people in their schools. We know that so far as the first two years are concerned in those schools, Indian young people do rather well. By the middle of their experience in the elementary schools they begin to slow down, and we know that one of the most disgraceful things about this entire country is the number of Indian young people who have been able to graduate from the secondary schools and find themselves in post-secondary education across this country and particularly, in this province.

Now the purpose of this whole experiment which has been planned for a couple of years, and indeed was already involved in a pilot project last summer, was to try and develop a summer course which would involve Indian young people; which would involve some 24 teachers on an experimental basis; would involve an experiment in curriculum which would include not only teaching reading skills and mathematical skills, but would also involve providing an opportunity for these Indian young people to learn something of their own heritage.

What is even more important, would allow the Indian teachers to become acquainted with the Indian heritage; to become conscious of the necessity of understanding themselves and the community in which they were working. Also giving these Indian young people a chance to understand themselves, and the kind of culture in which they themselves are a part and have been produced by, and the kind of culture in which they are ready to move.

Now, the total effect of this upon the whole education system of Ontario could be really very important. It has been assumed that there are some 4,000 teachers across the province who are in some kind of contact with Indian young people with more or less effectiveness, and largely with less effectiveness, because unfortunately the drop-out rate among the Indian young people is very high.

The reason I bring this up tonight is, as I say, that here is a specific problem, a very simple, specific problem. The federal government is willing to support it, and it has already been planned. The amount of work that has been done at the Ontario Institute for Studies and Education in providing a curriculum has been monumental. There has been a great deal of expenditure already at that institution by at least two very highly trained specialists.

But as it stands right at this moment, Mr. Chairman, there is no way in which this course can go on this summer. The whole thing is held up, the whole thing is stalled, because no decision seems to be able to be made by the committee of the Cabinet which this Minister is responsible for, or the advisory committee. The hang-up is somewhere in this particular government, at this particular point in that government.

I asked the Minister of Education some weeks ago when we were going to get some action on this particular matter. Well, he was not sure, but he did not think it could go on this summer, and yet there has been a committee working on this. The whole thing is ready to go, it could be moved ahead, we could make a real stride towards understanding Indian young people, towards helping them to understand themselves, and towards doing something about this poverty cycle which we find these Indian young people in. Yet, this government cannot deal with that specific problem.

This afternoon, the Minister ranged far and wide over all the problems that the Indian people have in this province, and described in harrowing detail why this government could deal with all these problems, and why we had to stand back. Also, of course, the degree to which he patronized these Indians was absolutely astounding as we sat over here and listened to him. But I would like to know tonight, before this estimate goes by, why we cannot get something like this done which involves only 24 teachers, involves only one Indian group, and involves an experiment that has already been organized, a curriculum that has already been written out and is in the Minister's hands. Why can we not do something about this? It would seem to me that all we need to do is simply sign the order. It involves far less money than the Minister has left over from his budget in the last estimates that he placed before this House.

It seems to me, Mr. Chairman, that at least in this specific instance, the Minister can give us some indication tonight that action can take place over there, that something can be done by this committee—in other words, that we are not going to have this world project wrecked if the government does not go ahead with this thing right now, because we will cut off all the work we have done in the last two years. We will have no idea as to whether there is any possibility of going on in the future, and this has already been planned for the next two or three summers, in

a very effective and organized way. So I ask the Minister right now, in this House, Mr. Chairman, to come up with an answer to that specific limited problem which his department and his committee can deal with.

Hon. J. Yaremko (Minister of Social and Family Services): Actually, Mr. Chairman, I do not have the details of the programme that the hon. member has referred to. I know that the department has been engaged, in its curriculum section, in assessing the relevance of programmes for the special needs of the children. Now, with respect to the teacher programme, the Minister of Education (Mr. Davis), will have to speak to that particular topic.

Mr. Pitman: Mr. Chairman, it is simply not good enough. This whole thing is in the hands of the committee of the Indian development branch of The Department of Social and Family Services. This whole matter is in that branch and it is not the responsibility of the Minister of Education. There is no reason why that committee cannot solve this problem.

If the Minister does not know anything about this, then to make it very specific, this is a research proposal being carried out by Dr. G. L. McDermott and Dr. H. L. Narrow in the Ontario Institute for Studies on Education. There has been a committee set up on this and the people on this committee are well known to the Minister.

The members on this committee presented a brief. They are: Dr. E. F. Rogers, curator of the ethnology department, Royal Ontario Museum; Mr. Currie, superintendent of supervision, Ontario Department of Education; a number of Indian people; the chief superintendent of schools for Indian affairs at Ottawa, and whole series of people, including the professor of educational theories, Ontario Institute for Studies on Education. I just simply cannot fathom how the Minister could say he does not know anything about this when this is a matter which has been dealt with by his Indian development branch.

Hon. Mr. Yaremko: This matter is being dealt with through The Department of Education and the institute. And as for the details of any hold-up on it, I am not too familiar with why it has not moved ahead. As I say, the Minister of Education will have the specific answer for that specific problem.

Mr. Pitman: Well, are these things not discussed at this committee? How often does this committee meet? What do they talk about?

I am sure this is the kind of a matter which involves not just education, it involves economic development in that particular area. It involves welfare services. In fact, it has day-care nurseries involved in it to help Indian mothers to upgrade children so that they are ready for school. It is what the Minister calls a spectrum of services which involves, not just The Department of Education, but a number of services involved in this department.

Hon. Mr. Yaremko: We are involved in the development of the day nurseries section, both at the Moosonee project and locally. I think Walpole Island was the first to have it. And we will be moving gradually in this area.

But in the field of education, there is no policy decision that I am aware of to be made—at least the Minister of Education has not brought them forward—so I would assume that things would take their natural course of events. But, as I say, he will have the specific answers.

Mr. MacDonald: Mr. Chairman, the Minister has illustrated a point.

May I just say it was fortunate that we had the two-hour recess, from 6 p.m. to 8 p.m., so that we could sort of simmer down after listening to the provocation which was incredible and unwitting. That makes it all the worse—the unwitting provocation of the Minister whose attitude and whose incompetence and whose lack of achievement is such that it is almost impossible to rise and to deal coherently with the kind of situation with which he presents us.

But let us start with the point we are just discussing. The Minister has indicated what Professor Krueger said about interdepartmental committees a few years ago in another context, namely, that they are useless. It is impossible, unless he is superhuman, for any Minister who is responsible for his own department, to do a job in terms of an interdepartmental committee involving many other departments.

Here we are with an issue, a live issue—in fact it is so live it has been on TV two or three times in the last ten days. The Minister speaks proudly—oh, he just oozes pride, it drips—about this committee, this wonderful committee—

Hon. Mr. Yaremko: Let us stick to the policies and the programmes. Let us leave personalities out of this.

Mr. MacDonald: The Minister oozes—

Hon. Mr. Yaremko: Deal with the platforms and the policies.

Mr. MacDonald: And he drips about this committee which he has worked with. He has never seen a committee which is willing to work in a more co-ordinated fashion than this one—I am only quoting his words of this afternoon. Here is an issue which at the moment has, for example, the Indians in Lambton county on TV asking why they cannot have representation on the school board and the Minister does not know anything about it.

What is this committee? How often does it meet? What advice does it give? And when the Minister is given advice, does he do anything about it? Has it got minutes we can see, or is it, as the Minister intimated when we were discussing it this afternoon, that it is a secret committee, that is not exposed to the public, that he can sit down with and advance his self-education.

Mr. Chairman, this afternoon—and perhaps if we achieve nothing, we can convey a bit of this to the Minister—the Minister proudly said that he asked the advisory committee to come down and watch this performance. If the Minister had one small iota of an appreciation of how completely frustrated the advisory committee is, he would have made certain that they were meeting in Moosonee, instead of inviting them to come down and see the spectacle of this afternoon.

But the Minister does not even realize it. This is the incredible part of it. The Minister gets up and spends a half an hour or more elaborating. It was just absolutely appalling, beyond description, that this whole thing has been a self-education for him.

God help us—

Mr. Pitman: God help the Indians.

Mr. MacDonald: —that, after 100 years' neglect in coping with Indian problems, that the Minister should be so unappreciative of the situation that he proudly says that it has been a self-educating process for him. Meanwhile the Indians wait.

Why does the Minister not recognize that he is the biggest obstacle in the way of doing something about it, and get out? Leave it to somebody else who has an appreciation of it, who is not overwhelmed by the complexities of the problem, who is not willing to use this excuse, that excuse, the next excuse—and when those three are used, you will dream up another excuse—to persuade himself it is a complex problem, and, at the end of 100 years, still do nothing more about it. It is appalling beyond words.

Now let me try to simmer down, once again, because I want to deal with two or three specifics that the Minister raised this afternoon.

He says the problem is a constitutional problem. Constitutions are made to serve man, man should not be the victim of the the constitution. The whole approach of the Minister, a lawyer who is preoccupied with the legal aspect of the constitution, is that we cannot do anything, because of the constitution.

Has it ever occurred to the Minister that he should use that constitution, go around it, change it, shape it, ride over it, but get at the problem on which you have done nothing for 100 years? You and your predecessors do not use the constitution as an excuse. That is point one.

Point two is, if you have got a choice as to what interpretation of the constitution to make, do not choose that interpretation which provides you with an excuse to do nothing. Choose that interpretation of the constitution that places an obligation on you to get out and do something.

I want to say, Mr. Chairman, through you to the Minister, that there is an interpretation of the constitution which has been advanced by Professor Lysyk which says that there is a provincial responsibility, that there is no obstacle the province cannot tackle. So for heaven's sakes accept that interpretation and get out and do something.

The most convincing proof that this Minister is a total disastrous failure is that he should come in and almost, with a bit of bravado, say that we were not able to spend the $1 million that we appropriated last year to meet the needs of the Indians, and yet a month or six weeks ago he speaks with pride about the Ontario Union of Indians and the job that the Ontario Unions of Indians could do.

But the Ontario Union of Indians are the only people who can get in, with the confidence of the local Indians, and find out some of the problems, and come back with some of the solutions.

What have they asked the Minister for?

They asked him some time ago for assistance to prepare briefs for presentation to Ottawa but neither the federal government nor the provincial government provided them with the means to do that. But the Ontario

Union of Indians, now established as a viable independent organization with Omer Peters as a full-time person with it, came to the government and said, "Will you provide us with $54,000 to put field men in to get the information that we seek, so that we can shape a policy?"

This was a meaningful kind of advice, and what has the Minister done? He is sitting on $1 million of unexpected money, sir, but he—or the Treasury Board, or who, I do not know—cannot get agreement to give the Ontario Union of Indians $54,000 to get out and do the job.

I say to the Minister—cut out the hypocrisy of praising the Ontario Union of Indians for doing the job. Give them a few of the resources so that they can get out to do the job.

I am not going to quote at length from Professor Lysyk. If the Minister is not already persuaded, I invite him to go and read him. Read, for example, the speech of Martin O'Connell in the federal House of Commons because—

Hon. Mr. Yaremko: I have read it.

Mr. MacDonald: Well, you read it but you have not understood it. Every important speech the Minister gives us, he says," I have read it three times." The only thing I can conclude is that you read this only once, and it is obvious you are a slow learner.

Read it twice more and get the import of it, because the import is that there is no obstacle,, there is no legal barrier, in terms of the province moving to accept responsibility for services to Indians.

Hon. Mr. Yaremko: I accept that argument and I have made it clear. I said to the hon. member for Riverdale, that portion of his speech I will accept it completely, with no legal barrier.

Mr. J. E. Stokes (Thunder Bay): You do not accept financial responsibility.

Mr. MacDonald: This afternoon you said the problem was the constitution. Now you have changed your mind—

Hon. Mr. Yaremko: I have not changed my mind.

Mr. MacDonald: Why are you not moving in some of these programmes?

Hon. Mr. Yaremko: I have explained to you that social responsibility involved natural responsibility. It is very easy to delegate, saying you do it, but then the question is who is going to pay for it?

Mr. S. Lewis (Scarborough West): We are!

Mr. J. Renwick: You are.

Mr. MacDonald: You are sitting on $1 million that we, in this Legislature, voted for you to use. The Minister this afternoon said that there was a constitutional barrier. Now he has reversed his position.

Hon. Mr. Yaremko: I have not reversed my position.

Mr. MacDonald: He has said there is no constitutional barrier, we can move, but we must get the money from Ottawa.

Mr. Chairman, by way of backing up the proposition that there is no constitutional barrier. May I say to the Minister that in addition to there being no constitutional barrier, there is a legal obligation on you in terms of the statute of the province of Ontario. Now we are getting back to fundamentals; obviously, in dealing with this Minister, one has got to deal with fundamentals. But one of the things that is most often raised in the province of Ontario, that the province is most proud of, is the proposition that we have a human rights code. May I quote to the Minister the preamble to the Ontario Human Rights Code?

Hon. Mr. Yaremko: I participated in drafting that code.

Mr. MacDonald: Did you? Well once again, you participated in drafting, but you did not gross its significance. Because it said, "It is public policy in Ontario that every person" —all those persons, Mr. Chairman, and that includes the Indians—every person is free and equal in dignity and rights without regard to race, creed, colour, nationality, ancestry and place of origin." All right, if you helped to draft it, for heaven's sake understand what you drafted. But does it mean that the Indians are equal "in rights"? To be so, you cannot sit and make excuses about Ottawa presenting you with a constitutional barrier. Further, Mr. Chairman, you do not use the excuse that Ottawa is not providing you with the money.

I will tell you why. It has been documented by the Hawthorne-Tremblay Commission. The amount of money spent by governments in Canada, on Canadians as a whole, is $740 per capita. The amount of money that is spent by government on Indians in Canada, Mr. Chairman, is $300 per capita.

In short, governments in Canada today—federal, provincial, and local governments—are spending on Indians less than one-half of what they are spending on other Cana-

dians. I would suggest to the Minister, since that be the case, he does not need to sit and make the excuse that Ottawa will not give him the money. You have an obligation to fulfil the human rights code. You have an obligation, in the name of equity, to spend our money even if we cannot get it from Ottawa.

I want to emphasize that. Having said it, Mr. Chairman, I am not going to say to the Minister, do not negotiate with Ottawa. Negotiate in as tough a fashion as possible to get as much money as possible for what you choose to believe and Ottawa has chosen to accept up till now as being their responsibility. But do not use the fact that you have not got an agreement with Ottawa to postpone the expenditure of money, because we are spending less than half as much on Indians in Canada, including the province of Ontario, as we are spending on other Canadians. So morally and financially, you simply do not have a case.

You see, Mr. Chairman—and here I do not blame just the Minister because, quite frankly, the Minister only reflects the attitude of the Prime Minister on this issue. This is the tragedy of it. It is the government's attitude.

Last December 10, the Prime Minister of this province seized the occasion of human rights year to have a statement read in this House by the Minister of Labour. In the course of that statement, he picked the Indian situation as an example of where we had failed to do our duty to individuals in terms of human rights. What did he say? Let me read one or two paragraphs here, Mr. Chairman.

He quoted from Mr. McRuer with regard to the way we have treated the Indians. Indeed it is such a magnificently eloquent paragraph I think it is well to quote it once again. This is what Mr. McRuer said:

> For 100 years we denied the native people of this country a right to express themselves in the government of the country, solemn treaties were entered into with them and, if not broken by us with impunity, they were certainly circumvented by the payment of a few beads, hoes and the odd plough. Millions of acres of productive land were bought for such trifles. We did not massacre these native peoples as was done in some other countries, but we have undoubtedly starved thousands of them to death.

This is not an exaggerated comment from the Opposition. This is Mr. Justice McRuer.

We have undoubtedly starved thousands of them to death. If all men are born equal in this country, we well know that they do not stay equal long after they are born. And the comment of the Prime Minister was as follows:

> Mr. Speaker, this is something for which every Canadian must feel deep concern and deep shame. As Canadians we must all commit ourselves to ensure that justice is done. It should be pointed out, of course, that under our constitution the welfare of our Indians is the chief responsibility of the federal government.

This is the leader of the government of Ontario, flying in the face of a legitimate interpretation of the constitution, shelving his responsibilities, saying it is the federal government's responsibility.

> So far as I know, no provincial government has placed any obstacle or indeed could place any obstacle in the path of having these injustices removed. On the contrary, on our part, the government of Ontario stands ready today—

Yes, it stood for years, and it is still standing:

> —to co-operate wholeheartedly with the federal government in launching a massive attack on this problem. There is no doubt in my mind that other provinces are equally prepared to play their part.

Mr. Chairman, if the Prime Minister thought it was a constitutional responsibility—which it is—and if he is certain it is a matter of concern and shame to us, one would have thought that when the Prime Minister went to Ottawa for the constitutional conference that the Indian issue would have been rather high on the conference agenda.

But, Mr. Chairman, there was not a word mentioned by the government of Ontario on the Indian issue. It was not put on the agenda. So it makes a mockery of all your fine pretensions. Obviously you are willing to use the constitution as an excuse for not doing things and shelve the whole responsibility to the federal government

I suggest that it is about time we quit doing that, Mr Chairman. However, I want to turn to one other aspect. I was fascinated to hear the Minister's interjection this afternoon when, apparently, he reported from one of his spies who attended the panel disussion I took part in at the Unitarian Church on Sunday, and the Minister suggested that—

Hon. Mr. Yaremko: I do not think that that is a very good term to use. It is a very natural thing for me to take an interest in

everything that goes on and, if I cannot be present myself, I would imagine that it is a very normal thing to have somebody give a report to me.

Mr. MacDonald: Well, that is very interesting—

Hon. Mr. Yaremko: Would the hon. member like me to ignore his attitudes in this? I am very interested in what he has to say.

Mr. MacDonald: That is very interesting. The Minister now frankly says that he sent somebody to listen to me. Quite frankly, I am flattered.

Hon. Mr. Yaremko: Well, I checked to see whether somebody would be there and that was the case, and I said I would be pleased to find out what was said. You did not give me the—

Mr. MacDonald: Well, okay.

Hon. Mr. Yaremko: You did not give me the courtesy of sending me your remarks.

Mr. MacDonald: I am flattered that the Minister took time out on a beautiful weekend to make certain that somebody was there to hear what I had to say. But he got misinformation. He was misinformed with regard to what he thought was a change in attitude, and I come back now, Mr. Chairman—

Hon. Mr. Yaremko: I said modified.

Mr. MacDonald: Well, I will tell you how it is modified and why it is modified. What the Minister is referring to is the proposition that I advanced with vigour last year—and I am still firmly convinced that it is correct—that if we are going to meet the needs of the Indians, it can be done most quickly and most effectively by an extensive, decentralization of those responsibilities, traditionally accepted by Ottawa, to the provincial level. If you are going to meet the needs of the Indians, it must be through an integration with affairs which are normally within the provincial constitution, within provincial responsibility. Set up Crown corporations, or whatever sort of agency, in which the Indians have a majority decision, to work out the kind of programmes with the Union of Ontario Indians—hopefully, financed with some money to get men into the field to get the facts and to shape policies realistically.

I advanced that proposal last year because it was a policy worked out in considerable detail by the Indian-Eskimo Association. It had the support of the Union of Ontario Indians. I will concede—and here is where the modification came in—that there were some reservations among some Indians as to whether or not they wanted—to use the phraseology I have heard some people use on occasion—to escape from the devil they knew to accept a devil they did not know.

They were willing, perhaps, to live with the federal government and that inclination has become stronger because of the hopes, as yet unrealized, that maybe in Ottawa they are going to take a new look at this kind of a situation.

Well, I will tell you why I have modified my attitude slightly, without moving from the basic conviction that it is correct. Another reason why the Indians are having second thoughts about the decentralization of responsibility to the provincial level is because, as the Minister reminded us this afternoon, you have signed two agreements with Ottawa. One is known as the welfare agreement, which the Minister thinks has gone wonderfully, except for some information that was brought to him recently—so he told us this afternoon. The second one is the community development programme and the province's share in the community development programme has been such a tragic failure that the Indians once again are saying, "Obviously we have no hope at the provincial level."

The Minister shakes his head. Does he really deny that that is the case? Does he really believe, for one moment, that there is not a widespread, growing disillusionment with regard to the provincial participation? How, in heaven's name, can they believe anything else because we voted $1 million, and he did not spend it because he has got some sort of hang-up in the negotiations with Ottawa.

How can his programme be anything else but a failure if you have not spent the money that we made available to you? That is the reason why the Indians are having second thoughts with regard to whether or not they want to throw in their lot with the provincial government.

But, Mr. Chairman, if this Minister would get out of the way, if he would permit the setting up of an interdepartmental committee to co-ordinate the global approach of this government to deal not just with the unfulfilled individual rights of the Indians but with the unfulfilled community rights of the Indians—this requires action by Lands and Forests and Mines, The Department of Welfare, The Department of Education and The Department of Agriculture.

I am inclined to agree with the leader of the Opposition that if it is going to be done effectively, it must be done by a committee under the Prime Minister, with somebody, as Professor Kruger said, as full-time executive secretary with the equivalent of deputy minister status responsible to the Prime Minister, not to some Minister who is either unable or incapable of doing the job as a head of an interdepartmental committee.

Then, perhaps we have some possibility of achieving our objective. Then, perhaps we can willingly accept responsibilities from Ottawa and integrate them into a programme, whether it is of Lands and Forests, or Agriculture, or Mines, or The Department of Welfare or The Department of Health or The Department of Education here in the province of Ontario. Then we will have the possibility of moving with programmes that the Indians themselves will shape.

But the Minister has not even a glimmering of this kind of approach yet. He has sat and done nothing for the past year. That is why he is a tragic failure. When he gets up and gives us an orgy of words, explaining all the reasons why things cannot be done, he just proves that he is a tragic failure.

All I ask is that the government begin to live up to some of the high professions that they have made in connection with Indians—specifically, getting over the constitutional hurdle, spending the money that we have appropriated, and appropriating more, and be willing to spend it while you are negotiating with Ottawa.

If ultimately you are getting money from Ottawa, fine, but if you do not get money, you will be only raising that $300 per capita on Indians, maybe to $350, or $400 or $500 —within reaching distance of what we are spending on non-Indians in the Canadian population. That is the charge to this Minister, and I hope that sometime soon he is going to accept it and do something about it.

Mr. Chairman: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I know that the vote on Indian affairs is one which perhaps transgresses the limits of the traditional method of dealing with the estimates, but I assume that each year we are given some leeway to deal with the question of Indians, and I intend, subject to your direction, to take advantage of it.

Mr. Chairman: Well, I think probably the programme is fairly well defined, the programme of activity under this particular department. In the community development service, anything that falls within that area could be discussed.

Mr. J. Renwick: Mr. Chairman, perhaps if I could just go on, and if the Chairman stops me I—

Hon. Mr. Yaremko: Perhaps I may assist the hon. member, Mr. Chairman. In the last couple of years it has been the tradition of the House, in order to have a comprehensive and fairly orderly debate, that this is the opportunity in which hon. members of the House have a pretty far-ranging opportunity of discussing matters relating to Indian citizens, whether it falls within the purvue of this department or not.

This has been the tradition, and I think the Prime Minister has accepted this on behalf of the government. I see no reason why we should not take the fullest opportunity for this discussion.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, perhaps before the hon. member continues, on a point of clarification, the Minister has already indicated that questions dealing with education should be saved until the estimates of his colleague.

Hon. Mr. Yaremko: No, I was not inferring that.

Mr. Nixon: Well, that was my interpretation.

Hon. Mr. Yaremko: No, I think it can quite properly be raised. It is unfortunate that all the Ministers cannot be present here. My inference was that the Minister of Education could at some time give the particulars.

Mr. Nixon: I see. Well, just a further clarification. May we expect the Minister, who is chairman of the Cabinet committee, to have the information available, for example, on the matter of extending OMSIP to Indians. Does he have the information on that? Or when we get to the point when we can question in detail, will we be told to wait for the Health estimates?

Hon. Mr. Yaremko: The Minister of Health (Mr. Dymond) would have the detailed position on that. All I can do is give the general policy aspect of it, which I have attempted to do with relationship to the broad picture.

Mr. Nixon: It is going to be pretty broad.

Mr. MacDonald: Mr. Chairman, on this point of order we are dealing with. Here is

another proof of the fact that this interdepartmental committee simply does not work.

The Minister is correct in stating that the Prime Minister said that now is the occasion when we discuss the full range of affairs in relation to Indians. The Minister has told us about the interdepartmental committee. If this government is really interested in this occasion for an over-all debate on Indian matters, where is the Minister of Health? Where is the Minister of Education? Where is the Minister of Mines?

All of those Ministers, I submit to you, Mr. Chairman, should be here, and then when we ask questions we would not get the broad generality from the chairman of the interdepartmental committee, we would get the details. But the committee does not operate. This is final and further proof that the committee does not operate.

I agree that this is the time when, according to the Prime Minister, we should debate it. Later, we will have to debate it again and then we will be accused of wasting the time of the House by repetition. We will have to repeat it with each one of these departments. The Ministers should be here now to answer for their participation in the interdepartmental committee on Indians, but they are not.

Mr. Chairman: May I say that I am not aware of any such arrangement, although I have no reason whatsoever to doubt that such arrangement does exist. I take the word of the hon. members who have said that this arrangement was agreed upon.

However, in view of the fact that we do have this estimate before us fairly specifically outlined, and with the concurrence of the committee, if the hon. members direct questions outside of the specific area on this programme of activity, and the hon. Minister is able to provide the answers, this I presume would be acceptable.

However, if the hon. Minister does not have the information we will have to bypass it for another department. Is this agreeable to the committee?

Then we will proceed.

Mr. J. Renwick: Mr. Chairman, I do not intend to repeat any of the remarks made on April 17, when I tried to deal with, and do demolish once and for all, the constitutional barrier that seems to hang up this province in dealing with the questions of Indians. I do not intend to repeat any part of what I said on that occasion.

I am, however, going to repeat the remark which I made earlier in the course of this debate, that never in the short time that I have been in this Assembly have I ever witnessed such a depressing debate and discussion as has taken place in this Assembly on the question of the Indians.

I am sorry that the Treasurer (Mr. MacNaughton) is going to leave because he threw across the floor today one of the most insulting remarks that has ever been made in a debate about Indian matters. I assume that he will come back at some point, because it bears heavily on the financial obligations of this province. To remove my own depression and to endeavour somehow or other to indicate the areas within which this government can provide policy with respect to their obligations to the Indian community in the province of Ontario, I want to make these remarks. I want to make them perfectly clear.

The Minister and I are now in agreement, he has told me so, so far as the constitutional problem is concerned. I suggest at his leisure, at some point in the near future, that he consider the implications of that agreement with respect to the constitutional responsibility of the province of Ontario, because it is trite constitutional law. If the constitutional responsibility in the ambit of legislative authority is as he and I agree, then the executive authority to accomplish those ends follows the legislative authority.

Let us be perfectly clear about that. If you want any legal precedent for it, then you need only refer to that man who has become all things to the Tory government, Mr. Justice McRuer, either to accept his views or to discard them as they see fit. If you want to go back further than that, I refer you to the traditional constitutional law case of the John Deer Plow Company which specifically establishes, as a constitutional proposition in this country, that if the legislative authority and the ambit of the legislative authority falls on the government of this province, then the executive authority to carry out policies within that ambit of authority follows as the night follows the day.

Let us go to the third part of the constitutional problem that this Minister now throws up. I wish the Treasurer had remained because this is where this government is doing a great disservice to this country.

If the legislative authority is there and the executive authority follows from it, then it is the obligation of this government to raise the financial resources to carry out its legislative responsibility and the executive policies that

are determined as a result of that legislative authority.

I am not going to get diverted onto that proposition, but the major taxation fields are as fully available to this government as they are to the federal government.

My purpose in dealing at some length on April 17 with the question of constitutional problems of the Indians was not to permit them to continue to be used to hamstring the obligations of this government. It was for the purpose of removing the hang-up, demolishing the barrier and indicating to this government that we have, in fact if we will use it, a vibrant living constitution.

It may have the encrustations of a great deal of archaic language, it may not be ideal in the way in which many of its provisions are expressed, there may be obsolete provisions, but within the framework of the language of the constitution it is possible through judicial decisions, through governmental actions, through the exercise of intelligence, to adopt humane policies to accomplish anything that we wish to accomplish. In the field of Indian affairs this government until such time as it runs up against contrary federal legislation, and until such time as the federal legislation is thrown up in court to obstruct this government's policy, this government has an obligation, Mr. Chairman, to go ahead with all avenues related to the position of the Indian in the province of Ontario.

Now let me move on to the next part of this problem.

Back about 1965, as a result of the agitation in the field of civil rights in the southern part of the United States there was an overflow into Canada of a certain consternation in government circles. As a result of that we had this joint programme, to which I referred by interjection this afternoon, of $500 million announced as a joint programme of the government of the province of Ontario and of the federal government.

It is exactly as I said it was, it was part of this government's programme, this government policy, of conducting their business by public announcement without any substance to it. That it the end, that is the last we ever heard of that policy or of that programme where there was no financial hang-up of any kind whatsoever.

What we are dealing with, Mr. Chairman, is one of the major areas of abject poverty in the province of Ontario. We are engaging in a continuation of the policies of the cultural destruction of the Indian people and of the Eskimo people. You are charged with the responsibility of arresting that cultural destruction, that is your responsibility, and I am going to try to indicate in a few minutes how I think that maybe perhaps you can in fact carry out and discharge that responsibility. Mr. Chairman, I think that the members may carefully note that in what I have to say there is no element of compulsion, there is no element of paternalism, there is no element of authoritarianism of any kind; so let us get rid of this other hang-up of the government which rather indicates that they do not know to get together with the Indian communities in the province of Ontario and agree on what should be done.

Mr. Chairman, I simply say to the government that if it carries out its responsibility, then it is up to the Indian community itself in the province of Ontario—provided it is given the opportunities to do so—to accept its place within the framework of the Ontario society and bring to bear whatever pressures it wants, and adopt whatever means it wants to adopt, in order to achieve the kind of life which it wants to achieve. You are faced with a dead end if you think that at this time in the province of Ontario there is in fact some method by which you can reach agreement with the Indian community, with all the diverse interests that are involved in that community, as to what your policies are going to be. You can no longer use that as a reason for not accomplishing anything. I say that in the time that I have been in the Assembly we have voted substantial amounts of money to the Minister—substantial amounts in terms of what the government proposed, but minuscule amounts of money in terms of what is required—but little if any of that money has been expended.

Let us be perfectly clear, the responsibility in Indian affairs—which includes the Eskimo community as well, and includes Indians whether they are registered or not registered under The Indian Act—is that that whole community has to be treated by this government in the identical way in which this government treats all the rest of the citizens of the province of Ontario. I am speaking in an idealistic sense, because, of course, they make distinctions as to how they treat different groups.

Ideally, the Indian and Eskimo communities in the province of Ontario require that you treat them as ordinary citizens of this province, equal to any other citizen in line, as my leader has said, with the declaration that accompanies the Ontario Human Rights Code, in line with the declaration of human rights of the United Nations, in line with all the

things which, in our more platitudinous moments, we pride ourselves about. That is the first thing that the Minister has got to get across to himself.

His first problem is to deal with everyone in the society in the province of Ontario on identical terms, so that there are no distinctions, and there are no reasons why you should set aside, in a particular class, certain persons. If you discharge your responsibilities, the federal government will look after, at some point in time, the question as to whether or not there are particular incidents of status which are attached to the Indian under the constitution, but that is a relatively small area.

Mr. E. Sargent (Grey-Bruce): Get to the point.

Mr. J. Renwick: If the member for Grey-Bruce will leave the Chamber, he can come back later on, or he can come back next week.

Mr. Sargent: If I come back next week you will be saying the same thing over again.

Interjections by hon. members.

Mr. J. Renwick: Mr. Chairman, if the member for Grey-Bruce would have any conception of what is involved, the state of affairs on the Cape Croker Indian Reserve would not be the way it is today. Now that the member has got the responsibility in this area, either he should participate in the debate, or he should keep out of it, one or the other.

Mr. Sargent: Do you make the rules here?

Mr. J. Renwick: Maybe after the next election we will make the rules here.

Interjections by hon. members.

Mr. J. Renwick: And I might say they will be a significant improvement over the rules as they presently exist.

Mr. Stokes: If you have nothing to say, do not say it.

An hon. member: What about a game of poker?

Mr. J. Renwick: Mr. Chairman, I will try to keep track of the numbers, but I think there are about a dozen policies which this government can adopt, and which will go a long way to provide the kind of cohesion that the government is obligated to accomplish for the Indian community in the province. They are very simple, there is nothing difficult about them, and I am going to try to comment briefly about each one of them.

First of all, that the government must provide a policy for the identical treatment of the Indian community on or off the reserve—which is an irrelevant consideration—and whether they are registered Indians or not registered Indians, in the field of health services, preventative health services, medical care, hospital care and dental care. One of the questions for which we want an answer from the Minister is whether or not the Indians in Ontario, if they fall within the categories under which the government provides supplemental or total assistance under the OMSIP plan, are automatically not only covered but entitled to the benefit of the OMSIP programme in terms of the number of millions of dollars which we voted earlier under the first vote of this department? That is the first point.

The second policy is that the government must adopt a policy for the identical treatment of the Indian and Eskimo community under the programmes of The Department of Social and Family Services, The Family Benefits Act, The General Welfare Assistance Act and The Vocational Rehabilitation Assistance Act, regardless of whether the Indian is on the reserve or off the reserve, whether or not he is a registered Indian or ceases to be a registered Indian. The identical availability of those programmes to the Indian and Eskimo community should be asserted by this government as a policy.

The third policy is a policy of adequate housing for the Indian community. I do not happen to have the statistics available—I may possibly have them, but if I do not, they are readily available to all those who are interested in this. I cannot speak about the whole of the province of Ontario specifically on this question, but, so far as one can ascertain, one-sixth of the Indian families live in one-room shacks. While 99 per cent of Canadian homes have electricity, only one-half of Indian homes are so endowed. Only 15 per cent claim such basic facilities as indoor toilets, running water and telephones, as compared to 90 per cent of the general population.

The provision of adequate housing as a policy of this government in the Indian and Eskimo community immediately runs up against one of the mythologies of the Anglo-Saxon society. That is—and you hear it all the time—that the Indian communities do not know how to take care of their houses. I am saying if that is an important part of the government's hang-up in the housing area, let us get on with it.

I assert categorically I do not care whether the cost of housing means the reconstruction, year in and year out, of the houses in which the Indian community lives. If they want to dismantle the house or any part of it, that is fine with me. Your obligation and our obligation is to continue to provide adequate housing until such time as the Indian community choose to live in it in the way in which you and I accept as normal.

I do not happen to believe that that is going to be the case, but I have heard it so often that I assert it in those relatively black and white terms. There is definitely going to be an element, a continuing element, of wasteage in the traditional sense, as we understand it, in Indian housing. But that should not impede, in any way, the provision by all this government of adequate houses for all the Indian population.

Policy number four, Mr. Chairman, is the provision of identical primary and secondary school educational facilities, teaching facilities and curricula, with whatever is required in order to use the languages and the techniques and the tools that will provide the avenue within which the Indian and Eskimo community, be they children or adults, can participate in the educational structure of the province of Ontario.

Policy number five is a programme by this government specifically undertaken to protect the Indian and Eskimo handicraft industries from commercial exploitation and misuse. That should be a responsibility of this government, just as much as they accept the responsibility for the marketing and the control of the marketing of agricultural products, and now of fish products, in the province.

Policy number six is that this government —not in conjunction with the federal government—this government should appoint a Royal commission, chaired by a member of the Indian community and with a majority of its members from the Indian community. This would review all the treaty rights of the Indian people, from the time of the Royal declaration in 1763, until the present time, in order to assess what was done to the Indians in that land grab which took place disguised and cloaked under the aura of legality.

I am going to come back to that point when I finish the completion of these items about what could be the policy for the Indian people.

Policy number seven is the establishment, on an equal basis as the centre of science and technology, of a centre of Indian culture and civilization at some appropriate place within the province of Ontario. That will be a place of pride for the Indian and Eskimo community and a place of pride for the people of the province of Ontario, because we will have been engaged in prohibiting the destruction and arresting the destruction of a culture and a civilization, many of the elements of which are of great value to us.

Mr. Sargent: Now that is intelligent. For the first time it is intelligent.

Mr. J. Renwick: Policy number eight—the endowment at one of the universities in Ontario of a department of Indian affairs—the endowment of a professorship of Indian affairs. This in order that, somewhere in this province at the post-secondary level, there will be a focal point for the research and study and analysis of both past and present-day Indian cultural life and inheritance and the present way in which the Indian community live in Canada.

There should also be a similar establishment of a similar department at one of the colleges of applied arts and technology—and, in all likelihood, at more than one. A place where Indians coming through the educational system, wanting to devote their time to the scholarship of their own culture and of their own civilization, will have a place where they feel at home in the upper reaches of the educational system.

There are many of the applied arts which are still used by the Indian community in Canada which both should be preserved and taught in the colleges of applied arts and technology. Certainly if the member for Humber can point out that we are teaching some form of study and scholarship in the field of witchcraft, we can certainly, at the colleges of applied arts and technology, teach some of the highly skilled traditions and trades and abilities of the Indian and Eskimo community in Canada.

The next policy, policy number nine, is, in my judgment, the provision by this government of airborne servicing of the fisheries and of the traplines in this province where a great number of the Indian and Eskimo communities still earn their living. It should be quite possible for a government of this size and this wealth to provide the airborne servicing of those traplines and of the fisheries industry.

Mr. E. W. Sopha (Sudbury): There is not an Eskimo, you know, in Ontario.

Hon. J. R. Simonett (Minister of Energy and Resources Management): He did not know that. I am glad the member told him.

Interjections by hon. members.

Hon. Mr. Simonett: I have known it for many years.

Mr. Stokes: You had them all in wigwams up in the north a while ago.

Mr. J. Renwick: Mr. Chairman, I am glad the Minister of Energy and Resources Management interjected. I understand from what he said that there are no Eskimos on the west shore of the Hudson Bay area or in the Moosonee area, is that correct?

Hon. Mr. Simonett: There are no native Eskimos in Ontario.

Mr. J. Renwick: Mr. Chairman, I ask the Minister, are there any Eskimos living in the Moosonee area?

Hon. Mr. Yaremko: They are in schools or in hospitals.

Hon. Mr. Simonett: They come into the hospitals, but there are no native Eskimos in Ontario.

Mr. J. Renwick: All right.

Mr. Sopha: Well, there are some in the Belshaw Islands and we could seize those islands.

Mr. J. Renwick: With that minor diversion, one of the few small things which I do know is that there are some Eskimos resident in the province of Ontario. I would suggest that they are just as much citizens of the province of Ontario as anyone else is at the present time.

Hon. Mr. Simonett: You said native—

Mr. Lewis: From whence does your nativity hail?

Mr. J. Renwick: The next policy — policy number ten—Mr. Chairman, is—

Hon. Mr. Simonett: You have a lot to learn.

Mr. J. Renwick: —is for the government to take over the whole of the trade in fur-bearing animals on a monopoly basis for the benefit of the Indian community and such of the native Eskimo population as happened, from time to time, to live in the province of Ontario.

Let me reiterate that, just in case the Minister of Energy and Resources Management's span of attention was exhausted by that last interchange. Let me say that we must have a monopoly operation of the fur-bearing animal trade for the benefit of the Indian community in the province of Ontario.

That is something which a study will show is quite feasible and is a method by which we can provide a portion of the funds which can be used for the carrying out of these other policies.

Mr. Chairman, I am quite certain that others can think up just as many policies as I have. I happen to have listed about ten policies which, if adopted by this government, mean that there is a policy of choice available for these Indian communities. Policies of choice, that is what it is all about. Not to make somebody over into some other mould, but to provide him with the range of choices within which he can freely make his choices. I reiterate what I said somewhat earlier. I reiterate what I said; that if you analyze what I have said in the course of enunciating these policies, there is no element of compulsion, no element of authoritarianism, no element of arbitrariness, in what is involved. It is simply the continued elucidation of what the obligation of this government is constitutionally, as the executive government, from a financial point of view and from the cultural point of view.

These are policies which this government if it adopted them, could report on year by year and says, 'yes, we have acomplished this, this and this'. The funds, Mr. Chairman, let me reiterate, are available in this province through the taxing authority of this government, whatever is necessary to carry out those policies.

Mr. Chairman, let me come back to the area that I said I would return to a little bit earlier in my remarks. The whole of the treaty question—and I want to go back to the pre-Confederation treaties and I am going to read one of the treaties. There are many of them; many of the pre-Confederation treaties.

In the southern Ontario part of the land grab, thousands and thousands of acres were taken on the basis of an annuity, in the major treaties, of two pounds and ten shillings for such members of the Indian community who happened to inhabit those vast tracts, carefully delimited. Do not let anyone say to you that the annuity of two pounds and ten shillings over a long period of time —the lifetime of the particular persons who

were living, not their heirs or successors—was much greater in value at that time than it appears to be on the surface. With the two pounds, ten shillings, you could get one pair of three-point blankets at 19 shillings and sixpence. That is one pound of it. One pound of the annuity for one pair of three-point blankets. You could also get a piece of calico; 18 yards for 42 shillings.

Hon. A. Grossman (Minister of Correctional Services): Is the hon. member blaming this government for that?

An hon. member: Yes, it is one of the areas of neglect.

Interjections by hon. members.

Mr. J. Renwick: I am quite certain that the Attorney General would not agree with it, but you are certainly the successors to the family compact if ever I saw it.

Hon. Mr. Grossman: I never even knew any of them personally.

Mr. J. Renwick: All right, let me get to the point. I am not blaming this government, but I am suggesting to this government that there is something which this government must do to rectify the obvious injustice which was done at that time. The Minister of Correctional Services can shake his head all he wants to. I am simply pointing out that two pounds, ten shillings in goods at that time would buy a piece of calico and a pair of blankets; that is what it would buy on an annuity basis.

This is one particular treaty and there are many that follow this pattern and I simply use it as an example. If you were one of the Indians of the Chippewa tribe in 1820 and if you could understand what was being done to you by Mr. William Claus, the superintendent of Indian Affairs, then I would be quite surprised.

I want to record this because I do not know whether one of these has ever been recorded in this House before. I want to correct the total perspective of our outlook on the question of these treaties. We tend only to talk about those treaties related to the Indians across northern Ontario and not to deal with the Indian community which was gradually shoved back into the northern part of the province of Ontario because of the constant and continuous encroachment of the white man over many years, legalized by documents such as this. I would—

Mr. Chairman: Is the hon. member going to relate this material to any situation to date that might concern this department?

Mr. Renwick: Mr. Chairman, I had related it, I think. On any objective view, there is a total vacuum in the Indian policy of this government. I think that is the first point. I endeavoured to fill that vacuum by pointing out a dozen policies which could be adopted which would go some way toward filling up this vacuum. One of them I recommended was the appointment of a Royal commission chaired by an Indian and with a majority of the members from the Indian community that would deal with the whole range of the treaties.

If this is the Indian branch, I want to relate this to the continuing legal problems which are involved in what is commonly known as Treaty Number 3 in the northwest angle of the province. I want to deal with that and I want to deal with this treaty as an example of the kind of thing which has to be done by this government, if it is going to adopt the Indian policies which are necessary.

Mr. Chairman: May I just say that in view of the concurrence of the committee quite a few minutes back, various matters not specifically under this vote could be discussed. I do admit that I am experiencing difficulty in determining what might be in order and what might not be in order. The committee did concur that we could range on any topic, even though it were not discussed or covered in this vote. But I would ask the hon. members if they would try to relate their topics to something without going way back over history to ancient treaties. I do not know if this is, properly, something—

Mr. Stokes: This is part of the whole problem.

Mr. J. Renwick: Mr. Chairman, there are outstanding legal problems in which this government has been in substantial default, in terms of dealing with them, since about 1873.

Mr. Chairman: And the hon. member is trying to relate these breaches of the treaties in this province to the present-day situation?

Mr. J. Renwick: I want to deal with that particular aspect. Yes that is right.

Hon. Mr. Grossman: Do not help him out, Mr. Chairman.

Mr. J. Renwick: I think the Attorney General will agree with me that there are outstanding legal problems in connection with the Indian treaties in the province of Ontario.

Mr. Chairman: I am sure the hon. member is not going to go into to much detail to relate this.

Mr. Sopha: I wonder if the Minister of Lands and Forests (Mr. Brunelle) agrees they are.

Mr. Chairman: The hon. member for Riverdale has the floor.

Mr. J. Renwick: This particular document is couched in the terms of an English deed. I will not read the whole of it; I will read substantial parts of it. Then I simply ask the members of the assembly, if you were a member of the Chippewa nation, whether or not you would have a clear understanding of what you had signed when you signed this particular document. Or whether, in legal terms, an argument which, I believe, in the Latin phrase of *non est factum*, would have perhaps been a defence against anybody trying to hold up this document against you if you were asserting claims as the heir of one of the persons who signed this treaty. This language is quite quaint, you know; it is quaint English language.

> This indenture made the 8th day of July in the year of our Lord 1822 between the Indian chiefs—

whose names I cannot pronounce:

> —the chiefs and principal men of the Chippewa nation of Indians inhabiting and claiming the tract of land hereinafter mentioned and described of the first part, His Majesty George IV by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, of the second part and the Honourable William Claus of the town of Niagara in the district of Niagara, Deputy Superintendent General of Indian Affairs in the province of Upper Canada, of the third part.
>
> Whereas by a certain provisional agreement entered into the ninth day of May in the year of our Lord 1820 between George Ironside, Superintendent of Indian Affairs on behalf of His late Majesty King George III of blessed memory of the one part and the said principal chiefs—

and so on:

> —of the other part, it was agreed that in consideration of an annuity of two pounds and ten shillings of lawful money of Upper Canada to be paid in merchandise at the Montreal price to each man, woman and child of the said Chippewa nation of Indians, then inhabiting and claiming the said tracts of land and who shall be living at the respective times appointed for the delivery of the said merchandise during their respective lives and to their posterity forever provided the number of annuitants should not at any time exceed 240, being the number of persons then composing the said nation claiming and inhabiting the said tracts of land, they, the said—

and they list the Indian chiefs again:

> —surrender to His said late Majesty and his successors without limitation or reservation all that parcel or tract of land lying on the northerly side of the River Thames in the London and western districts of the province aforesaid, containing about 580,000 acres and hereinafter more particularly described.

And then, in the language of a traditional deed, it goes on to convey that property—it provides a meter and bounds description of the 580,000 acres and goes on:

> together with all the woods and water thereon lying and being all and singular the rights, privileges, easement benefits and appurtenances thereto belonging and the reversion and reversions, remainder and remainders and all the estate right, title, interest, trust, use, claim and demand whatsoever of them the said Tomago, Metchchuwin

and so on, the chiefs of the Chippewa Nation. It goes on then to refer again to the annuity of two pounds, ten shillings for the 240 people, and the signatures are signed, sealed and delivered.

My only point, Mr. Chairman, is that a commission appointed by this government to review that kind of document would indicate that in such instances it would be a fair assumption that the terms under which those lands were surrendered and granted should be renegotiated. There are very serious legal questions involved in many of these treaties as to whether or not the Indian communities surrendered, for example, the mineral rights on vast tracts of land in this province.

Let me go on—that is one example of a pre-Confederation treaty, and there are many of them. The post-Confederation treaties deal mainly with the upper part of the province. In the province of Canada, there is the Robinson-Superior treaty—others will be more familiar with these treaties than I am—of September 7, 1850, the area ceded was 16,700 square miles. And there was the Robinson-Huron treaty of September 9, 1850, again with the Ojibway Indians and the area ceded was 35,700 square miles.

It sets out in detail and on occasion we can set out the specific terms and conditions attaching to those treaties. Then there was Treaty Number 3, which I believe is known commonly to those more familiar than I, as the Northwest Anglo Treaty of October 3, 1873, in which there are outstanding legal problems dealing with the rights of the Indians, the rights of the government of Canada and of the province of Ontario, dealing with some 55,000 square miles.

The government obligation—and this was the government of Canada and the government of the province of Ontario has not settled with the government of Canada about these obligations in final form yet—was to provide a reserve of one square mile per family of five, subject to the government's right to deal with settlers on reserve land, the right to sell or lease reserve lands with the consent of the Indians and to appropriate reserve lands for federal public purposes subject to compensation for improvements, schools, control of liquor trafficking, hunting and fishing in the ceded area subject to Dominion regulation. And again there is provision as to the consideration to be paid for it.

The last treaty, as I understand it, and there are some supplementary treaties after that, is the Treaty Number 9, which deals with that part of Ontario draining into Hudson Bay, paid by the province, which is included each year in the estimates of The Department of Lands and Forests. There is a provision for the payment of that annuity under Treaty Number 9 of $4 per head for an area which was ceded, of some 90,000 square miles.

I would hope that the Attorney General will, at some point in his estimates or on some other occasion in this House, deal with his version of what the legal problems are, related to these Indian treaties. But, I revert back to one of the policies which I suggested for the government and that is: A policy which would require the appointment of a Royal commission by this province, which is the owner of those lands; to review each and every one of those treaties, whether they are of the original province of Quebec, of the province of Upper Canada, of the province of Canada or of the Confederation, to ascertain once and for all what the rights and privileges of the Indian community are; to find out whether or not there were any vacuums in those treaties and; to suggest whether or not, and to recommend whether or not, there should be some adequate renegotiation of the terms and conditions under which those parts of this particular province were surrendered by the Indian community to the province and are now part and parcel of either the Crown lands or of title derivitive from the Crown.

My last remarks, Mr. Chairman, are simply that we have to have an enunciated policy from this government, not just a Ministerial committee of an interdepartmental committee. We have to now get down to a public statement in some detail of what the policies of this government are so far as the Indian community in the province is concerned.

I suggest the guidelines that I have proposed provide some inkling of the way in which this can be accomplished, and will avoid on the one hand a hang-up about the constitutional executive and financial responsibility of this government. On the other hand it will avoid the hang-up of how you are going to get total agreement about these policies with the Indian community which is now a very diverse community which will find its own way in due course if this government will provide identical policies to recognize the Indians in this province as the same as every other citizen of the province so far as all the programmes in the educational field, social and family services, health fields, post secondary education field, cultural establishments, monopoly practices with respect to the marketing of fur bearing and fishing—the fishing industry for the benefit of that community, discrimination in favour of the Indian community so far as employment in the government is concerned, and a plan for the availability of jobs throughout private industry for those Indians who wish to have it, coupled with the provision of modern methods for servicing the trap-lines and other parts of the traditional livelihood of the Indian in order that there will be a policy of choices available for the Indian community.

That is what freedom is all about. That is what is required, and it will be costly and there will be wasteage in our traditional way of looking at it, but that is a very small price to pay for redoing and correcting the wrongs which have been done over many years, and for arresting the destruction of a culture which is visibly taking place before our eyes and must be stopped now.

Mr. Chairman: The hon. member for Scarborough West was on his feet before the hon. member for Sudbury.

Mr. Sopha: Is there such a thing as party alternation?

Mr. Chairman: Yes there is.

Mr. Sopha: Is there such a principle?

Mr. Chairman: Yes there certainly is.

Mr. Sopha: We have had three speakers in a row, and now, you are giving them the fourth speaker in a row.

Mr. Chairman: The hon. member is the second speaker to my knowledge, I was out of my chair for a short while, there may have been—

Mr. Lewis: I thought it was a simple matter of catching your eye, Mr. Chairman.

Mr. Sopha: On the other hand, he is the fourth speaker in a row.

Mr. Chairman: I was not in a position to know what the hon. member has suggested to me before I came back. The hon. member for Scarborough West has the floor.

Mr. Lewis: Well, I shall oblige the member for Sudbury, Mr. Chairman. I want to ask the Minister a few brief questions, make some observations and then add to the list of solutions which my colleagues have given to this Legislature tonight. Perhaps I may put to the Minister some things which he may regard as exceedingly extreme — which, I hope, he might view as justifiably revolutionary in terms of changing the entire situation —surely the only conceivable response.

Before getting into that, I have a number of short questions which I would like to ask him. The first, deriving directly from his own branch, and the statement of April 11. Mr. Dufour—am I right—the head of the branch which the Minister administers, who, in response to the Opposition claim that a $1 million community development programme fund had largely been unused since it was established two years ago, suggested—the director of the Minister's branch—that the money could be used for mortgages for housing. Now, has the government taken any decision on that? Is it their intention to use the money in that fashion?

Hon. Mr. Yaremko: Mr. Chairman, the matter of housing which I acknowledge as one of the very pressing problems, highlights the matter which I referred to earlier, the necessity of resolving not the constitutional responsibility, not any legal barrier but the fiscal responsibility.

We are quite prepared to work out the vehicle by which the knowledge and skill of the province as exemplified, and I accept it, by the Minister of Trade and Development. He would be able to provide housing in the northern part of Ontario basically of the kind suitable for the residents of that area.

The problem arises, of course, as to the costs. Who is going to pay for the very substantial amounts of money because $1 million in conjunction with all the social services programme would—as I think it is referred to—only scratch the surface. It was referred to as minuscule. Now, I would not regard it as being minuscule, but certainly it falls far short of what would be necessary in the various social services field.

Mr. Lewis: Well, the amount we have spent, the Minister will concede, is infinitesimal—up until this point $200,000 over a two-year period; $1 million would seem to be reasonably appropriate. But for the moment, I will accept his opinion and move to another question.

What of the $54,000 requested by the Ontario Union of Indians to place a number of people in the field to assess precisely the nature of the Indian condition, and to provide policy objectives thereon. Has the Minister decided whether or not to grant that money? And if not, why not?

Hon. Mr. Yaremko: Mr. Chairman, the decision has not yet been made. I met as recently as yesterday morning with representatives of the union in order to get further clarification of their position, and the proposition is still under consideration.

Mr. Lewis: The Minister, Mr. Chairman, recognizes, of course, that just last weekend in Ottawa, Monsieur Chretien capitulated to the demands—which he saw as irresistible—of a large number of Indian bands who, in order to amend The Indian Act, agreed that those groups and those groups alone would be entitled to provide the amendments. He then said something about treaty rights as well.

One might hope that in this branch, in terms of what the Minister says, the same policy could come forward, Mr. Chairman. Can I then ask the Minister about the branch itself, how many Indians do you have serving on the branch as part of the full-time deployment?

Hon. Mr. Yaremko: There are five within the branch.

Mr. Lewis: Five, and how large is the complement of branch staff, Mr. Chairman?

Hon. Mr. Yaremko: There is a complement of 22 with 17, I think, on staff at the present time.

Mr. Lewis: Complement of 22 with 17 on staff, so that it is safe for me to say that

less than a third of those on the staff of the Indian affairs branch are themselves Indians. I do not know what—

Hon. Mr. Yaremko: I would say approximately one-third.

Mr. Lewis: Well, five of 17 strikes me as less than a third and if there are still five vacant, Mr. Chairman, I suspect that they may not be filled in the manner which we would judge appropriate.

I think, Mr. Chairman, this again reveals rather interestingly the intent of the Minister and the substance of some of the remarks which he made during the course of the afternoon in relation to this subject when he expressed undying fidelity to the Indian body which advises him on Indian affairs and on the value of the branch itself.

There were a number of projects, Mr. Chairman, that had been put to the Minister from time to time: a folk school project, the Indian Hall of Fame at the CNE, the Union of Ontario Indians field work project on changes in The Indian Act, and the Canadian-Indian youth workship at Waterloo.

All of those, I understand, were declined support by the department. Can the Minister indicate why he declined support and whether he might re-examine it?

Hon. Mr. Yaremko: Mr. Chairman, each of those requests were considered and there appears to be some reason for their non-acceptance. I must say that my attitude in the overall picture is that instead of going on the basis of some technical and perhaps ordinary consideration of a grant that would lead up to its refusal, I am inclined that in this area, where the amounts of money in the overall picture of either the provincial activity or federal-provincial activity is so small, that we should lean in favour of finding reasons for granting, rather than determining the basis why they do not fall within the four corners of some policy.

Mr. Lewis: The Minister, Mr. Chairman, will be aware that the Indian-Eskimo Association, the Ontario division said, and I am quoting from their brief:

> In declining support of these projects, we feel the Ontario government has created expectations which they are not prepared to meet.

Page 7 of the brief.

Of course, the gap in rising expectations, and the unwillingness to respond to those rising expectations is what is igniting the fuse in this province and in this country around the question of the emancipation of the Indian people.

Mr. Chairman, I have some remarks I want to make. The Minister said to me this afternoon when I threw a piece of "cut and thrust" across the floor, that I was unkind. His statements about the advisory committee on Indians reminded me excruciatingly of Rudyard Kipling, and in order to reinforce my memory, I got hold from the library of the definitive edition of Rudyard Kipling's verse, and I would share with the Minister the final verse of Gunga Din. He will recall—

Mr. Yakabuski: Is that in the estimates?

Mr. Lewis: It certainly is in the estimates. It will be in the estimates tonight.

'E carried me away
To where a dooli lay,
An' a bullet come an' drilled the beggar clean.
'E put me safe inside,
An' just before 'e died:
'I 'ope you liked your drink,' sez Gunga Din.
So I'll meet 'im later on
At the place where 'e is gone
Where it's always double drill and no canteen
'E'll be squattin' on the coals
Givin' drink to poor damned souls,
An' I'll get a swig in hell from Gunga Din!
Yes: Din! Din! Din!
You Lazarushian-leather Gunga Din!
Though I've belted you and flayed you,
By the livin' Gawd that made you,
You're a better man than I am,
Gunga Din!

You are a better man than I am, Indian advisory council; you are a better man than I am, Ontario Union of Indians; you are a better man than I am, all of you who wish to enter the twentieth century and for, whom I, in my position as the deliverer of patronizing observations about the Indian community, inhabit The Department of Social and Family Services.

Mr. Chairman, the Minister said this afternoon that as a citizen he was not proud. The Minister said this afternoon that he would proclaim assertions of undying respect for the Indians and their right to achieve a certain status and citizenship in the province. I would like to suggest, Mr. Chairman, that a number of things have been cleared away from the rubble during the course of the debate this afternoon and this evening.

One of the things which has been cleared

away and needs to be reinforced again and again in this House is that there are no constitutional constraints whatsoever on the question of dealing with Indians in the province of Ontario. If I may put it quite simply, there is no constitutional prohibition to the provision to the provinces treating Indians as full citizens entitled to the entire range of provincial services. Mr. Chairman, on that, we in this party, hang a great deal of our argument.

We would point out to the Minister, Mr. Chairman, that even if his particular dialectic will permit of raising the constitutional issue in the case of reserve Indians on occasion, in all those areas of non-reserve Indians, the government's position is paramount. They need defer to no one, certainly not to the federal government, Mr. Chairman, on no account. One would ask this Minister, if that is the case; what about Lake Helen and what about Macdiarmid and what about Armstrong and what about the whole litany of non-reserve areas in this province which have suffered from the Minister's neglect in the two and a half years which he has held office and for which there are no constitutional fabrications whatsoever?

That is the question which we in this party put to the Minister, Mr. Chairman, because, of course, his argument then holds no water at all. If the Minister has conceded the legality of the provincial dominance in his field in one area, then he has much to explain when that legality was never in question in all the other areas. One therefore finds his motives suspect. If the Minister was not prepared to move in two and half years in the area of non-reserve Indians, what confidence can the Opposition have in this Legislature that at some point he will move in the area of reserve Indians?

Let me go further, Mr. Chairman. The Minister says on this branch, his greatest single problem is that of finances. Well, why, Mr. Chairman? Why need there be any problem in finances? In God's name, why need there be a problem in finances? Is there no programme in the province of Ontario which the government undertakes without a compensating grant from the federal government? Is there nothing you gentlemen do which does not have some way of finding return from the federal government?

Much of your Budget, Mr. Chairman, much of the government Budget, is spent as it were, in unilateral fashion, not waiting for any handouts from Ottawa, in order to justify programmes. To suggest that you can act as a provincial government with impunity to hand out money in all kinds of unjustified areas without compensation from Ottawa; but cannot move in the context of the Indians, well —there is notoriety for you. There is an indefensible position if ever there was one.

It is all right, Mr. Chairman, for this government to provide horse-racing revenues to E. P. Taylor in sums of tens of thousands of dollars. It is all right for this government, Mr. Chairman, to build a $13 million edifice out in Lake Ontario; it is all right for this government to give a unilateral fee increase to the highest-paid profession in the country. And it is all right for this government to spend only $200,000 of $1.3 million which it has for the Indians. And this Minister says there is a problem about finance. Claptrap!

There is no problem about finance, Mr. Chairman. There is a problem about "will". There is a problem about appreciating the dimension of what the Minister has inherited where the Indians are concerned—that is the problem and there is not the slightest possibility of insufficient funds. You have funds for everything else, all of them of a lower priority than rescuing Indians from the carnage which we visited on the natives of this country; sums of money to do for them what any human being and what any Minister in this Cabinet would do without hiding behind the desperate subterfuges, the last refuge of a drowning politician. No argument can be made about inadequate financial responsibility.

Mr. Chairman, if the Minister were so certain then he would not raise in this House again the interminable argument between Ottawa and Toronto around money, as well as the constitution.

Are the Indians to be sacrificed on the altar of inadequate funds as they have been sacrificed on the altar of the constitution for the last 100 years? Why must the federal-provincial fratricide always be fought over the bodies of the Indian population in this province? That is really the question we are asking, and for that there is no obvious answer.

Mr. Chairman, if the Minister was serious this afternoon about going to bat for the Indian population, about feeling confident that under this estimate he has certain rights and was willing to take them up, then he could confront the federal arena in every way. The Prime Minister enters federal-provincial relationships and puts the proposals that come from debate in this House or, indeed, the objects of his government before the government at Ottawa, thus attempting to effect certain decisions. Why not from this Minister?

And one might ask, Mr. Chairman—as a

measure of integrity on the part of the department toward the Indians—where is the Minister's brief to the federal government, supporting the Indians in their efforts to change The Indian Act? A more nefarious and iniquitous Act there is not among federal statutes. Where is the provincial government's brief in support of the Indian?

Where, Mr. Chairman, is the provincial government's brief in support of the rights of Indians in Cornwall; of the Mohawks at St. Regis to cross the border with duty-free goods as granted in treaties from 1794? Where is the Minister's brief in support of that to the federal government? Where is the Ministers brief, Mr. Chairman, in support of the original treaty on fishing and hunting rights of the Indians, which was taken away from them by a Supreme Court decision inappropriately proferred?

If the Minister is so serious about the way in which he identifies with the Indian problems in this society, where are all the submissions which he would make on behalf of the Indian population?

No wonder there is a time bomb ticking, Mr. Chairman. No wonder the Indian says, "Get off my back, white man." No wonder the Indian feels like a miner chained to the company store. All of these things have now become realities in the middle of the twentieth century, because throughout this province there is evidence replete to demonstrate the harassment and the penury within which the native Indian population functions.

There came into my hands, if I can find it at this point—and I will be most chagrined if I cannot—a document prepared by the director of the Lakehead Children's Aid Society, describing a visit he made to Gull Bay, Armstrong and Collins on November 19 last and extending a number of days beyond that.

I want to read excerpts of it, Mr. Chairman, to the House because if there was ever something which fell four-square within the Minister's estimates, it is this particular document. This is in Nipigon:

> Several visits were made here, and some rather deplorable conditions seen. In one instance, a mother has eight children born out of wedlock. There are two bedrooms in the home; one is used for wood storage and in the other there is one bed without springs. In the living room, there is a crib without a mattress and an old, worn chesterfield. The only chair in the house is an oil drum. There were no blankets, dishes or towels and very little food.
>
> In another home, there are two bedrooms and 13 children, plus the mother and father. One bedroom is used by a son and the rest sleep in the other bedroom or on worn, old couches in the living room. In the bedroom there is one bed, a square box arrangement in the corner where the children are placed until it is cold, a large crib and a small crib. There is only one cooking utensil, a pot, always on the stove and jet black with smoke; no cups, four plates, one bath towel and again no blankets.
>
> These conditions could be repeated in home after home. Indian people are certainly oriented to people rather than to things or possessions.

An interesting aside by the director of the Children's Aid Society.

> There is one family in which we are particularly interested. The husband is 26 years old and the wife 24 years old, and they have eight children. Both husband and wife are hard working and she is probably the best homemaker on the reserve.
>
> Unfortunately, he has developed a serious drinking problem. He was recently in the special section at St. Joseph's hospital at the Lakehead, but one wonders if he can stand the situation when every relative and every friend he has drinks excessively.
>
> It is unfortunate that, when the new school was built in Gull Bay, provision was not made for inside plumbing.

New schools by The Department of Education—and provisions were not made for inside plumbing.

Mr. Chairman, might the Minister rise in his place and tell us which white schools in Ontario do not have provisions for indoor plumbing?

> Next to the school are two teachers' residences and each has a modern fully equipped bathroom. At the school, however, the toilets are a considerable length away from the building itself. An arrangement of showers in this building could have meant a great deal, not only to the children, but adults as well.

From there, Mr. Dawson proceeded to Collins:

> My first home call was in the interests of two boys, aged 5 and 7. The mother had been murdered a few years ago and they were residing with their grandmother, who is reported to be a bootlegger.
>
> Never have I seen a filthier hovel. The floor was dirty, there were three beds in

the room, each covered with filthy rags, and on one an old woman sat looking more like a typical witch, with hair over her face. On the stove was a pot filled with black water. I thought it was scrub water and then discovered fish were being boiled in it. Certainly the boys could not be left here.

This settlement is certainly remote and lacking many facilities. For instance, the only medical assistance comes from the teacher, who only has a knowledge of first aid. Recently one of the men had his head split open; stitches really should have been used but, of course, were not possible. And, in another instance, a man was very severely burned. It was several hours before the train came through and in the meantime he suffered while the teacher gave first aid and removed dead skin.

Is this what the Minister talks about when he discusses his interdepartmental committee and his close relationship with the Minister of Health in the provision of health services for Indians in reserves in the north? Gull Bay, Mr. Chairman:

Here we discovered a very serious situation. At the first home we called on—where, by the way, there had been tremendous improvement in family relationships, care of the children and housekeeping—it was learned that there were five children left in the home while the parents were away.

The chief and police were away, so we conferred with the senior counsellor. We went to the home, looked in the window and saw no sign of life. However, Mr. X obtained a key and on entering found three small children huddled under an old wet blanket in a bedroom, and a baby in a crib. They had been alone since the previous evening and were in a bad condition as there was no heat or food.

At first, we thought the baby was dead. Never have I felt a colder body, not even a corpse. Efforts were made to have the grandmother living across the street take at least the baby, but she not only refused, but also refused to give us one stick of wood although she had a large pile in the woodshed.

We found another child who may be seriously neglected. This is in a house where the mother was not capable and there were three or four children born out of wedlock. Three, including the baby, were not bad, but we heard crying in a back room. When we went in, we found a two-year-old boy, filthy and lacking care, sitting on top of an old stove. If we had a picture of this boy, you would have thought it was a child in Biafra. Mr. Smith carried him out and strong instructions were given to the mother.

Mr. Chairman, I could quote even more extensively.

I say to the Minister that this is a director of the Children's Aid Society at the Lakehead. I say to the Minister, Mr. Chairman, that this is directly within his department. In fact, it encompasses two of the four branches which have come before us on these estimates.

I say to him, Mr. Chairman, that this reduces his guarantee to the House this afternoon, to the emptiest, shabbiest and most depressing of rhetoric.

Mr. MacDonald: Hear. Hear.

Mr. Lewis: Within his own department, conditions are revealed which would make a heart of stone crumble, but not the Minister and not the Cabinet. I say, Mr. Chairman, that in respect to the native Indian population, the situation has reached the point of cataclysm.

The director of the Children's Aid Society says, in his summary:

One cannot repeatedly visit the Gull Bay and Armstrong areas without wondering, "are we achieving anything at all"? Certainly family conditions have not improved on the reserve and, in several instances, have deteriorated. At the present, we have a total of 21 active cases in the area, the majority in Armstrong. What can be done?

The mournful director of the Children's Aid Society at the Lakehead asks what can be done?

Mr. Chairman, from this department there is no succour, or comfort, in terms of what can be done.

I remind the House, Mr. Chairman, when talking about the extremity to which the Indians are gradually being driven, that across this province, 53 per cent of the Indian population does not have Grade VI education; 61 per cent does not have Grade VIII; 97 per cent have not reached Grade XII, and only a handful have reached university.

I remind you, Mr. Chairman, it was recently documented that of all the Indian bands, the average annual income is $1,361, compared to a similar income in neighbouring white communities of $4,000 per year, and that 90 per cent of the Indian population is below that standard of living in their own areas.

I remind you, Mr. Chairman, that the death rate among pre-school age Indian children is eight times that of white children—eight times. Perhaps that, too, is part of the collaboration with the Minister and The Department of Health—a collaboration in effecting a death rate of that level.

One hears much about the interdepartmental committee, Mr. Chairman, but one hears very little from it. I trust that the Minister read, as I am sure he did, the articles in the Toronto *Telegram* which documented, as few have documented, the state of conditions in Moosonee, and in many of the outlying communities.

One talks, Mr. Chairman, in the effortless jargon of the House, about a blot on the conscience of the province. Well, there is no department of government and no branch in government which has been so scorned, so abused, so derided as has this branch and this department in this area of the Indian question.

It seems to me, Mr. Chairman, that there are certain pretty elemental basics which flow from any kind of analysis which is made and I would like to suggest four of them to the Minister. As I say, I suppose in putting them forward into the arena for discussion, he may regard them with a jaundiced eye, but I do not know of anything less than a revolution in Indian policy which can now be considered bearable.

First, Mr. Chairman, we must think about giving the Indian equal—no, not equal; parallel that is the word I want—parallel representation on every single elected body in this province, including this sacrosanct Legislature. Parallel representation; be it municipal councils, regional councils, provincial councils. And as a matter of policy that is worth discussing, and discussing pretty seriously.

The second thing I want to suggest, Mr. Chairman, is that somehow we have to give to the Indians land in perpetuity. And, indeed, a scheme whereby it can be granted to individual families in perpetuity, so that one can somehow redeem the nature of the conquest visited on the Indian by the white man on this part of the North American continent. There has seldom been a case of a more crude violation of treaty rights than we have evidenced in Canada.

Mr. Chairman, I see that the hour is right, all the adolescents have departed. Here are a couple of paragraphs in an article from *Rampart's*, the article is entitled—the Chairman will forgive me—"The Royal Screwing of the Pasamaquadia". The body of the article is an excellent analysis of what was done to one tribe in the United States which aroused the ire of large groups of citizenry in that country to respond. The article says:

> Swindled out of their land, deprived of gainful employment, cheated in countless ways, humiliated and progressively pauperized, the once proud Indians have been reduced to begging at the coattail of the master thieves.
>
> It has been proposed that the government, which concluded international treaties with most Indian nations, should dispense foreign aid to the victims of our colonial expansion. But not only will this perpetuate the dependency of the Indians on the white government, but it begs the central question of reservation control. All the Indians are asking is total control of all the lands granted to them by treaty.

I think the point is well made on both fronts —the need for parallel electoral representation and the right to land in perpetuity. That leads to the third point, Mr. Chairman, and perhaps the most contentious of all — the possibility that the department transfer all its funds, every last penny, holus bolus into Indian hands for Indian decision and Indian distribution and Indian policy formation. Never again should a white bureaucrat intrude on the decisions that are made about the Indian community. And, conscious of the fact that even if such funds were misemployed for 100 years, I say it would only repeat the effects of the last century where we, in our collectivity, quite consciously, abused those similar funds.

I am suggesting that instead of discussing which constitutional rights to preserve, instead of discussing who has the power—the federal or the provincial government—instead of discussing which of the programmes we will effect, we will take the entire budget, multiply it tenfold, have an advisory commission or an agency entirely composed of the Indian people and give to them the funds to do with as they please. I daresay, Mr. Chairman, they could utilize those funds in ways vastly more appropriate, humane and utilitarian than has any white government in this province. And I admit, sir, in the way in which we view these things that that is a rather unusual proposition. But I daresay, that given the accountability which presently exists within the Indian nations themselves and the accountability which exists between various Indian bands and the Legislature, money could not be better spent. Mr. Chairman, it would be a brave and noble experiment. There is not a thing—not a single thing—

which we have done in the last 100 years which has reinforced our right to continue so doing.

Even the Minister stood in this House this afternoon and said that in the two and a half years he had occupied his office, very little had changed. I say to you, sir, that if we allocate the funds, much will change.

The fourth area I want to throw out for discussion is the confirmation of the special status of the culture of the Indian. As my colleague from Riverdale put to the Minister a little earlier this evening, something has to be done to preserve the culture and the identity of the Indian people; the perfidy visited upon them by this government has to stop. Even in your Indian Welfare Services Act you have clause 5, which reads:

> The Lieutenant-Governor may appoint an advisory committee on matters which may encourage Indians in the development of their independence and promote their integration with the rest of the community.

The Indians say to you, "Who wants integration?" and "What right have you to suggest my integration with white society?" Mr. Chairman, we are not talking about the aculturation of European groups who share a common Western heritage. In this instance, we are speaking of a group which was savagely denuded of culture over the last several hundred years, and which, in order to maintain some semblance of dignity and self-respect as a viable people, requires an absolute guarantee of that cultural inheritance.

It is interesting to note, Mr. Chairman, that in the education provided in the various schools of this province for Indian children, very little is provided by way of education in the indigenous language, and then in the English language. Why does this department not embark on a programme to support education in the indigenous language, and then, time and society permitting or requiring, the English language, in order that some part of the heritage be somehow preserved? What we are talking about is nothing less than the death of a people. That is what we are discussing. And the willingness of the Minister to slide by in some frivolous proposition about identifying with the Indian Advisory Council, or paying heed to their words, or spending a few dollars more here than there is unacceptable when we are talking about the death of a people. And there comes a point where we, in this Legislature, have a right to a certain redemption by a complete revolution in social policy. I admit it is an act of conscience; I admit it is an act of will, unheard of by this government, but it is worth contemplating.

So I repeat the four points, Mr. Chairman. First, parallel representation at every political level of government. Second, land in perpetuity for every Indian family. Third, a complete turning-over of all the funds to the Indians themselves for their own allocation and utilization, as they see fit, not as some bureaucrat dictates to them, however good the intention. Fourth, the integrity of the culture by whatever means are available, whether it be the proposition put to you by the hon. member for Riverdale or the proposition of doing it through education, which I have suggested tonight, or any number of ways.

We are not talking about a picayune branch of some department; we are not even talking about an interdepartmental committee or something that fits under the Prime Minister's aegis. We are talking about a total alteration of government policy, such a complete rupture with the past that it will be unrecognizable. That is what we are talking about, and we are not prepared to settle for anything less than that.

Frederick Plain, the Indian chief, speaking in Sarnia not so long ago, quoted in the London *Free Press*, said, and I quote:

> Over the years of my living in Sarnia as both a student of the Sarnia school system and my years on the Sarnia reserve, I have observed the hidden and open prejudices. The ill-conceived bigotry, the white superiority complex, the relegation of the native people to second-class citizens, and the ill-fated attempts to reculture and civilize me, an Indian. All the things I have mentioned have resulted in the poverty and disease-stricken condition of the Indian to the point where it is a blot on the Canadian social structure.

Do you really think, Mr. Chairman, does any member of the Treasury Board really think, that one will eradicate that depth of feeling by an occasional palliative from this branch. A root and branch policy perhaps, but nothing short of that, Mr. Chairman, nothing short of that. Because there is so much at stake here that it really cannot be measured.

Mr. Chairman, in this country and in this province, if I can say to the Minister, we did not have a colonial impulse—we never indulged our whims in Africa or Asia or Latin America. What remnants of colonialism we have, the distortions and perversions of mentality that colonialism brings, were borne by

the native Indian in this continent, and we have never once tried to redress the balance in any significant way. We have all been trapped by what we have done, and all of us have slid easily into the comfortable assumption that by doing nothing problems disappear, or by stressing complexity, problems are somehow denuded.

Well, I say to you, sir, that 100 years later there is no change in the level of degradation. Every single part of government—and this Minister's branch—has to cohere in order to alter the situation. That, sir, is the only dignity left. I say to you that there is no other conceivable way. Let us go through the terrifying humiliation of next year having the Minister stand up and for an hour—and I guess all of us have spoken at some length on this — discuss in the most vague of discursiveness and the most discursive of vagaries all kinds of propositions which have no bearing on this problem and which say nothing concrete of it at all.

There is a revolution in the offing, Mr. Chairman. It requires an equal response from government. It is a response we are prepared to do battle for unto the breach on the assumption that at some point the Minister and the Treasury Board will agree with what we on this side are putting.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I would like to—

Mr. Chairman: The hon. member for Sudbury had been trying desperately to get the floor previously—

Mr. Sopha: I am acceding. I am acceding my place.

Mr. Chairman: Right, the hon. member for Parkdale.

Mr. Trotter: Mr. Chairman, I would like to say a few words in regard to Indian affairs and particularly as to the situation regarding the supply of housing for Indians.

Almost all housing for Indians all across Canada, Mr. Chairman, is below the standards under The National Housing Act. In other words, if you get an Indian on a reservation or almost any place else, unless he has become part of the white community, he and his family are living in a house that is below the national housing standards. The province of Ontario, despite the fact we are the wealthiest province, has the second worst record in all of Canada in the housing of the Indians. It might be worthy of note, Mr. Chairman, that although we have heard some very good speeches from the members of the NDP tonight, the province with the very worst record in housing Indians is the province of Saskatchewan, and this comes from the records I have of 1965 which are, by far, the worst records of any province in Canada.

Hon. S. J. Randall (Minister of Trade and Development): They are not listening. You had better repeat it.

Mr. Trotter: No, I do not think they heard that.

Hon. Mr. Randall: After 17 years of socialist government in Saskatchewan they have the worst housing problem—

Mr. Trotter: Well you had better keep quiet because we are getting around to you in this matter.

Hon. Mr. Randall: Seventeen years of socialist government—

Mr. Trotter: Well, Mr. Chairman, I want to tell the hon. Minister of Trade and Development, who is supposed to be in charge of housing in this province, that he has got a few things to think over.

Hon. Mr. Randall: I will think about it.

Mr. Trotter: But there is one trend in the housing of Indians in this country, Mr. Chairman, and that is that if an assembly is dominated by French-speaking Canadians, or there is a large proportion of French-speaking Canadians, the Indian is apt to get a far better deal than he is from English-speaking citizens of this country, and particularly in housing. I could go into detail but I do not want to make a long speech at this hour, Mr. Chairman. I just want to give you an example of how it works in housing and what some areas can do in assisting Indians and where it can succeed it proves two points.

One is that this constitutional hang-up that the Minister of Social and Family Services talks about is nonsense. If the province wants to help a housing situation it can, regardless of any so-called constitutional problem. As the hon. Minister does, when he talks about that in this House, he is just unloading conversation.

The second point is that so often they say, "Well even if you do something for the Indians they do not care." Certainly this, I do not think, is borne out in areas of Canada where a serious effort has been made. For example, in the type of homes that Indians live in, in the province of Quebec, 75 per cent of the homes that Indians live in

have electricity. In northern Ontario it is 34 per cent. The one thing we are reasonably good at, with Indians, is supplying electricity in their homes in southern Ontario. It is one item in which we are close to the province of Quebec, but in such things as indoor plumbing, things that we take for granted, in the province of Quebec 34 per cent of the Indian homes have septic tanks. In southern Ontario 7 per cent, a tremendous drop, and in northern Ontario you are almost as bad as Saskatchewan, it is only 1 per cent, and in the province of Saskatchewan it is less than 1 per cent.

When we bear in mind, Mr. Chairman, that the standards of housing that people have, affect in so many ways their ways of life, how they conduct themselves, their quality of living, their opportunity for education. Poor housing so often fosters poor social conditions, not only among people as children, but throughout all their lives. It is going to affect their entire standard of life, and when you even use housing as an example, it is easily understood that 90 per cent of the Indian working force earns less than $3,000 a year. How can we expect people who have poor housing standards to make their way in what is becoming a competitive world?

In the province of Quebec—and again I use this as an example—32 per cent of the Indian homes in the province of Quebec have indoor toilets. In southern Ontario 7 per cent, and in northern Ontario the Indian homes have only 1 per cent. This is an indication when you compare it, for example, with Canada. In Canada the average white man's home—99 per cent of our homes have electric lights, we have 92 per cent with running water, we have indoor toilets in 90 per cent of our homes in Canada, indoor baths 84 per cent, and yet among Indians only 7 per cent indoor baths, except of course in Ontario we are again below the national average. In southern Ontario at 6 per cent and in northern Ontario again only 1 per cent.

I have had the opportunity, Mr. Chairman, with some of the members of this Legislature, to see what efforts by what is now called The Department of Trade and Development has done in Indian housing. In the days under the former Minister, Mr. Robert Macaulay, up in the area of Red Lake some homes were purchased for Indians and I think they were prefabricated homes. They were purchased in Montreal and moved to Red Lake. When I was up in Red Lake I took movies of this Indian housing development and if a lousy deal were ever made it was made when the old Department of Economics and Development bought those houses because they are almost a ready-made slum.

They had little in the way of conveniences, they had little in the way of planning whatsoever around their homes, and I often think of the lousy deal that the provincial government made, I think they cost nearly $6,000 a unit, or a little more than that, and where the $6,000 went to I do not know. Somebody in Montreal I think made a good profit at the expense of the taxpayers of the province of Ontario.

I often think of them every time I play the movies that I made of the so called great Indian home development that some of us members were told about that we would see when we got to Red Lake.

Mr. Chairman, despite the fact that we have made many criticisms of how the Indians have been treated insofar as the conditions of health, we are faced with the problem that the Indian—the North American Indian particularly, the Indian population in Canada increases at the rate of nine per cent a year. I think it is a faster increase than any group of people in North America and probably faster than any group of people in the world. This is a recent development, the fact that Indians in Canada and, of course, a large proportion of those Indians are in the province of Ontario are increasing at the rate of nine per cent a year. Because of this we are falling behind in the supply of housing for Indians at a rate of about 21 per cent. In other words, of all the new family formations among the Indians, we are still increasing the backlog of what is needed by about 21 per cent each year and, of course, making no effort whatsoever to replace the tremendous amount of substandard housing that does exist.

When some of the members were on the northern tour in 1965, they may recall our visit to Fort Severn on James Bay. One of the amusing incidents that I managed to photograph was our handing the three flags to the Indians. I remember it was the former member for Beaches (Jack Harris), who was given the job by the then Minister of Lands and Forests, Kelso Roberts, to present the Indian band up there with the three flags. One, of course, was the Union Jack, to explain it was the Queen's flag and then, there was the Ontario flag and then there was the Maple Leaf flag. We took our political confusion up to James Bay and I am sure they did not know, or probably did not care, about the three flags. But, there is one thing

that I remember, Mr. Chairman, about the Indians of Fort Severn. As I wandered among them, many of them were in such a poor condition of health that they had running sores on their faces. The Indian situation in this province and in this country is becoming a running sore. So often we, in Canada, lecture some of the people in other parts of the world about their native problems, about their Indian problems. I have been down to some islands of the British West Indies. I remember two or three years ago, telling certain people, "You are bound to have riots; there is bound to be trouble," and they would assure me, well they have never had any trouble before after so many years—100 years, 200 years, why is it going to be happening now?

What applies in the islands of the British West Indies applies with our own Indians and it is this; you have a population explosion, you have more and more people ill-educated, ill-housed with nothing to do. They see the white man with his privileges, certainly, they see some of the magazines, they see some of the good things of life that they cannot have and they are bound to explode. They are bound to explode whether they are on the Island of Aguilla or whether they are in northern Ontario. It is going to happen sooner or later unless we do something.

We, particularly in the province of Ontario, with the resources that we have, have far more opportunity than most jurisdictions to do something for the native population. Not only are they entitled to it as human beings, and whether you want to argue about the past, you really cannot change history. I know many want to argue, now, what a bad deal the Indians have had. Certainly, they have not had a good deal but I will say in fairness to the people that have settled in this country, despite the mistakes that have been made; often all we have is the advantage of hindsight, if you compare how the Indians have been treated in this country with treatment in some other jurisdictions, we have not done as bad as most others.

We have done badly, but the thing for us to do in this day and generation, rather than sit and complain about how bad we may have been in the past, is to decide what good we are going to do in the future. This Minister, I do not think, has given this any thought at all. How can you vote a million dollars for Indian community affairs, as we have done in the past and fail to spend $828,000 of it.

With the enormity of the problem, a million dollars is little enough. But to fail to spend over 80 per cent of it, just shows that this government has little or no interest whatsoever. And I say, time and time again, there is no point in talking about the constitution or the federal government—the responsibility is certainly, in part, with the federal government—but a heavy responsibility lies with this government and with this particular department.

I do wish that the Minister would take advantage of some of the opportunities that he has. This Minister has so many opportunities in his department to initiate long overdue changes and one of those particular areas has to do with the Indian problem. I cannot understand his attitude toward his own department, or his manner in handling his department when he lets the whole matter just drag instead of giving the leadership that is required. He has more or less just talked around so many of the major points that have been brought forward by both the Opposition parties in this House.

There is no indication at all of any Indian programme, whether it be in housing or in treatment of how they should be integrated in our society or if they should be integrated. As far as I know, the people up in Fort Severn are still walking around with running sores on their faces.

The treatment of the Indians by this administration is a scandal and the tragedy of it is, the mistreatment of the Indians continues day in and day out. And when I find that the province of Ontario is among the very worst—as I said earlier, it is only outdone by Saskatchewan—in this particular endeavour and we have less reason than Saskatchewan simply because we have far more resources with which to deal with the problem.

So I would ask the Minister to take a leaf from the province of Quebec, or in some cases from the province of Alberta, or even from the Maritimes; in all these areas they are doing a far better job than the province of Ontario is doing. And, it is time that this Minister applied himself to the problem that is at hand.

Mr. Sopha: I must say, Mr. Chairman, that the thing that fascinated me at that reserve at the mouth of the Severn River, to which my colleague from Parkdale referred, was the observation of several blue-eyed Indians. I do not think anywhere else in the province you will see an Indian with blue eyes, in fact most of them are brown-eyed, and upon enquiry they informed us quite unreservedly that the origin of the blue eyes is from the fact of yester-year of the running aground on the shore of Hudson

Bay of a Norwegian sailing vessel, I think it was in the eighteenth century.

The survivors got ashore and that is where the blue eyes came from and they are quite proud of that historical event and its impact on the life of their community.

It is quite a remarkable thing of course to see them in those canoes, in that wintry weather that extends well into July, and being told that none of them can swim. Upon enquiry from, I think his name is Cam Curry —the Minister of Lands and Forests nods assent—who can speak the Cree language as well as the Ojibway, as to why in the world they would put up with such adverse and hostile conditions as that environment supplies, his answer is a shrug of the shoulders and a laconic comment that they put up with it because they always have. They have always been there and they would not want to live anywhere else on God's green earth.

Over the weekend, a member of one of the Jacko families of the Wekwimekong reserve came to my office. That is a very common name on the Wekwimekong, or the Manitoulin Reserve, as it is called more properly, the oldest reserve in Manitoulin Island which is unceded, is still not part of Canada, though they accept the citizenship of Canada, and as I say, is the oldest on the island, the largest and the most heavily populated.

Jacko is a very common name—pronounced "Jocko", but spelled J-A-C-K-O. There are many families of them. It is interesting to note two other common names in that reserve. There are many families of Trudeaus, many families, some who may claim to be related and some who deny relationship to other people of the same name. There are many families of Pelletiers.

Now we have two members of the federal Cabinet whose names are reproduced in many of the members of the two or three thousand people that form the band that occupies those unceded lands on the eastern end of the island. Which, of course, testifies to the passage of the *coureurs-de-bois* on the routes west in the eighteenth century—more the eighteenth than the seventeenth—when the fur trade really got going.

Returning to the member of the Jacko family who came to speak to me about that tragic event that occurred down in Ottawa, when the boy—I think his first name was Vernon, I may be wrong.

Mr. V. M. Singer (Downsview): Fine name.

Mr. Sopha: The body had been found in the Ottawa River. The nature of his enquiry is not important, really, except he and his family were terribly upset about the event as they should be. He showed me the material which he brought with him and his enquiry was about whether recompense could be had by the family, as a matter of law, and it met with a negative answer from myself.

Imagine my surprise when on Sunday night I turned on the tail-end of that programme that starts at 10 o'clock on that joyless television network which we support in this country at such large public expense. We in Sudbury—I do not think there is another community of our size, 120,000 people or more, maybe 140,000 people—in Ontario, there must be very few in Canada, who are still captives to one network.

Mr. Sargent: Owen Sound.

Mr. Sopha: If it is that size—

Mr. G. Demers (Nickel Belt): It has only about 12,000.

Mr. Sopha: There must be few who are captives; we have no choice. I turned on the tail-end of that joyless programme and saw that they were dealing with the tragic happenings to that Jacko boy.

If any member is not familiar with the circumstances, the gist of it was that the boy was in high school in Ottawa. It was unknown to the staff of the high school that he could not read or write English. Nobody had ever, for some reason or other, ascertained that fact and he rested at the bottom of his class, consistently failing his examinations, until the time he, somehow or other, came to his tragic end.

I could only tell that member of the family that it is an event in living and they must adjust themselves to the sorrow which they no doubt feel at the loss of their son. As someone said in this party tonight, there are few Indians in the secondary schools really. It is one of the great tragedies that so few of them get to a secondary school. It really is, I say with all humbleness, a matter of great embarrassment to me, being the legal counsel, the advocate, for six Indian bands: the Serpent River—my good friend, the chief of the Serpent River band, Bill Meawasige, was in the gallery tonight—the West Bay, the Manitoulin, the Sucker Creek, the Sheshekawaning, and the Shejuindah bands, five of which are on Manitoulin Island and one is along the north shore.

May I just interpolate by saying I feel I owe it to myself that after I made that unfortunate speech a year ago, I added two

bands to my clientele. That was a matter of great encouragement to me that, though I made the speech, there was forgiveness in the heart of the Indian and I got two more bands for which to act.

Mr. MacDonald: It shows how long-suffering they are.

Mr. Sopha: Yes, indeed, I suppose it does. Someone over here tonight, it was the member for Riverdale, advocated the establishment of an institution at some university. He was not too clear about what this institution would do or what its responsibilities or its area of study would be. I do not condemn him or criticize him for that.

I am afraid that the establishment of such an institution at the university would engage itself in the study of the Indian, because the Indian is the most studied object, I am sure, that exists in this country. He is so studied that he reminds me of the systems in an Apollo space-craft.

They tell me that one of the greatest fears of the astronauts is that they will test those systems so many times that they will wear them out. Finally, when they get into orbit and are relying upon the systems, they may be worn out from testing and pose a danger to the occupants of the space capsule. The Indian, by analogy, is somewhat in that position to me because the white man, who is the harbourer of all the egocentricities and easily adopts a superior attitude, is a very studious person and really feels that he confers a benefit on those whom he assumes to be inferior. He most often does not articulate to himself that they are inferior; he just assumes that and believes that he confers a benefit by studying the other person as if he is some kind of unusual phenomenon.

I said at a meeting of the Indian-Eskimo Association, much to the chagrin of a lot of the people—some of them do-gooders that belong to that association—that I wish some times I could train a couple of Indians to become anthropologists or sociologists, to go through university and get the qualifications. I would like to take those Indians, turn them loose in these troglodytic establishments in downtown Toronto—any one of those huge, highrise apartment buildings. Send them in and let them do what those who study the Indians do.

If they copied their antics, they would go into one of those apartment buildings, take any apartment at random, knock on the door and when the door opened, they would rush right in without being asked. They would rush right in, go into the kitchen, open the door to the fridge, and then one of them would make a list of what is in the fridge. Yes, to see what they have in the way of provender. Make a list because that is a very important statistic. They would then ask the mother of the house—let us assume this is a family—they would ask the mother to assemble the children. Let us say they had four. They trot out the four children and then the Indian anthropologist, assisted by the sociologist, would say to the mother, "Now, which is your oldest child?" She would point out that one. "How old is she?" "She is nine." "Who is her father?" "Who is the second child?" "Who is the father of that child" and so on, right down. That would equate what the studious people of the white community do when they study the native Indian.

A tremendous amount of information has been amassed by this method. I think there is not an indigenous people in the world about which there is more information on file than our native Indians. We know everything there is to know about them. For one thing, they are a tremendous embarrassment to us. The embarrassment stems from the method in which they live, the fact of their existence and the way we have treated them.

Our American cousins were far more merciful, if I may put it that way, to their Indians than we have been to ours. The Americans killed all theirs off and they are still doing it in the movies. You can select a movie and they are still killing the Indians in the movies. They never get tired of killing them. The story is told about the two Indian boys who went to the movies to an Indian picture. After 20 minutes one of them rushed out. The other one followed him and said, "Where are you going, the movie just started?" He replied, "Well, we won the first battle and I am leaving while we are ahead." Because at the end, you see, all the Indians always get slaughtered.

The story is told about an Indian jockey who got especially bad treatment from another jockey at the racetrack who just seemed to pick on him in a totally unreasonable way. Finally, the Indian jockey went up to the white jockey and said, "why do you treat me that way?" And he replied, "well, I am getting even with you for what you did to Custer."

We, of course, did not kill ours off. We left ours on a reservation. We set them aside on reservations so they would die the slow death, over several generations of decay that we have permitted to exist.

It all began, of course—and I do not know why over here tonight so many times reference was made to 100 years. I do not know why that 100 years was selected as being the arbitrary beginning of the ill-treatment of the Indians—it began a long time before 100 years ago. It began right after the first separatist province in this country, Ontario —which was the first one—was established in 1791 to accommodate the influx of the United Empire Loyalists, including Joseph Brant, who came over from New York state among the first Loyalists established down in my leader's own riding down there.

To accommodate the demand for land, the covetousness of land of the white settlers in Upper Canada was the beginning of the problem. Right after the establishment of Upper Canada, they began to push the Indian around, because they wanted his land and he inconveniently occupied it. He had to be got off it.

There is the very famous meeting, of course, of Governor Bondhead—you know him, old Bondhead, old Bonehead as we used to call him. Not one of our more brilliant governors, among the long line of sorry specimens that George III and that even worse Hanoverian, George IV, sent out here. He came under William IV—the famous meeting at Niagara in 1837 where he summoned his "children of the forest", as he called them, to meet. He offered them the deal of land around the upper lakes, in exchange for that choice pasturage, arable land in lower central Ontario. Eventually, they were successful in divesting the Indians of the whole of central Ontario and pushing a good many of them, Chippewas, the Ojibways, up along the less attractive shores of the upper lakes.

That is when it began and it began for economic reasons—the demand for land and the desire of the white man to arrogate to himself the best land of the province. He has not stopped. The white man, of course, has never stopped.

That leads me to make reference to treaties. But I am not going to say very much about the treaties because The Department of Lands and Forests and myself, on behalf of six Indian bands are now in a series of negotiations respecting a treaty. This is one of the more important treaties and one not mentioned by my friend from Riverdale—the Manitoulin treaty of October 4, 1862.

I am not dealing with the Minister of Lands and Forests; I have not got to him, but his senior officials are negotiating with me respecting that treaty. I am not going to say very much about them, but I am going to make reference first to that case cited by my friend from Riverdale on April 17, the case of Regina against Calvin William George. That was the Kettle Point Indian who shot two or six ducks, I forget which, for food down in the Kettle Point reservation and was charged with a contravention of The Migratory Birds Convention Act. At the trial level, Chief Justice McRuer—can one ever escape that name? One can never escape it; a great Canadian. I just want to remind the House in alluding to him that the J. C. in McRuer stands for James Chalmers—

Mr. T. P. Reid (Rainy River): Instead of something else.

Mr. Sopha: I did not even want to add that because that is—

Interjection by an hon. member.

Mr. Sopha: Now at the trial of that case, he referred to the inviolability of the treaties. He said they were documents, the result of negotiations between two sovereign peoples—treaty in the true sense of the word. The sovereign Indian nation on the one hand and the sovereign province of Canada on the other. As such he said they must be respected as being documents executed between states of the highest order of sanctity. The highest order.

And he said, if the descendants—I am paraphrasing him—if the descendants violate the treaties they cannot classify themselves as honourable men. If we, the descendants, violate those solemn treaties we cannot call ourselves honourable men.

Of course, in the negotiation of the treaties, the thing the Indians were most concerned about—almost exclusively concerned about—was their access to provender, that is to say, fishing and hunting rights. That was the most material and important thing to them. They wanted to secure their fishing and hunting rights and, indeed, continue the declaration of George III of 1763.

Then, as I said a little earlier, out of gratitude for their assistance in the Seven Years' War, he had declared in the Royal proclamation that, forever, in respect of all rivers that empty into Hudson Bay or into the Great Lakes—all waters that empty into the great watershed in the centre of the continent—they would have inalienable protected rights to hunt and fish in perpetuity. When they negotiated the treaties—the 19th century was the great treaty-making era — you can see from reading the documents, that they were

most concerned about securing the access to provender.

Now his judgment, of course, as is well known, was overruled. Oh, it was sustained in the court of appeal, with a dissenting judgment, overruled in the Supreme Court of Canada. It seemed that the basis of the case, and the judgment that overruled it, was that there we were dealing with an international treaty, The Migratory Birds Convention Act. It had a special quality about it, and that was that it was a contract between nations, and an Indian's rights could not be pre-eminent to that pact between the sovereign nations, the United States and Canada.

It is interesting to note that at the time they were deciding the George case in the Supreme Court of Canada—the case of Regina against Bob and White, two Indians charged with killing deer on Vancouver Island, came before the Supreme Court of Canada. That great judge from B.C., Justice Norris, had upheld the rights of the Indians to take deer. In the court of appeal, he wrote the judgment for the court; he had upheld the rights, and that is an interesting story in itself.

The Supreme Court of Canada dismissed the appeal by the Crown in the case of Bob and White without reasons. They gave no reasons, just dismissed it.

That was a very interesting thing. You had two inconsistent cases standing side by side.

But unfortunately since—and that is the point I wanted to make—the Supreme Court of Canada has said that the Parliament of Canada, in its sovereign jurisdiction, may alter the treaties by simple legislation. In the light of what Mr. McRuer said in the trial side, or the initial stages of Regina and George, in the light of that—the inviolability of the treaties, the solemn contract, the honour of people dealing at arms' length, and the sanctity of the covenant they entered into—that is a very distressing statement for the Supreme Court of Canada to make, that they may unilaterally alter the treaties. I think, my own opinion is, that they having said that, that stains us all, we are all stained by that statement. I am saddened.

The *Globe and Mail*, very courageously, from time to time states the opposite side, and on many occasions the *Globe and Mail* has pointed out that if we are honourable men, we should abide by the letter of the treaties, even at the expense of inconvenience and cost to ourselves, in order to show the first citizens of our country that we esteem the high value of covenant entered into by people negotiating at arms' length.

The day is long past, of course, and one sees in the presence of such members as the member for Scarborough West, and what he says, and the member for Riverdale—the day is long past when intelligent white men will put a bottle of whisky in the hands of the Indian and, by proffering it to him, mulct him out of his heritage.

I remember, if I may be permitted, Bill Meawasige, and if he were here he would not mind me telling the story. When we were dealing with the possible sale of 1,000 acres of Serpent River Reserve—and I was the worst person for them to hire to try to sell the land; he would not mind me saying this, because I did not want to sell the land at any price. I would rather the Indians kept the land than any amount of money they might get.

The Minister of Lands and Forests will smile when he hears that, but I was the worst bargainer they could hire, because I told them that never again in the history of Canada will the Canadian people ever give you any land. They will never give you any more; you have all you will get. And when you alienate what you have got, you have divested yourself and all those to follow you, from the usage and enjoyment of that land.

So I said, "Bill, go up on the highest hill of the reserve and take a look at that 1,000 acres." Beautiful land, surrounding the best harbour left on the north shore of Lake Huron. The very best harbour. I think it is 27 feet of draft in all parts. I said, "Take a look at that 1,000 acres, and say, 'It is ours, we own it. We do not have the money, but we own the land, and I will be able to pass that land on to the people that follow me.' "

Well, the happy ending of the story was, as the Minister of Lands and Forests well knows, that they did not sell the land. The Indians never let me down. The price I put on it was pretty high. A thousand acres for $1.75 million. The shrewd Yankee from New York—and my, he was gold-plated individual too—when he heard that figure, he said, "What? We can get land in New Brunswick at $50 an acre." And right in the same breath I said, "Go and get it. Go and buy it. If you can get it, that is where you should be, because you are not getting this land for $50 an acre. The price is one and three-quarter million dollars for that thousand acres."

Well, I am happy to say we still have the land, and I hope that the next generation,

and the one after that, still has that beautiful site adjacent to Cutler, jutting out into the lake.

It moves me to say that I cannot understand why the Minister of Lands and Forests is not on that Cabinet committee. Is he on that Cabinet committee? So I take it that that it consists of the Minister of Social and Family Services, chairman, the Minister of Lands and Forests, the Minister of Mines, the Minister of Health, the Minister of Agriculture, the Minister of Education, the Minister of Trade and Development. Is there anybody left who is not on the committee?

Hon. Mr. Yaremko: Everybody that has an interest.

Mr. Nixon: The Treasurer does not know it exists.

Mr. Sopha: Well, the presence of the Minister of Lands and Forests, of course, is essential, because he is the man most on the firing line with the Indians. No Minister of the government has more contact with the Indian people, I would think, than the Minister of Lands and Forests. He deals with them in so many ways, and of course, he has the singular advantage of having lived—I do not know if he was born there—in an area of the country where his contacts with the Indians have been continuous and numerous beyond telling—

Hon. Mr. Brunelle: Christian Island, Penetanguishene.

Mr. Sopha: —and I say in all humility, it is difficult to understand the extent of the Indian problem without intimate contact with them. They are a culture apart, there is no question about it. The Indian does not think in the same processes and achieve the same results as members of the white culture, and to be in communication with them reveals that at an early time. And one of the most notable qualities of the Indian—I would not call it distrust—is what I would call a latent fear of the unknown, of the uncertain, of what is beyond the next turning in the road. And if my friend from York South modified his attitude at the Unitarian Church on Sunday about the desire of the Indians to come under the complete jurisdiction of this government, then, may I say to him in the most friendly fashion, his modification is in line with a speech I made last year from this place, or the year before, I forget which, in which I tried to indicate—and I say this with all respect to my friend from Scarborough West—that if we in Ontario intend to be more dynamic and thrusting and forward in our approach to the Indians, we must take pause to consider that they are accustomed to the paternalism of the federal government. That is a vital fact in their culture. For approaching two centuries now they have been dealing with the central government. In the northern reserves, in the northern part of the province, those where they live still more or less in a state of nature, the blue suit is still a cultural syndrome. The blue suit is given by Her Majesty the Queen in the same way as her great-great-grandmother gave—yes I am right, her great-great-grandmother—and the practice was initiated under her suzerainty.

They have to this day in their cultural life a mistrust of changing the old order, and we have an obligation in Ontario—and I adopt entirely the attitude of the member for Riverdale in this regard—to only proffer whatever we have to give with their complete and total co-operation. Only in the event of their willing acceptance of substitution—if it is to be that—of those incidents of statism and the welfare state, and anything else that the state is concerned with, will we make the substitution. It will come only with their complete willing consent, and it must come as a result of persuasion.

Well I recall a couple of months ago going over to the unceded band on a Sunday to meet with the council there, and sitting around the table, having gone first to watch a hockey game at the arena—or at least a period of it—and then coming up and meeting with the council. We were sitting around and I was the only white man in the room—I am not so white myself—and, you know, I remind myself, I never forget that doctor—be careful now to whom I ascribe this. There is a French doctor, a French-Canadian doctor, in Ottawa; I forget his name, but I can dig it out. He is a son of French Canada, who claims that more than 70 per cent.—listen, my friend from Nickel Belt—more than 70 per cent—will the Minister of Lands and Forests listen?—more than 70 per cent of French-Canadians in this country have Indian blood. We never know, you see, from the 17th century on, what went on behind the tepee in the dark of the moon.

Mr. MacDonald: No wonder Trudeau wants to keep the state out of the bedrooms of the nation.

Mr. Sopha: I went to that Sunday afternoon—and they would not mind me saying this—and we had a little chat around the council table. I said—you know, someday it

has got to end. This has got to stop, this living on the reservation; it has got to stop. Because you recognize that this is a degrading way of life to be set apart from the large society that surrounds you and, really, by your occupancy of this area which you claim as your own, you are denoting yourselves to be different. This, to a large extent, is self-enforced segregation. That Sunday afternoon, a nice sunny day, they readily acceded, "You are right; we recognize that." The chief said to me, "I do not think this will do for my children and certainly not for my great grandchildren. I do not want my grandchildren or my great grandchildren to live in segregated fashion like this."

That is our goal, to stop this denotation of difference and to encourage integration. Having said that and on this note I am going to end. This is the journey of 1,000 miles, that is how far we have to go. I am not sure that we have taken the first step yet; we have to take the first step on that journey to elicit the trust, the faith and the understanding, and God knows, to correct all the wrongs and all the hurts that we have inflicted on the first citizens of this country. They are many. We ought to take this to bed at night with an uneasy conscience as we conjure up the enormity of what we have done to them. Where do we begin?

I am not going to start tonight, but I know where we will end because a week or so later I was over at West Bay, that is the second largest reserve in Manitoulin. It was the same matter as on the unceded reserve but this time we had a general meeting of the band in a beautiful new school that somebody has put up. Maybe the federal government has put it up there. We had a meeting on a Saturday morning and a lady, Mrs. Nellie Fox, she is a school teacher—she would not mind me saying this—during the discussion she went off the track, as I am accustomed to do, and she started to parade the grievances, you know the historic grievances. The Indian, at the slightest stimulation, will start to tell you about the grievances over the decades and over the centuries, and she started to parade them to me.

She called upon me to answer for those grievances and I said with the greatest respect, "They are not relevant to what we are discussing here today, and I must say to you that I find your repetition of them tiresome. And I say that in the tenderest fashion I can, because, Mrs. Fox, the answer ultimately and finally to these grievances is that in the advocacy for redress of them, you do not have a white lawyer standing at the front here talking on your behalf, you have an Indian lawyer." I said, "It is a matter of embarrassment to me as a white man that I take up your cause and that you have not got, of your own people and your own blood, those trained in the art of law and advocacy to advance your own cause. You have to go and hire somebody alien to your culture." I said, "We begin to redress the balance toward the Indian people of this province and this nation—50,000 in Ontario—when finally you put enough of them through university so that they speak to the white man nose-to-nose and on even terms. They will look him in the eye."

Not by revolution and insurrection spoken of by the member for Scarborough West; not that at all, that is not the Canadian way, it is not the Indian way, it is not the democratic way. But the way is the looking of the white man in the eye and saying to him "This is the way it has got to be. This much is coming to us, the first citizens of this country."

Our first test is that we owe it to our Indian brothers to stimulate and encourage him to keep his children in school. Get them into school. Mr. Chairman, it grieves me when each year I ask Gus Debassige of West Bay, "How many have we got this year, Gus, in the high school?" He says, "We have got 24," or, "we have got 30."

How many families are there? Something over 400 families on that reserve and we have 24 in the high school. The numbers are not increasing. At none of the other reserves is it any better although I think that best record along the north shore of Manitoulin is with Bill Meawasige of Serpent River. I think he has got more than any of them.

I have said to the chiefs when I was asked to address the Ontario Council of Chiefs a number of years ago, "Some day you have got to get somebody trained in pschology or those arts, and identify the best and brightest children by whatever tests they use; point them out, those with the aptitudes and the native ability; those who have it, identify them first and then take steps to keep those in school. "You get those into the school in the hope that someday they will lead their people. That is the only way they are going to do it. They are not going to do it through my rhetoric or the oratory, which cannot be matched, of the member for Scarborough West, or the declarations of the 12 points of the member for Riverdale. There is only one route and that is through education.

That is really our obligation here. That high-falutin committee over there, that is really the object of our efforts. Then maybe, some time in the distant future, in two or three generations, the last reserve will be gone. These people, the first citizens, have been on the increase; there are far more than there were at the time of the coming of the French. Far more than there were when Wolfe won on the Plains of Abraham.

They are increasing and it is a matter of joy to us that they have increased in numbers and some day, some day to be part of the society; you will not be able to discern them until somebody points them out. There is only one way and that is education. All your nostrums and panaceas, your potions and lotions, these things come to nought, come to nought, until through the stimulus, the we-given *bona-fide* sympathetic understanding, we help them to lift themselves. That is what he wants to do, and I do not sit down without saying, they have come a long way, they have come a long way. Many, many areas but as everybody here says, and I endorse the phrase, here in 1969 they remain second-class citizens in our midst. Canada's first citizens are in a second-class state. There is no problem there is simply no problem that we face that equals the enormity of this one and the burden that it poses on our consciences, that we have not done right by those who earned this country and from whom it was taken by our ancestors.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: Mr. Chairman, there are some specific questions that I would like to put to the Minister. He has had it rather easy tonight, he has sat and listened without giving anything of a concrete nature with regard to what he proposes in the forthcoming year. I would like to ask the Minister specifically what recommendations have been made to him by the Indian advisory board? I understand they have had several meetings. The Minister has said that those meetings have been very useful. I would like to know specifically what recommendations were made to the Minister and to the interdepartmental committee by the Indian advisory board.

I want to know why, using the words of the members of the board, the Minister has not seen fit to accept or to implement any of those recommendations.

I want to know why—and I hope the Minister is paying attention—I want to know why the Minister has not prevailed upon his colleague, the Minister of Lands and Forests, to assure the Indian people that they will have the right to hunt and fish.

I want to know why The Department of Lands and Forests have made it mandatory for Indians to buy a $3 fishing license.

I want to know why the Minister has not paid close attention to the remarks of the hon. member for Kenora in this House last year during these estimates. I thought he had some very, very useful suggestions to offer. Obviously the Minister has not paid heed to them, no action has been taken.

I want to know why the department and the Minister have not prevailed upon the municipalities who have seen fit to charge municipal or township taxes to reservations because they happened to have leased some of their property to people wishing to build summer cottages on the reserves. The municipalities offer no services to the reserve yet they are forcing the Indians to pay taxes.

About twenty-six hours ago, I brought the Minister's attention to a situation that had arisen in the town of Armstrong where an Indian family was on welfare with ten children. A 15½ year old girl broke her hand and she went to the medic, not medical officer, but a medic for treatment. The medic said, "In all probability the hand is broken, you must get attention from a doctor, have it X-rayed and have it set."

I got a long distance phone call late yesterday afternoon from Armstrong, the person on the other end of the line said:

> Won't you please do something? I have tried to contact The Department of Social and Family Services at the Lakehead. They will not accept a collect call. I have no money to make one myself. I have no money to transport my daughter to the nearest hospital in Sioux Lookout to get the necessary medical attention. The train leaves at 2.30 tomorrow afternoon. I am fearful that if we delay much longer, the hand might begin to set in the wrong position and she may be maimed for the rest of her life. Wont' you please do something?

I brought it to the Minister's attention, he promised me he would get right on to it. I spoke to him early this morning, he assured me again that he would do something about it. Nothing has happened. I can only assume that the same conditions still prevail with regard to the little Indian girl of 15½ years in Armstrong.

Here is a series of specific questions that I put to the Minister right now and I hope he will be able to give me answers.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member has listed the questions but I could not possibly begin to take them down, but I shall try to deal with them.

With reference to the latter specific situation in Armstrong. The matter was referred by me to the director at the first, earliest opportunity. He was to check into the matter and the situation is that he, of course, has been in committee meetings with the advisory committee continuously. I have not been able to get a report from him during the supper hour, as to whether he was able to make his direct connections or not. I have been, of course, preparing myself for the estimates and I hope that he will have the memo to me because I left the matter with him. I am advised that the matter was referred to Dr. Williams of our general welfare assistance branch who has been following it up. I have not seen Dr. Williams all day but I will check with him first thing in the morning.

With reference to the matter of municipal taxation on reserves. It is what I call a very fundamental matter which was raised by the Indian advisory committee and I took the matter up with the Minister of Municipal Affairs. They initiated studies in this regard. This, of course, was a field in which we could quite readily act and it comes within the scope of our provincial authority. To a certain degree, the legal ramifications of it, I have not gone into, because we had to ascertain the extent of it and the ramifications of this. Here again, this matter was brought to my attention and on the face of it—when I just saw the problem placed before me I readily recognized that there seemed to be something wrong, it just did not seem right. But, it is a matter of intensive study by The Department of Municipal Affairs at my request and I believe they made an interim report, but it is not of any significance. We are waiting the results of the long term study and then, of course, when the study is determined then there will be an evaluation both by the advisory committee and by ourselves with relationship to what action is in the best interest of the Indians.

I know that one of the hon. members very lightly passed upon the significance of the two page boys within this Legislature, I do not pass that off as being a light thing. I think it was—

Mr. Stokes: I said the only recommendation of any significance—

Hon. Mr. Yaremko: Well I thought that some member—I am not referring to the hon. member—but I think there was a comment by someone as if it was an insignificant thing. Although in the total picture it certainly cannot be evaluated in dollar and cents, I consider it a very significant incident that may be some day, an historic, moment. Indeed, it is one of the significant things that the hon. Speaker will have done in the course of his career. I think—his action in this regard and I think the member for Kenora was actually the vehicle through which this came about—is a very significant thing.

Mr. Lewis: What is significant about it?

Hon. Mr. Yaremko: The significant thing is that in 1969, we as citizens of Ontario finally took a step to bring them in, at least permit them; and I subscribed wholly to the position as stated by the hon. member for Riverdale and I believe supported by the member for Sudbury because I have taken exactly the same position, the right of choice. We make available—

Mr. Lewis: The member for Riverdale did not talk about that.

Hon. Mr. Yaremko: No, he talked about giving a choice and I said—one of the earliest expressions that I used—that when this is a province of opportunity, we should make available the opportunity. It is then incumbent upon the person at the other side to determine, with or without persuasion, with or without guidance, to make the choice himself.

The choice of what course—

Mr. Lewis: Some significance. Two adolescent Indians crash this private club and the Minister deems it of importance.

Hon. Mr. Yaremko: I think it is significant. The hon. member may disagree, but I think it is significant.

There are a lot of things with which I agree, as they have been uttered by other members of the House. I will not take the time to repeat them. There are some points on which I disagree. There are some points upon which I have a completely open mind whether they are, in terms of the hon. member, radical or revolutionary. I discount nothing in this field because the record of the past certainly has not proven that our experience there has been any too good.

With reference to the recommendations of the Indian advisory committee. In those recommendations which entail an expenditure of funds, we again run into, as I say, this situation that must be resolved, as to who is

going to supply the dollars. The hon. members know that in the course of my estimates alone, I have been, as a Minister of a department and of the government, castigated for not providing sufficient dollars for programmes which clearly and unmistakably are provincial responsibility.

Mr. MacDonald: And this is clear too.

Hon. Mr. Yaremko: No ifs and buts or doubts about it at all. Now this is a situation in which there is a grey area both as to the dollar-spending and, also, to the movement, the speed which the province will move into the field. Some of our Indian fellow citizens wonder how the province ever got into this field and what we are doing in it to the extent that we are involved. This is one of the situations that has to be resolved and in which I enlist the good offices of the Indian advisory committee as well as the outside agencies, the Ontario Union, to bring out a better understanding of these factors in both directions.

Hon. R. S. Welch (Provincial Secretary): Mr. Chairman, I would like to move that we rise to report.

Hon. Mr. Grossman: Mr. Chairman, before you put that motion, could I ask for your indulgence to rise on a matter of personal privilege? I may not be here tomorrow and I would like, with your indulgence and the indulgence of the House, to make a correction of an error that was in the daily paper today, in the hope that it will get in tomorrow afternoon. I do not normally rise on these questions and I would normally as I say, rise and report the orders, but I will not be here tomorrow.

The Toronto *Daily Star* today carried an article which is headed "Grossman says Training School Wouldn't Admit Him Either". In the text, it states:

> Allan Grossman, Minister of Correctional Services said he was turned away from a provincial training school for boys recently because he arrived unannounced.

I would not want the training school people to feel that this was a correct version of what I said. The hon. members will remember that the hon. member for Scarborough East had referred, I think, to a clause in The Schools Administration Act in which he was pointing out the rights of the members to visit public schools. I had said that I had visited a public school and this occurrence took place in a public school, not in a training school.

Thank you, Mr. Chairman.

Hon. Mr. Welch moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

Mr. T. P. Reid (Rainy River): May I ask what the order of business will be tomorrow afternoon?

Mr. Chairman: After the committee has reported to Mr. Speaker would be an appropriate time.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress, and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will return to legislation and carry on with our working committee of the whole House.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:30 o'clock, p.m.

No. 109

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Wednesday, May 7, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Wednesday, May 7, 1969

Presenting report, Mr. Welch 4077
Industrial Safety Act, 1964, bill to amend, Mr. Bales, agreed to 4077
Archaeological and Historic Sites Protection Act, bill to amend, Mr. Pitman, first reading 4077
Pesticides Act, 1967, bill to amend, Mr. Shulman, first reading 4078
Mafia and off-track betting, questions to Mr. Wishart, Mr. Nixon 4078
Off-track betting, questions to Mr. Wishart, Mr. Lawlor 4079
Collection of mining revenues, questions to Mr. White, Mr. Lawlor 4080
Banning of certain steering wheels, questions to Mr. Haskett, Mr. B. Newman 4080
Borgia redevelopment area, questions to Mr. McKeough, Mr. Sopha 4080
Decision of Mr. Justice Haines, questions to Mr. MacNaughton, Mr. Sopha 4081
Collection of local education taxes, questions to Mr. McKeough, Mr. Pitman 4081
Sentencing by provincial judges, questions to Mr. Wishart, Mr. Ben 4082
Lakeview Hydro station, questions to Mr. Simonett, Mr. Ben 4083
Alleged abuses of legal aid, questions to Mr. Wishart, Mr. Good 4083
Council members as commissioners, question to Mr. McKeough, Mr. Ruston 4084
Third readings 4084
Registry Act, bill to amend, reported 4085
Motor Vehicle Accident Claims Act, 1961-1962, bill to amend, reported 4085
Land Titles Act, bill to amend, reported 4085
Public Vehicles Act, bill to amend, reported 4085
Marketing of fresh water fish, bill to regulate, reported 4086
Fish Inspection Act, bill to amend, reported 4088
Medical Services Insurance Act, bill to amend, reported 4088
Division Courts Act, bill to amend, reported 4106
Regulations Act, bill to amend, in committee 4106
Motion to adjourn, Mr. Rowntree, agreed to 4116

LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 7, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: Our guests today, in the east gallery, are students from Ridge public school in Leamington; and Dougall Avenue public school in Windsor; and in the west gallery, from Earl Beatty public school in Toronto; from Seneca central township school, RR 1, York; and members of the trade and industry branch of The Department of Trade and Industry. Later this afternoon in the west gallery we will have students from Park Street collegiate institute in Orillia.

Petitions.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, five minutes ago I was notified by Chief Nadjiwan, the president of the Union of Ontario Indians, that he had resigned because of the indifference of this government—

Mr. Speaker: May I just ask the hon. member to await the appropriate time. This is not the appropriate time for remarks unless they be points of order or points of personal privilege. When the orders-of-the-day period comes, the hon. member will have an opportunity.

Mr. Sargent: Thank you, Mr. Speaker.

Mr. Speaker: Presenting reports.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the annual report of The Ontario Department of Highways for the first fiscal year ending March 31, 1968.

Mr. Speaker: Introduction of bills.

THE INDUSTRIAL SAFETY ACT, 1964

Hon. D. A. Bales (Minister of Labour) moves first reading of bill intituled, An Act to amend The Industrial Safety Act, 1964.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, this amendment will eliminate the formal certificate of registration that has been issued in respect of all factories covered by The Industrial Safety Act. The certificate is no longer necessary, because of the introduction of automatic data processing into the department's record-keeping and inspection assignment system.

I would add, Mr. Speaker, that this will save both ourselves and employers a certain amount of costly paper work. At the same time, it will in no way impair the accident prevention system.

THE ARCHEOLOGICAL AND HISTORIC SITES PROTECTION ACT

Mr. W. G. Pitman (Peterborough) moves first reading of bill intituled, An Act to amend The Archeological and Historic Sites Protection Act.

Mr. Speaker: Until I ascertain when notice was given for this bill I will withhold the placing of the order.

Mr. Pitman: Mr. Speaker, notice was given April 30.

Mr. Speaker: I have asked that before bills are presented to me for the first reading that they bear a note indicating when notice was given, and in that way we have no difficulty with them. It was not on this one.

Mr. Pitman: It was attached to the first copy. I am sorry, Mr. Speaker.

Mr. Speaker: That is the copy, perhaps, that Mr. Speaker should have had.

Motion agreed to; first reading of the bill.

Mr. Pitman: Mr. Speaker, the purpose of this amendment to The Archeological and Historical Sites Protection Act is an attempt to prevent the wanton destruction of our old historic buildings. The bill specifically states that a permit must be obtained from the Minister before any building over 100 years old can be destroyed or altered, and that the Minister will consult with the local historical society or municipal council before making a decision.

The one thing the bill does not do is to provide for full compensation for persons or organizations who own these buildings and wish to sell them. Obviously they cannot be expected to be keepers of provincial and municipal monuments, and obviously are entitled to a just price for their property.

Recent amendments to The Heritage Foundation Act would make this possible.

THE PESTICIDES ACT, 1967

Mr. M. Shulman (High Park) moves fiirst reading of bill intituled, An Act to amend The Pesticides Act, 1967.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this bill is to prevent the use of DDT in this province.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: Thank you, Mr. Speaker. As I mentioned five minutes ago, I was informed by Chief Nadjiwan, the president of the Union of Ontario Indians, that he had resigned because of the plight of the Indians in this province and the apathy of the Minister in his estimates last night.

I would, therefore, ask, Mr. Speaker, that you most earnestly accede to the request that you grant them the sum of $54,000 to at least put in six field operators in northern Ontario. This seems to be the least you can do when you have $1 million unexpended last year.

Mr. Speaker: The hon. member, I presume, was bringing to the attention of the House the resignation of a member of the committee, and at this time as far as—

Mr. Sargent: They need a great deal of protection, Mr. Speaker.

Mr. Speaker: Therefore the balance of the hon. member's remarks are not properly directed to Mr. Speaker and they are not in order. I am sure that in the appropriate manner and at the appropriate time he can direct the balance of his remarks to the member of the government responsible.

Mr. D. C. MacDonald (York South): Mr. Speaker, if I may speak briefly to this, I have so been informed, too. I am delighted to learn that the hon. member for Grey-Bruce is now interested in this matter.

Mr. Sargent: Mr. Speaker, on a point of order—

Mr. MacDonald: I have the floor, I think, Mr. Speaker.

Mr. Sargent: On a point of personal privilege—

Mr. Speaker: The hon. member has risen on the same point; he will complete his statement.

Mr. MacDonald: Last night we were attempting to detail all the ramifications of this problem, and one of our main obstacles was to cope with the road-blocking efforts of the hon. member. But he is now strongly in support of this.

However, Mr. Speaker, I think the point should be made that Chief Nadjiwan has resigned because of his lack of confidence in the programme of Indian development branch. I am not pointing my finger at the department, I am pointing it at the Minister and the government, because there is no one more frustrated than the actual branch itself. And this we will have an opportunity to pursue tomorrow.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: For the record, Mr. Speaker, I take objection to the hon. member's remarks, in view of the fact that this chief is the chief of the Cape Croker Reserve in my area. I have two bands in my riding, and I take pride that I serve my Indians well up there. It ill-behooves this group on the left to take credit. When anything comes along they use this as a springboard. It is not going to work.

Mr. Speaker: Order!

An hon. member: It did not work last time.

Mr. Speaker: The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question of the Attorney General.

Was the Attorney General correctly quoted on radio news reports this morning as indicating that Mafia elements are already in control of off-track betting shops in Ontario?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I did not hear the radio broadcast this morning, but I am quite certain that in any report I gave I never used the word "Mafia". I reported quite fully on this matter in the House on May 5 in response to a question by the hon. leader of the Opposition. At that time I said that we had evidence that

persons with criminal records were engaged in operating certain of these messenger services. That is the same language I used in talking to the press.

Mr. Nixon: I do not know, Mr. Speaker, but surely supplementary to that, there has been another indication made publicly that perhaps the lack of activity on the part of the Attorney General in this matter was designed to allow the situation in the betting shops to get out of hand so that there would be no alternative at the federal level but to outlaw the whole set-up. Is this true?

Hon. Mr. Wishart: Is this a question, Mr. Speaker?

Mr. Nixon: Well, is that true?

Hon. Mr. Wishart: I think it behooves the Minister of Justice, whose Act it is—The Criminal Code—and who has been fully informed by all the Attorneys General of Canada, and he has indicated, I think, that he proposes to take some action.

Mr. Nixon: Mr. Speaker, might I ask the Attorney General, does he not understand that since it has been, at the present time, made legal, or judged to be legal in the province of Ontario, that his responsibility to license and inspect it is obvious, and rather than to sit back and wait for another jurisdiction to impose the sort of legislation that he recommends he should accept the responsibility himself?

Hon. Mr. Wishart: That is simply a matter of opinion, Mr. Speaker.

Mr. E. W. Sopha (Sudbury): Will the Minister follow the precedent of Paul Hellyer?

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, I have a similar question; perhaps this would be the time to put it.

Mr. Speaker: Perhaps the hon. member would, and then follow with the other questions for those Ministers who are here.

Mr. Lawlor: A two-part question.

Has the argument for the maintenance of betting shops—on the basis of keeping these operations out in the open, supervised and publicly licensed and not driving gambling under ground, thereby enriching the Treasury through proper income tax collections, with official control over what has been, until recently, a necessarily surreptitious operation—been objectively and fairly presented to, and considered by, the Attorney General?

Why are we not given an opportunity to argue the merits pro and con, prior to a final determination by the Attorney General flying in solo?

Hon. Mr. Wishart: The hon. member must be thinking of that contest flying over the Atlantic.

I am not sure whether these things have been objectively and fairly presented to me or not. It would be very difficult to say whether the persons who make representations are always objective and fair. But certainly we have considered the matter, Mr. Speaker. Many representations have been made. There has been no debate in this House for the same reason that I gave in my answer to the hon. leader of the Opposition, that in my opinion the law governing gaming and betting so far has been contained in the Criminal Code. All of it.

This is a matter of betting, and representations by all the Attorney Generals of all the provinces of Canada have been made to the Minister of Justice at Ottawa.

Mr. Lawlor: A supplementary question, Mr. Speaker, if the Minister will.

Surely, the Attorney General must consider that at least a case can be made, on the basis of my remarks, in the question of licensing these shops and placing them under control?

Hon. Mr. Wishart: Mr. Speaker, I am quite agreeable and quite prepared to admit that a case could be made. In the answer which I gave on May 5 in answer to a question of the hon. leader of the Opposition, I indicated, that if the action which we felt should be taken was not taken at the federal level, it would be necessary for the province, I thought, to license and control and have a system of inspection which would be extremely difficult to impose and to carry out.

But that would become certainly a responsibility of the province, and I have that in mind. But we are hoping there will be federal legislation in this area of betting which will govern the type of messenger service which has been established as legal.

I indicated on May 5 that in any event, the amendments to the Criminal Code which are now before the House of Commons and the Senate will necessitate the province setting up some sort of administration to deal with lotteries and betting in a number of

forms which is being permitted by these amendments.

So we have quite an awareness of the responsibility which will devolve upon us, and perhaps when those amendments are through we will have an opportunity to debate the whole thing.

Mr. Lawlor: A series of questions to the Minister of Revenue.

When does the Minister's department anticipate taking over the collection of mining revenues?

Hon. J. H. White (Minister of Revenue): Mr. Speaker, the government is aware of the Smith committee and select committee recommendation, but to the present time, has not adopted the recommendation.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport.

Is the Minister prepared to consider the banning of certain steering wheels, where there is a possibility of fingers being caught in the steering wheel, as indicated by the difficulties in freeing a finger from a sports car steering wheel, as reported in today's Toronto *Telegram*?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, yes.

Mr. B. Newman: May I ask the Minister a supplementary, Mr. Speaker?

Was the use of this steering wheel as indicated in the press, submitted for approval to his department?

Hon. Mr. Haskett: Not to my knowledge.

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: I have a question of the Minister of Municipal Affairs.

Is it the intention of the government, so far as it has the power, to approve the offer of purchase submitted to the urban renewal commission of the city of Sudbury and to the city council of some ten acres more or less of commercial property in the Borgia redevelopment area, according to the terms and conditions set out in the offer, and especially in regard to the price for the land to be paid by Marchland Holdings Limited?

It is within the power of the council of the city of Sudbury to engage in transactions of sale of land to the Marchland Holdings Limited which would involve the payment of a percentage of gross income obtained from the tenants of Marchland Holdings Limited to the city of Sudbury?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, perhaps if I gave a little bit of background to this it would help us to understand the question. Under the authority of The Planning Act, the Minister of Municipal Affairs entered into an agreement with the city of Sudbury relating to the redevelopment of the Borgia Street area in May, 1967. About the same time, Sudbury entered into a parallel agreement with the federal government, represented by Central Mortgage and Housing Corporation.

The agreement between the province and the municipality sets out, among other things, the extent of provincial financial contributions, the conditions to be met by Sudbury to secure provincial assistance, and the extent of participation in revenues derived from the project. Under the agreement, reference is made to the fact that the disposition of land in the project shall be consistent with the development plan approved by the Ontario Municipal Board, and that the time, terms and other conditions of sale, or lease, shall be established to the mutual satisfaction of the city and the Minister of Municipal Affairs.

My department has been in continual contact with the municipality during the process of establishing the redevelopment plan, and in its negotiations with the developer, Marchlands Holdings Limited. The department met as recently as last week with representatives of the city in considering the terms of the agreement between the city and Marchland Holdings Limited.

The city council is formally to consider the agreement to dispose of the lands involved, I believe tomorrow evening, Thursday night. If the agreement is satisfactory to the municipality, they will pass a resolution to that effect and deliver it to me for my concurrence, or otherwise.

Now, until I have examined the agreement approved by the council, it is of course not possible at this time to indicate conclusively whether it shall be concurred in by me or not. If, however, the agreement is the same as those submitted to us very recently by the city, it is highly probable that concurrence shall be secured.

Now, with regard to the second part of the question, I think that this question is a legal one and I would prefer to leave it to the lawyers involved. I will pursue it. I do

not have an immediate answer for the member for this. I think it is a legal question, and so far as I can say my answer would be yes, but I am not sure of this.

Mr. Sopha: Might I ask by way of supplementary for a further part of the Minister's answer, which is left in some degree of obscurity, when he says if it is an agreement that was submitted recently. I wonder if the Minister could tell me to which agreement he refers?

Hon. Mr. McKeough: Well, I assume that when the staff were there last week they probably went over a draft agreement with the city and discussed this, and I assume—I do not know this, but I assume—that this is the agreement that the officials will present to the city council tomorrow night who in turn will go over it.

Then I am assuming that whatever they approve will come to me and it will be the same, or substantially the same, as what my staff looked at last week. If that is so, then the staff I think would be prepared to recommend it to me for approval, but I have not looked at it at this point.

Mr. Sopha: I have a question of the Treasurer of Ontario:

What steps does the government intend to take in the light of the admonitions of Mr. Justice Haines in the case of Morrissey against the Ontario Racing Commission, to require the racing commission to conduct hearings involving the rights of a person to carry on his occupation in accordance with the principles of natural justice, and especially to require that a transcript of the hearings be made?

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, in the light of the decision of Mr. Justice Haines in this matter, a meeting has been arranged with the Attorney General, the chairman of the racing commission and myself in the next few days so that we can address ourselves to this matter.

Mr. Speaker: The hon. member for Peterborough.

Mr. Pitman: Mr. Speaker, may I address my questions to the hon. Minister of Municipal Affairs?

What action does the Minister contemplate to force the councils of Mono and Melancthon townships to co-operate in the collection of taxes for the Dufferin county board of education?

Secondly, will the municipalities that must delay the collection of local taxes as a result of the delay in determining educational levies and, thereby, have to borrow money to meet their current expenses, be recompensed by the province?

Hon. Mr. McKeough: Mr. Speaker, I indicated last Thursday to the House in reply to a somewhat similar question from the hon. member for Sarnia (Mr. Bullbrook) that there is no specific legislative provision which allows me to intervene directly on this problem.

On the assumption that the required legalities have all been met by the school board, a statutory duty has been placed on the municipality to pay over the amount of the requisition of the school board, and we understand that this could be enforced by writ of *mandamus*.

However, as I indicated in my earlier answer, we now get into questions of law which are best left to the lawyers for the parties concerned to settle. I suggested to the member for Sarnia that perhaps three such eminent lawyers as the Attorney General, the member for Sarnia and the Minister of Education (Mr. Davis), could perhaps discuss this without the benefit of the Minister of Municipal Affairs, who is not a lawyer, being there.

I may say that I realize there has perhaps been more disturbance this year in the year of our Lord 1969 than perhaps there has been in other years, but there have been in the past, and undoubtedly will be in the future, disputes between municipalities and school boards. It is nothing new, it is not a new phenomenon. They have been resolved satisfactorily in the past and I think they will be resolved satisfactorily this year and in the future.

I think the staff—and even I in my year-and-a-half in this office and some years in municipal politics—have come to accept to a certain degree some of the position-taking which goes on starting about February 1, and goes through until the warm summer days are upon us.

Our friends in the media make the most of this phenomenon which goes on every year, and lo and behold, about May 1 or June 1, the tax bills are issued and things settle back down to normal. I do not want to indicate that some of these things are not serious, but I do think we should keep them in perspective and not consider them only in the heat of the moment, if I can put it that way.

Regarding the second part of the question, I think that section 294(a) of The Municipal Act permits a municipality to make a levy on its taxpayers before the estimates for the year

are adopted. A municipality could do this and presumably save borrowing costs.

Mr. Pitman: It will cost money to do it.

Hon. Mr. McKeough: To make an interim levy? Yes, but even in Peterborough there has been an interim levy for a number of years, and I think many municipalities have recognized the cost of making the interim levy is more than compensated by the saving in interest costs. I think many municipalities have felt this has been a convenience to their ratepayers, because instead of getting one rather large bill, they get two or three bills. It is a convenience, I think, to the ratepayers.

We are all on a monthly charge system, if I can put it that way, and I think the tendency will be to pay taxes on a monthly, or perhaps every two-months rather than in one fell swoop.

Mr. Pitman: Mr. Speaker, I wonder if I might just ask a short supplementary question. In spite of the Minister's expectations of sweetness and light, I wonder if he feels it might be useful for his department to contact municipalities and indicate to them what their responsibilities are. In view of the resolutions that are being passed by county councils and township councils across this province, there seems to be a great deal of confusion as to what they believe those responsibilities to be.

Hon. Mr. McKeough: I would have to say, Mr. Speaker, that I do not really think there is as much confusion as perhaps one would believe if one reads the press. I think municipal officials, municipal councils in the province and the school boards generally know what the responsibility of each is.

Mr. Pitman: This is posturing.

Hon. Mr. McKeough: If they are coming to us for advice, they are getting it. We are receiving copies of a great number of letters and thoughts, thoughtful letters which are being directed to the Minister of Education. The councils, very thoughtfully, are sending us copies. Some of them end up in the Prime Minister's (Mr. Robarts) office and some in the Treasurer's office, and they are being answered.

Mr. Speaker: Would the hon. member for Lakeshore wish to place his question of the Minister of Public Works about a matter that concerns us all?

Mr. Lawlor: Yes, a very vital question, Mr. Speaker.

Why, when one takes an elevator from the central section of the main building from the main floor does it proceed to the basement before it comes up again? Is this descent into hades part of Tory policy?

Hon. T. R. Connell (Minister of Public Works): Mr. Speaker, that is a rather involved question and I shall take it as notice.

Mr. MacDonald: If the Minister is going to hell, he wants to do it in a carefully considered way.

Mr. G. Ben (Humber): There are no depths to which he will not go, that is all.

Mr. Speaker, I have a question of the Attorney General.

Is the Attorney General going to take any action against provincial Judge P. E. D. Baker in exceeding his authority in the sentencing of Michael C. Hallam of Kingston to a penalty not prescribed by law, which requires him, as part of his suspended sentence, to spend four hours for each of four weekends in the next two years, watching the arrival of traffic accident victims in the emergency ward at a hospital?

Second, will the Attorney General call a meeting of all provincial judges to impress upon them that the legislators pass laws and set forth penalties, and that judges must impose penalties within the limits of these laws?

Hon. Mr. Wishart: Mr. Speaker, I do not propose to interfere with the sentence. If Mr. Hallam has some objection to it, he has the right of appeal. I have always maintained the policy that I will not interfere with the disposition of a case by the judge of a court, particularly when there is the right of appeal in the Act.

As to the second part of the question; whether a meeting will be called to instruct judges, I do not think a meeting of this kind would serve any useful purpose. The judges, I think, are quite well aware of their responsibilities and of their duties. They do have, from time to time, meetings and seminars where matters of sentencing, and the principles of sentencing, are discussed. But to call a meeting particularly on this occasion I think would not be a useful act.

Mr. Ben: Would the Minister accept a supplementary question?

If as the Minister alleges, these seminars are held, would he please tell this House why then do judges—now provincial judges, but formerly magistrates—continue to exceed their

jurisdiction by sentencing people to outlandish penalties which are not prescribed by law, and in fact, are *ultra vires* power of the magistrate?

Hon. Mr. Wishart: I have not noticed any incidents of this kind, Mr. Speaker.

Mr. Ben: Another supplementary question, if the Minister will.

Would he please refer this speaker to the section in either a provincial statute or federal statute that imposes as a penalty for any misdemeanour, spending four weekends of four hours' duration in some hospital watching accident victims being brought in?

Mr. Speaker: The hon. member has a further question?

Mr. Ben: He has not finished mulling that one over yet.

Mr. Speaker: The hon. Attorney General is not answering it and that is his right. The hon. member has a further question of another Minister?

Mr. Ben: Would the Speaker be kind enough to refer me to the number of that question?

Mr. Speaker: The Minister of Energy and Resources Management, May 1, 1378; "Will the Minister inform the House why there were great black blobs, etc."

Mr. Ben: Of the Minister of Energy and Resources Management.

Will the Minister inform the House why there were great black blobs of lung searing, eye watering, nose irritating, smoke emitted from the Hydro plant at Lakeview on May 1?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the question refers to the morning of May 1, 1969, although no time of the morning is mentioned at which the incident described is inferred to have taken place. From information gathered by Ontario Hydro so far, it has not been possible to identify any time at which operating conditions at their Lakeview station were such as to have produced the results mentioned by the hon. member.

On his way to work before 8 a.m., the plant manager, Mr. Jack Savory had taken note and recalled that a slight emission was visible from the number four unit, but it was light grey in colour. No member of the Lakeview staff saw anything that anywhere approached the condition mentioned in the question and could report nothing unusual. Two members of this staff were engaged in work at a distance, one at the canal and another out on the lake, and they saw nothing unusual, and they say nothing unusual was observed by them during the morning.

The local pollution control authorities, who keep a close watch on emissions from the stacks and immediately relay any complaints received, have advised that they had nothing at all to report on the morning of May 1.

The hon. member has not actually stated in his question that black blobs of smoke from the Lakeview stacks were observed by him, nor that they did in fact occur. I asked for a complete report of the matter, but nothing I have learned so far indicates that conditions were as described.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Ben: Well, will the Minister accept a supplementary question?

Hon. Mr. Simonett: Yes.

Mr. Ben: Is the Minister aware that there were reports that the smoke was dense enough to obscure the waterfront to people using the highway?

Mr. Speaker: The hon. member is not asking a supplementary question. That information has already been given in the Minister's answer. If the member has something that was not covered by the answer, by way of supplementary question, he is entitled to the floor.

The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Attorney General.

Why is the investigation into alleged abuses of legal aid being held *in camera* when public money is involved?

Hon. Mr. Wishart: Mr. Speaker, this investigation which is being carried on now, I believe is an investigation by the law society into the activities and the actions of a member of the society. This is the usual way under The Law Society Act in a matter of investigation of misconduct or unethical conduct, even of the misuse of trust funds and that sort of thing.

That type of investigation under The Law Society Act is done *in camera* and one of the reasons is that the reputation of the professional member would be protected in case the offence is found not to have been perpetrated.

Now, if this investigation should turn up misconduct such as indicate that criminal charges should be laid, the hon. member may be sure that we will proceed then with criminal proceedings and they will be fully open and public.

Mr. Good: Mr. Speaker, by way of a supplementary question.

What part is the director of legal aid playing in the investigation that is going on now?

Hon. Mr. Wishart: I do not know exactly, Mr. Speaker. I have not made enquiries, nor have I been informed and I have not been in touch with the director of legal aid. I can only say this, that I think all hon. members are aware the legal aid programme is carried on under the administration of the Law Society of Upper Canada. That is, the legal profession in this province and is subject to the supervision of the government, through The Department of the Attorney General.

The Attorney General is the Minister responsible who reports to the House. I do not know, in answer to the supplementary question, just what part the director is playing, but I assume that he is quite active in the matter, and I am sure that the disciplinary agencies and features of the law society are in full play in this investigation.

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: Mr. Speaker, a question for the Attorney General.

When may I expect a reply to my letter of February 10 concerning the plight of Mr. Iverson Handke?

Hon. Mr. Wishart: I do not know, Mr. Speaker. I must confess to the hon. member that my investigation, which I had time to make for a few moments before I came in the House, indicated that I had handed the letter to a member of my staff. I was not able to reach him to find out why I have not got a reply. I shall follow it up.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, a question for the Minister of Municipal Affairs.

Would the Minister consider raising the amount of population a municipality may have to allow councillors to act as commissioners on drains?

Hon. Mr. McKeough: Mr. Speaker, following the coming into force on January 1, 1968, of the amendment to section 409 of The Municipal Act, wherein the appointment of a member of council as commissioner of any work was restricted to villages and townships whose population was 3,000 or less, the question of extending the privilege to the municipalities with larger populations arose, and I may say I think the reverse is true.

There is some doubt in my mind as to why there was any minimum population, why municipalities smaller than 3,000 should have this privilege. I have never been able to understand fully the rationale of that break-even point of 3,000.

However, it was decided to give the amendment a trial period before considering any further change. Approximately, a year and a quarter has now expired during which time we have had the opportunity of observing the application of this amendment and evaluating its effect, and the hon. member for Essex-Kent and the hon. member for Kent (Mr. Spence) and the Minister of Municipal Affairs have had the opportunity, I suppose, as much as any members in the House, to see this first hand. At this time I know of no valid reason for introducing a further amendment to this section of the Act, particularly with respect to extending the privilege to larger municipalities as requested by the member.

The amendment to the Act—and I think it is important to remember this—was introduced because it was felt desirable that the responsibilities of commissioners, where practicable, should be placed in the hands of persons other than the elected municipal officials. As I say, that was the department's view, and in thinking about it I wonder about that somewhat. The larger municipalities would have the manpower resources to draw on qualified independent persons to fulfill this function either on a full- or part-time basis, and the means to pay for this service.

However, if in the future, after a reasonable trial period of two or three years, there appears to be a justification for a further amendment to the section I will be only too pleased to give it consideration.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 76, An Act to amend The Pension Benefits Act, 1965.

Mr. M. Shulman (High Park): Yesterday I had certain remarks to make on third reading. I just want to inform the Minister, through you, sir, that I will retain those for the estimates.

Mr. Speaker: Thank you.

Bill 81, An Act to amend The Residential Property Tax Reduction Act, 1968.

Bill 84, An Act to repeal The Public Finance Companies Investments Act, 1966.

Bill 85, An Act to amend The Credit Unions Act.

Bill 86, An Act to amend The Loan and Trust Corporations Act.

Bill 87, An Act to amend The Ontario Producers, Processors, Distributors, and Consumers Food Council Act, 1962-1963.

Bill 90, An Act to amend The Hospital Labour Disputes Arbitration Act, 1965.

Bill 92, An Act to amend The Insurance Act.

Bill 93, An Act to amend The Homes for Special Care Act, 1964.

Bill 94, An Act to amend The Pharmacy Act.

Bill 95, An Act to amend The Nursing Homes Act, 1966.

Bill 96, An Act to amend The Pesticides Act, 1967.

Bill 97, An Act respecting The Department of Health.

Bill 118, An Act respecting the city of the Lakehead.

Clerk of the House: The 16th order; committee of the whole House, Mr. A. E. Reuter in the chair.

THE REGISTRY ACT

House in committee on Bill 102, An Act to amend The Registry Act.

On section 1:

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): I questioned the Attorney General, Mr. Chairman, the other day on the reference here. Is it correct? It strikes me that "the director means the director of land registration appointed under section 3", should be "section 4".

Hon. A. A. Wishart (Minister of Justice): It should be, Mr. Chairman, section 6(a), and I would so move if a motion is necessary that the figure 3 become 6(a). It is really something we could do on reprinting, but the change should be made.

Section 4 would appear to be from the proposed amending bill, but when it appears in the Act it will be 6(a).

Mr. Chairman: Hon. Mr. Wishart moves that paragraph (aa) of section 1 of the bill be amended to read under section 6(a) instead of section 3.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 7, inclusive, agreed to.

On section 8.

Mr. D. C. MacDonald (York South): I would like to move the first of a series of three amendments—

Mr. J. Renwick (Riverdale): No, this is not that Act.

Mr. MacDonald: I am sorry.

Mr. V. M. Singer (Downsview): Wrong Act; try it later!

Sections 8 to 21, inclusive, agreed to.

Bill 102, as amended, reported.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT

House in committee on Bill 101, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Sections 1 to 4, inclusive, agreed to.

Bill 101 reported.

THE LAND TITLES ACT

House in committee on Bill 103, An Act to amend The Land Titles Act.

Sections 1 to 21, inclusive, agreed to.

Bill 103 reported.

THE PUBLIC VEHICLES ACT

House in committee on Bill 106, An Act to amend The Public Vehicles Act.

Sections 1 to 3, inclusive, agreed to.

Bill 106 reported.

MARKETING OF FRESH WATER FISH

House in committe on Bill 116, An Act to regulate the marketing of fresh water fish.

On section 1.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I would like to ask the Minister if the people in his department participated in any way in the taking of a vote of the fishermen concerned, or was this done exclusively under federal auspices?

Hon. R. Brunelle (Minister of Lands and Forests): Yes, Mr. Chairman, for that designated area to which this Act applies, the vote was taken and it had to be a majority vote of the fishermen in that area. This applies to northwestern Ontario, with the exception of Rainy Lake and Namakan Lake.

Mr. Nixon: It is an application, actually, of the federal marketing plan, it is not? Did The Department of Lands and Forests of Ontario actually take the vote?

Hon. Mr. Brunelle: Well the vote was taken, Mr. Chairman, by the fishermen of that area under the supervision of the federal authorities and ourselves, in co-operation with both the federal and provincial authorities.

Mr. Nixon: I wonder if the Minister could explain how the ramifications of the marketing board were explained to the fishermen. Were there public meetings held?

Last summer when I was in the area, I was talking to some fishermen who were very upset about the possibility of being forced into a marketing board. I was quite impressed with the fact that they had not had access to any particular information that would help them make up their mind, other than that they would not want to come under the direction of either level of government in the marketing of their products. I feel that eventually their views changed. I was wondering if you did undertake, through your own department, a method of putting the pros and cons, the possibilities and advantages of a marketing board, before the fishermen, or whether they were left to their own devices in making this decision.

Hon. Mr. Brunelle: Mr. Chairman, this marketing board came as a result of a report by Mr. Geo. H. McIvor in 1965, and there were many wide discussions held and many meetings were held I am advised, in northwestern Ontario with the fishermen concerned. As the prime purpose of this marketing board is to help the fishermen a large number of these commercial fishermen are Indians—and in order that they can get a better price for their products, I am told that many meetings were held, as I said, by both our people and by the federal authorities to explain this to them.

Mr. Nixon: The vote has been taken; it has been approved, is that so?

Hon. Mr. Brunelle: That is right.

Mr. Nixon: Well, the marketing board that is going to have responsibility is, in essence a federal board. It is not under the direction of this Minister.

Hon. Mr. Brunelle: The federal Act was passed at the end of February, I believe it was February 27—Bill C148 established a fish marketing board. We are passing provincial legislation to complement the federal. The federal legislation deals with interprovincial matters, and also matters of export trade. Our legislation is intraprovincial, within the province, and it parallels the federal, it complements the federal legislation.

Mr. Nixon: Members of the marketing board are appointed rather than elected, as I understand.

Hon. Mr. Brunelle: They are appointed, that is right. We will have one director, the director for Ontario will be a gentleman in our department, Mr. Brubacker, John Brubacker, who is the supervisor of the commercial fisheries in the fish and wildlife branch. We will have three members on the advisory committee. The names have been submitted to Ottawa, and I would think Ottawa would make the announcement in the near future. One is an Indian, another one is a businessman and the third one is a person who is knowledgeable in the marketing of fish.

Mr. Nixon: These recommendations were made over the Minister's name only, is that so? The Minister made the recommendations?

Hon. Mr. Brunelle: These recommendations were made to me. Many names were submitted, and we selected what we thought were the three most suitable persons in view of their experience and background in fisheries. These names have been submitted to Ottawa for approval.

Mr. Nixon: There are a few other questions. This is certainly the only possible time of getting the information. The length of time of these appointments, I suppose, is fixed in the federal statute, that is our appointment to the advisory committee and

the supervisor for Ontario under the federal legislation? The appointment period would be fixed by statute or is it at pleasure?

Hon. Mr. Brunelle: I am not too sure, Mr. Chairman, of the length of the term of the appointments. I think it is in agreement with the federal people, and I would think it would be on an annual basis. They would be appointed for one year.

Mr. Nixon: There was no thought of attempting to elect the representatives of the fishermen themselves as is attempted at least in most agricultural marketing boards?

Hon. Mr. Brunelle: No, I do not believe so.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, during second reading I brought to the Minister's attention that section (d) of clause 1 only related to the edible or the fine fish, and when I suggested that perhaps it might be a good idea if it was extended to include coarse fish, he indicated that he thought it was a good idea and worthy of consideration. I was wondering if the Minister had taken that into consideration and was prepared to amend that section to include coarse fish?

Hon. Mr. Brunelle: Mr. Chairman, as I mentioned to the hon. member, I think it is a very good suggestion and I have mentioned it to my people. But I would like to say that this legislation is parallel to the federal legislation and there is a sort of mutual co-operation with them. I think at this stage it would not be proper for us to include legislation which may not agree with the federal legislation. But I think it is a good point and I see no reason why coarse fish should not be included. I think this could be done without amending the legislation.

Mr. Stokes: Does the Minister think it would be possible to deal with that kind of fish, particularly on behalf of the Indians without commercial licences, without amending the legislation?

Hon. Mr. Brunelle: Mr. Chairman, this would be my understanding, that the coarse fish could be included without amending the legislation.

Section 1 agreed to.

On section 2:

Mr. Nixon: Is there any thought, Mr. Chairman, that the jurisdiction of the marketing board might be extended to include a larger area? Why is the area selected fairly limited to the northwestern part?

Hon. Mr. Brunelle: Mr. Chairman, it is not limited just to northwestern Ontario.

Mr. Nixon: It does not include the Great Lakes fishing.

Mr. Stokes: They voted against it.

Hon. Mr. Brunelle: That is quite true, Mr. Chairman. However, once the legislation is passed, if the commercial fishermen of the Great Lakes area wish to be included, they may apply. But I think at this stage many of them felt they wanted to see how this would work out. The great advantage of this legislation at the present time in northwestern Ontario is that the fishermen there have been dealing mainly with the Winnipeg markets. I am told that the markets for the fishermen in the Lake Erie area are mainly in the southern cities, and they have a very good market, but at the same time if they want to enter into the marketing board they are perfectly at liberty to do so as long as the majority vote in favour. If a group of fishermen from the Lake Erie area wish to enter into this, they can do so after this has been passed.

Mr. Nixon: Have they already voted not to be included?

Hon. Mr. Brunelle: I am told that some meetings have been held and that there were quite a number of fishermen who were against entering into this plan at this time. They wanted first to assess its merits, its advantages and disadvantages.

Mr. Nixon: But no vote was taken?

Hon. Mr. Brunelle: Not to my knowledge.

Section 2 agreed to.

Sections 3 and 4 agreed to.

On section 5:

Mr. Nixon: Mr. Chairman, I presume the inspectors can enter into premises without benefit of a warrant?

Mr. Singer: And arrest a fish, notwithstanding McRuer's chapter on fish.

Mr. Chairman: Has the hon. Minister any answer?

Hon. Mr. Brunelle: The answer is yes.

Section 5 agreed to.

Sections 6 to 8, inclusive, agreed to.

On section 9:

Hon. Mr. Brunelle: Mr. Chairman, on section 9 I move that clause (a) of section 9 of the bill be struck out and the following substituted therefor:

(a) the sharing by Ontario with the government of Canada of initial operating and establishing expenses of the corporation, and of any losses incurred as a result of;

(i) the guarantee of repayment of loans and interest thereon, made by any bank to the corporation, and

(ii) loans made by Canada to the corporation, under subsection 1 of section 17 of the federal Act.

I further move that clause (c) of the said section 9 be amended by striking out "under this Act" in the seventh line.

Motion agreed to.

Section 9, as amended, agreed to.

Sections 10 to 15, inclusive, agreed to.

Bill 116, as amended, reported.

THE FISH INSPECTION ACT

House in committee on Bill 117, An Act to amend The Fish Inspection Act.

On section 1:

Mr. Stokes: Mr. Chairman, I just have one brief comment to make. On section 1, I wonder if the Minister could answer under whose jurisdiction would these inspectors be? Would they be paid by the federal Department of Fisheries or the provincial Department of Lands and Forests, or it a joint responsibility? Whose responsibility will it be, after this legislation becomes effective, to dictate policy or regulations having regard to this Act?

Hon. Mr. Brunelle: Mr. Chairman, in reply to the hon. member, these inspectors will be paid by the federal government, as they are now, and this will give them authority to act as provincial inspectors for the inspection of fish within the province. Up until now, the federal inspectors' main responsibility was to inspect fish which was exported out and in between provinces. This will give them authority to inspect fish within our province, but they will continue to be paid by the federal government and we do not intend to appoint any inspectors of our own. No additional inspectors will be required. The existing inspectors who are inspecting under the federal Fish Inspection Act will have authority to inspect under the provincial Fisheries Act.

Sections 1 to 5, inclusive, agreed to.

Bill 117 reported.

THE MEDICAL SERVICES INSURANCE ACT

House in committee on Bill 121, An Act to amend The Medical Services Insurance Act.

On section 1:

Mr. R. F. Ruston (Essex-Kent): Mr. Chairman, I was wondering if the Minister, in any of his discussions with the Ontario Medical Association, has ever discussed the possibility of paying 100 per cent of the fees instead of 90. Of course, my reason in asking this is there are a number of people who are billed for services rendered and a number who are not. Did he discuss with the Ontario Medical Association at any time paying 100 per cent of the 1967 rates, and if they then would have considered not raising the rates to the 1969 schedule?

Hon. M. B. Dymond (Minister of Health): No, Mr. Chairman, I have always discussed the payment on the basis of 90 per cent of the fee schedule. The association, of course, has always pressed me to accept 100 per cent of the fee schedule as is paid by the great majority of insurance carriers now in operation, but we have continued to base our payments on 90 per cent.

Mr. Chairman: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Chairman, one of the reasons that was given by the hon. Minister at the previous reading of this bill, or the attempted introduction of this bill—my memory does not serve me that well, but it was on one of those two occasions; or the introduction of this bill—was that if the section was not changed, doctors who presently bill direct and forego the ten per cent would cease doing so if the difference was 20 per cent, and would start billing their patients directly, or in the alternative, would bill both OMSIP and their patients because there was a 20 per cent spread.

I think if we accept that argument, we should perhaps go a little further, since the Minister would lead us to believe that the majority of doctors bill OMSIP directly. I

would not deny such an allegation because I would think that most of them do. Is it not time to do what was once suggested by the hon. member for Parkdale (Mr. Trotter), and include in this bill an amendment such as was proposed by the hon. member for Parkdale when the bill first came before this House—not Bill 121, but The Medical Services Insurance Act, which would: (a) require doctors to bill OMSIP directly; (b) accept ten per cent of this tariff in full satisfaction of their claims?

An hon. member: Ninety per cent.

Mr. Ben: I am sorry, 90 per cent, yes—ten per cent may be more what they deserve. But at any rate, that we now give consideration to the amendment that was passed the night that the bill was given its second reading and provide that: (a) all doctors be required to bill OMSIP directly if they are rendering services on behalf of a subscriber to the plan; and (b) that they accept 90 per cent of their tariff as being approved by Bill 121 in full satisfaction of their services. Would the Minister please give us his comments?

Hon. Mr. Dymond: Mr. Speaker, this of course, was one of the points very much at issue throughout all of our discussions, from the time we began to discuss the possibility of the province getting into a medical insurance scheme. These were two points upon which we simply could not reach a compromise. We can write it into the Act, but if it does not work then we have not really gained anything. Our discussions were lengthy, not only between the association and myself, but between the association and the Prime Minister (Mr. Robarts), and myself. We were agreed that there was no sense of writing this into the Act.

We tried to get the doctors to enter into a contractual arrangement with us as they do now with PSI and Windsor Medical Services, and they would not have any part of that. They steadfastly refused, and continue to refuse, to accept the stated fee schedule as payment in full of the claims levied against us. There is not any question that we could write it into the Act. But what is the sense of writing something into the Act which all the discussions we have had would lead us to believe simply would not work?

It is rather interesting though, Mr. Chairman, that this hon. member was one who I think in one of the first divisions after he came into this House, voted against his own party and urged me then to pay 100 per cent of the fee schedule. He has done an about face. That, of course, is his right. But it is rather interesting to note his arguments now *vis-à-vis* his arguments in the first instance.

Mr. Chairman: I think this sort of discussion is dealing with the general principle of the bill—that we were dealing with this in committee, and that this is dealing with the principle of the bill, surely.

Mr. Ben: Well, it might be in purpose to propose an amendment.

I would point out to the hon. Minister that when I opposed the bill the first time, I said if you do not pay them 100 per cent of this bill they are going to jack up their fees and try to circumvent you, and in fact they did so.

The other day, Mr. Chairman, I referred to the doctors as perhaps being hypocrites. I was criticized in some quarters for making such a statement, but let us, in answer to what the hon. Minister has said, point this out. Doctors who are members of Physicians Services Incorporated are quite right to accept 90 per cent—wait a minute, let me finish please before thou wavest that finger at me—90 per cent of the tariff on the basis that the other ten per cent goes to pay for the services of collecting.

In other words, one could argue the other way—that the doctors of PSI receive 100 per cent of the tariff for their services, but if they contribute ten per cent of that tariff to Physicians Services Incorporated to pay for the administration of collecting their fee—I will yield so that the doctor can correct me.

Hon. Mr. Dymond: Mr. Chairman, on a point of order. I think the hon. member has been led astray. This was the understanding when PSI first came into operation, that the 10 per cent would be relinquished, would be left in the organization to help meet administrative costs, and so on. Actually this was never really spelled out. But two years ago they increased the fee schedule to 100 per cent and none of it is retained by PSI. The physician gets 100 per cent of the Ontario Medical Association fee schedule for the services he renders.

Mr. Ben: If that is the case, Mr. Chairman—and I am not going to, in this instance, contradict the good doctor's word—it would mean that subscribers to PSI are paying to PSI the cost of the service that the doctors render, plus X per cent for administration costs.

So I would suggest that perhaps they could give consideration to leaving PSI and coming over to our side, because we only pay out

90 per cent. We are only charging them 90 per cent, plus administration costs and in many cases the doctors, according to the Minister, do not bill for the extra ten per cent, so they are better off belonging to OMSIP than they are to PSI.

At any rate, the doctors, until two years ago—and two years ago was when this Act came into being, The Medical Services Insurance Act—were quite willing to accept 90 per cent of their schedule of fees in full payment for their services. Why should the passage of The Medical Services Insurance Act have changed that philosophy?

So, why can they not act the way they did prior to—the doctor says 1967—two years back, before 1967, and accept the 90 per cent voluntarily as they did with PSI?

Mr. Chairman: The hon. member for York South.

Mr. MacDonald: Mr. Chairman, I am not going to pursue this line of argument at this point. I think it becomes relevant to some later comments that I want to make, but I was most intrigued at the Minister's observation that he had negotiated with the doctors and could not reach agreement.

Mr. H. Peacock (Windsor West): Not even with the Prime Minister in—

Mr. MacDonald: Not even with the Prime Minister involved. And therefore he had no alternative but to come in here and do exactly what the doctors wanted. Mr. Chairman, I suppose, for the Minister, he was presented with a real dilemma. There was another answer to the dilemma. That is to come to a conclusion as to what was in the public interest and then come in here and pass legislation, whether or not the doctors liked it.

Mr. Chairman, it is not just New Democrats who are making this proposal. In British Columbia—and I will not repeat the details—they have worked out a procedure whereby they cope with the unilateral increase in fees so that it is not unilateral. It is now by consultation. Interestingly enough, being faced with the fact that they have to, the doctors go along and they are relatively happy, notwithstanding the Minister's contention that they are increasingly unhappy.

Furthermore, in Manitoba a Tory party has taken some steps. They have said, in effect, that doctors must accept a certain amount in payment, and cannot make extra charges; they will accept it as full payment. The doctors are not happy about it, but a Tory party, quite rightly, came to the conclusion that the public interest—in view of the levels of doctors' incomes—was such that they should be protected from an extra charge at the present time.

I want to make an amendment, Mr. Chairman. There are two or three things that have to be achieved here. Basically, what we have got to achieve is a freezing of the situation until we can establish machinery and make it possible for the Minister, or the government, on behalf of the people of the province of Ontario, to sit down, strengthened by statutory powers and work out some sort of agreement so that they too will not be the victims of these unilateral decisions.

The Act has been amended to pay 90 per cent of the 1969 schedule. If that 90 per cent were changed to 80 per cent, it would be the equivalent of what they were getting back in 90 per cent of the 1967 schedule. I do not know whether you follow that, but I think it is accurate, yes it is roughly equivalent. So I think we must freeze the situation—the payments which the doctors were getting, incidentally netting them an average income in excess of $28,000, and one part of our amendment proposes to do that.

Secondly, I think we have got to avoid deterrent fees because everybody—the *Globe and Mail* editorial writers, spokesmen for the people who had the contracts and a great many people in this House—has been pointing out that if you did not raise the figure—and this is the argument the Minister has used—to 90 per cent, that if it were down to 80 per cent, that the doctors would double-bill since double billing is the equivalent of a deterrent fee, it would hit those who are least able to pay.

I think we have got to avoid the double billing, and that can be done by statute. That, in effect, is what has been done by a Tory government in Manitoba which has the intestinal fortitude to protect the public interest and not kowtow to the medical profession.

Thirdly, we have got to establish some machinery—and I am almost tempted to say that this machinery is needed not only for the protection of the people of Ontario but for the protection of the Minister—because the Minister is a helpless victim in face of this situation. May I remind the House, as we reminded it at second reading, that after the 1967 increase the Minister stated in *Hansard* on page 1801, in the 1967 session:

> In order to ensure that this situation does not occur in the future, I recently wrote again to the OMA and to the Ontario College of Physicians and

Surgeons inviting them to participate in an arrangement which would offer prior consultation and joint agreement on these matters.

Well, he wrote and he wrote and he wrote. He met with them, and he negotiated, and he brought in the most prestigious political figure in the province, the Prime Minister, to meet with them, and he got nowhere. So at this point, the question is, who is boss—the Minister or the OMA? I suggest it is time the Minister became the boss in terms of protecting the public interest of the province of Ontario.

If you go back to the original bill, Mr. Chairman, you will find that in the bill there was established what is known as the Medical Services Insurance Council. It is a council to assess issues that may arise in the implementation of the bill and may require some degree of adjudication.

That council is made up of seven people, two of whom are representative of doctors, five of whom are representative of the public, appointed by the Lieutenant-Governor-in-Council, and one of those five is designated as the chairman. So, we have what I think is a fair balance in terms of the government and the public *vis-à-vis* the medical profession. I suggest that that council could be used for the purposes of the necessary adjudication—by public hearings, if necessary—to decide when the doctors wish to make any increase in their fees.

Therefore, Mr. Chairman, I want to move that clause 1 of Bill 121, be amended by deleting therefrom the figure "90" and substituting therefor the figure "80"—if I may interject, that means the payments will remain as they now are approximately—and adding thereto, sub-clauses 1(a), 1(b), 1(c) and 1(d) as follows:

> 1(a) No physician shall bill or accept any amount from any covered person from medical-surgical or obstetrical care or services in excess of such percentage of such schedule of fees until such time as the council establishes a schedule of fees as hereinafter provided.
>
> 1(b) Proposals for changes in the schedule of fees shall be submitted in writing by the Ontario Medical Association to the council in the first instance, not later than July 1, 1969, and thereafter, bi-annually not later than February 1 in such year.
>
> 1(c) The council shall consider the proposals, and after a hearing, shall determine what changes, if any, shall be made in the schedule of fees.
>
> 1(d) The schedule of fees so determined by the council shall become effective for the purposes of this Act on April 1 in the year in which the determination is made.

Now, Mr. Chairman, just one final comment. In this amendment we have not attempted to deal with the yardstick, if you will, the formula for deciding on any increase in fees. I think we have the experience in British Columbia as a guide, and it merits some study. There are alternative methods, but this is something that could be decided at a later date and be handed to the council, if you wish it to operate in accordance with specific guidelines. But we are achieving a number of objectives here, one of which is to protect the public at the moment, another to establish the machinery, sir, so that we are not victimized by unilateral increases in fees in the future, to establish the kind of machinery that exists in at least two or three other provinces, and in which other provinces, including Conservative governments, have already taken the lead.

Mr. Chairman: The hon. member for Humber.

Mr. Ben: Mr. Chairman, we will support the principle annunciated in this particular amendment, although we are not satisfied with the wording because it is going to be open to much misinterpretation. We do believe that the council—

Mr. MacDonald: What is open to misinterpretation?

Mr. Ben: Well, since the member asked for examples, sub-clause 1(d) states:

> The schedules of fees so determined by the council shall become effective for the purposes of this Act on April 1 in the year in which the determination is made.

Let us say that the determination is made on September 1, 1969. How shall we go back to April 1 of this year?

Mr. MacDonald: You have not read the amendment. You will note that the amendment, apart from this year, states that the representations will be made as of February 1, so that you have two months to make the decision and it will become effective April 1.

Mr. Ben: I am sorry. I did not read it wrongly. It says,

> Proposals for change in the schedule of fees shall be submitted in writing by the Ontario Medical Association to the council

in the first instance not later than July 1, 1969—

Mr. MacDonald: That is this year.

Mr. Ben: Still quoting:

—and thereafter by-annually not later than February 1 in such year.

Mr. MacDonald: Right!

Mr. Ben: All right, now they must submit their schedule of fees by July 1, 1969.

Mr. MacDonald: Right!

Mr. Ben: It could take two months, three months, five months to make a decision. Obviously it would be silly to make that decision effective as of April 1 of this year. How are you going to pay the doctors who have already rendered services on the basis of the old bill? Are you going to make the payment retroactive? If you are, it is going to be enormously expensive.

Mr. J. Renwick: Why do you not just move an amendment to the amendment and clarify that—

Mr. Ben: You cannot move an amendment to an amendment.

Mr. J. Renwick: Well, move the amendment to the amendment, and we will support you.

Mr. Ben: I do not believe you can make an amendment to the amendment. I was just pointing out that weakness.

Secondly, the amendment here does not require the council, as it should, to bring down a new schedule within a prescribed time limit. I do not think that we would want this council to take months, perhaps years, to arrive at a new schedule of fees.

Mr. J. Renwick: Well, move the amendment to the amendment and we will support you.

Mr. Ben: It would be self-defeating. But we do believe in the principle that the council should have a say in how these fees are determined. Surely somebody from the public ought to be asked their opinion. Surely the public ought to be considered insofar as the cost of all services paid for by government are concerned, and in this respect we find it right that the fees should not be unilaterally raised, and that the council should be considered. We say we are supporting the amendment, even though these weaknesses are there, because we cannot see the government pass this. We do want to establish the principle. The wording of the amendment itself was made in haste, obviously was not given very much consideration; it was more a political manoeuvre than assistance to the government.

Mr. J. Renwick: We have done nothing else since the beginning of the session.

Mr. Ben: That is right. You have done nothing else since the beginning of the session except put in redundant, asinine, half-baked amendments.

Mr. J. Renwick: You are going to have a break with your party again if you are not careful.

Mr. Ben: And this is another example, and unfortunately you have a principle here, and it is the principle that we will support.

Mr. MacDonald: Mr. Chairman, I want to make one brief word of explanation. One could include all of the detail in and then the hon. member would have a field day arguing about the detail. If one annunciates the principle, and has to cope with the kind of situation we are faced with this year because of this government's action, then we get this alternative kind of criticism. I am not going to spend time in answering it. There may be difficulties involved in retroactivity to April 1 this year; in fact there may be difficulties with this Act as it stands now. It is going to be interesting to see how the government copes with difficulties if this bill does not become law for a few more days, or a few weeks. We will have had six weeks in which the new schedule of fees has been in effect since April. But that is irrelevant to the basic proposition. The difficulties we will have to cope with—because of the situation created by the Minister this year in bringing in this bill after April 1, after the new schedule of fees had gone into effect—are not of our creation. But the procedure for the future is that the representations would have to be made by February 1 and there would be two months for a decision before April 1, before they would go into effect.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I would like to say a few words on this subject. When the principle of the bill was being discussed, this party expressed its sentiments about the cost of medical insurance getting out of hand. This amendment, in some cases, is repetitive of what we had to say but at the same time, it gives us an

opportunity of underlining and emphasizing the fact that the fee schedules for OMSIP are completely out of control and the government is doing virtually nothing in order to put a stop to the situation.

I think we are all in favour in this House of machinery being established to control the costs. In my view, the majority of doctors practising in the province of Ontario would not object to the proper machinery being set up. I believe now, Mr. Chairman, that approximately 80 per cent of the doctors in Ontario bill OMSIP directly. I may be wrong in that figure, and maybe the Minister will correct me, but I think it is approximately 80 per cent. So that despite the efforts of the Ontario Medical Association, when they urge the doctors to bill their patients, despite that organized effort of OMA, the doctors themselves bill the scheme directly.

I think the government should bear this in mind, that the majority of doctors are willing to co-operate. I think the majority of doctors have learned that a medical scheme for making payments of doctors' bills does not interfere with the doctor-patient relationship. I think it is nonsense. Whether the cheque comes directly from the patient, from PSI, from AMS, from a private insurance company or from OMSIP, the doctor is free to help his patient.

But I want to cite a practical example of this new increase that we have, because I believe it really amounts to more than ten per cent. When the Minister comes to reply, I wish he would, if he can, give me an answer to this. The OMA have changed their set-up of fees and we are told it is an increase of ten per cent. But suppose I was going to have a toe nail or a wart removed, and I was given a local anaesthetic. I think, under the old scheme, it would cost $15 for the anaesthetic; it would be a flat fee. Now the OMA because, I think, they think they are going after government money, and when I say the OMA I want to emphasize that it is the OMA executive that do these things. So many of the doctors are busy, they do not pay that much attention, but here is what is happening.

Instead of paying $15 for a local anaesthetic, they are now going to charge a flat fee of $14.25, plus the time variable. I think that the minimum fee now for a local anaesthetic is going to come in the neighbourhood of $28, instead of $15. This is what is going to happen and I use that as an example. I think they charge approximately $3.45 for every 15 minutes, and by the time they get ready and give the anaesthetic it comes to close on three-quarters of an hour. So it is three-quarters of an hour, at about $3.45 for 15 minutes, plus the $14.25.

I think there is no excuse for that. There is no control because it is a relatively small matter, as I said, having a toe nail or a wart removed. Government is simply going to have to step in to control the costs. Many times I criticize insurance companies, but even when it comes to the cost of paying doctors, the insurance companies are concerned.

When OMSIP starts to pay these exorbitant fees, the insurance companies in turn have to pay the fees, and this is all going to be reflected in the premiums, either through private enterprise or through government costs; either through the premiums of OMSIP or out of the consolidated revenue fund.

There simply must be control somewhere and I think, by supporting this amendment, we, in principle, try to emphasize to the medical profession and to the general public that action must be taken on the ridiculous costs. We have completely failed to take advantage of the improvements in medical science. At the last sitting of this Legislature I emphasize the multiple analyzer—perhaps they call it the auto-analyzer—where, instead of taking a series of blood tests, they can now take a number of blood tests with a machine and it costs 50 cents for all the tests. Yet the truth of it is the cost of testing blood has gone up, despite the fact that we have new machines.

I would point out to the Minister, and perhaps he would make a note and see if he could reply to me, that the laboratory costs under OMSIP have become so high that even the Ontario Medical Association, believe it or not, is concerned about laboratory costs and that pathologists are lending their name to laboratories. I am told, and maybe the Minister would know more about this than I—in fact I am sure he would—that one pathologist in Toronto has lent his name to eight laboratories.

Now, he is supposed to be supervising these laboratories and because he lends his name to a laboratory, these costs can be added on. It is supposed to be a supervised laboratory and therefore qualifies under OMSIP, and for the insurance companies; therefore the Treasury pays out. There is no control over this and I would venture to suggest that even the Ontario Medical Association has drawn up regulations for some type of control. But from this government there is no control, not even a voluntary control.

I would ask the Minister, when we look at these costs, why is it that in 1966—and again I am going by memory, but I think I am right—the average cost per patient under OMSIP was $60. And even though PSI was starting to lose money, its average cost was $38 per patient. Why these tremendous differences between OMSIP and PSI? I know, Mr. Chairman, that one of the differences is that OMSIP voluntarily took on all the sick and left the healthier patients to some of the other schemes; this in part explains it.

It does not explain it all, but it shows you how inefficient OMSIP is. I make these criticisms with the best of intentions, because I believe that a government-operated medical scheme must succeed; that if it is done across the province for 3¼ million people, it can operate efficiently. But it must have leadership, it must have direction. And this, the government fails to do. This government is simply trying to avoid a confrontation with the medical profession.

I cannot blame them in many ways for trying to avoid a confrontation, but I say in conclusion, and I emphasize this, Mr. Chairman, that already 80 per cent of the practising medical men in this province want to co-operate, regardless of what officialdom in their profession says. I think that the government should keep in mind that many of these men in the medical profession probably want the control. Because why should the medical profession get the bad name it is getting of being greedy?

This is the reputation it has—of being a greedy group of people who have been educated largely at public expense and, in many ways, giving the impression they are avoiding their public responsibility. They must measure up in this day and age that they have a public responsibility. And I say through you, Mr. Chairman, to the Minister, that I think doctors themselves are looking for leadership from the government. If we approach them in a reasonable and proper manner, they will be helpful, because they themselves know that doctors know if they analyze their books, it is far cheaper even under our present rules, it saves them money, to accept 90 per cent of the fee when they know it is guaranteed. There are no collection costs, no legal costs, no letters to write. Today in a modern business in the city of Toronto, Mr. Chairman, it costs $2 to write a letter, and if the doctor has to go around chasing people who have not paid, all this costs him money, and as well it is costing him a lot of ill will, or a lot of good will.

I have made these suggestions before on another occasion, Mr. Chairman, and so I have no difficulty, in principle, in supporting the amendments put forward. Perhaps there is little hope under the present circumstances of them being accepted, but they should be accepted. We are going to have an economic crisis in medical services and in hospital services unless the government takes strong determined action, not only to protect the patients but to protect the public purse.

Mr. Nixon: Mr. Chairman, the Minister has indicated that he has the support of the Premier of Ontario in his confrontation or his negotiations with the Ontario Medical Association. It is obvious from the section that we are discussing right now that he was unsuccessful in achieving—

Hon. Mr. Dymond: Mr. Chairman, may I correct the hon. leader. If he understands that I meant now, this is not correct. I was referring to a statement made by the hon. member for Humber, from 1966, from the time we started, and in answering him I said from the time we started discussing the province's involvement in medical services, I as well as the Prime Minister had been in discussion with them, but not on this occasion.

Mr. Nixon: The point is that the Minister, as the only negotiator for the government, was unsuccessful in persuading the Ontario Medical Association to change its original demands in any way, and his indication in previous debates in this House has been that really when it gets to the last analysis, the policy of the government is that this House must trust the Minister.

I suppose there are sufficient members here who accede to that policy, so that in fact for the time being the House must continue by majority vote to trust the Minister. But surely he realizes that many of the speeches that have been made to the section that is before us and the amendment that is before us, indicate that we are prepared to assist him in the difficult job that he has really failed in in the last few years. We have offered an alternative from the Liberal Party, that he might make use of the standing committee of the Legislature in at least an attempt to justify the changes that are put before us.

As a last resort, the amendment that is before the House now freezes the situation as it presently pertains, and puts forward at least some structure that the Minister might use in order to have more formal negotiations with the doctors, rather than the secret

meetings that have characterized the carrying out of his responsibilities up until this time. If the amendment fails—and I suppose it will—then as of April 1 we must increase the payment through OMSIP by ten per cent. I have attempted to have some calculations done as to what this would amount to, because it is not just strictly a ten per cent increase in our payments over last year. It is ten per cent on the average, but there is every indication that OMSIP will have to find between $10 and $12 million to meet the requirements that are contained in section 1.

The Minister has never at any time indicated how the passage of this section will be met from funds other than leaving it to the board of OMSIP to raise them. They have access to the public funds, and I suppose the Minister, who has said he is not prepared to recommend an increase in premiums, will simply go to the Treasurer (Mr. MacNaughton) and get further subvention from the funds of the province in order to meet these increased demands.

I am no expert in the rules of the House, other than this, that when legislation is before us which requires an increase in the commitment of the public Treasury, the legislation is usually accompanied by a resolution to that effect. There is perhaps a legal way out by turning to the original bill itself, which gives the responsibility for raising the funds to the board of OMSIP, and under the original legislation, it has access to the Treasurer or to the Minister of Health for these purposes.

But really there is much more involved in this section than is just there in the printing before us. The Minister has said little or nothing about the increased financing which must go along with his decision to accede to the doctors' demands and pay them a further ten per cent based on their new schedule. Surely it is incumbent upon the Minister, in the Terasurer's absence, to indicate to us how this will affect the financing for the coming year of OMSIP and how he intends to meet it. We, of course, on this side are prepared to predict that the Minister is also recommending the inclusion of Ontario in federal Medicare and that from this source we will be able to meet this increase. I would submit we would be able to go much further in reducing the costs to the subscribers to OMSIP if the federal funds were used entirely for this purpose, which I believe is the purpose for which they were intended.

However, there has been no statement of policy in this regard, other than that we are going to increase our payments by ten per cent, which I say amounts to more than $10 million, and no indication from any responsible Minister where this money is going to come from, other than that it will not come from premiums.

So the amendment is simply a stop-gap proposal which is going to have the result of dividing the House once again on this important matter. It emphasizes that the Opposition parties are prepared to assist the Minister if he will take a strong stand and, in fact, are demanding a strong stand in negotiations with the professional organizations of the doctors. As far as setting their fee schedule is concerned, this is their responsibility, but we can, by legislation, provide what part of that schedule we are going to meet and also provide that there will not be second billing. We certainly cannot permit that in a government-sponsored programme such as OMSIP, which is going to come into far more importance in the months that lie immediately ahead.

I hope the Minister will perhaps enter into the debate rather than waiting for all the statements to be made in this connection, so that we can have the advantage of further information as normally is the case when we are discussing a bill in the committee. Rather than just talking about the principle of the amendment, which is a very important principle indeed, we can also gain from the Minister further information about the mechanics of the implementation of this particular section, which is going to be a very costly new charge on the Treasury.

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, in supporting this amendment I would point out to the House that it is not many years since all of us heard from the medical profession that—some of them used various figures—sometimes a quarter to a third of their work was being done in charity work, at clinics, for people who could not possibly pay. In other words, they were writing off, in many cases, up to a third of the potential income in charity work, as impossible of collection.

Now this has passed. Along with that came the costly business of collection, which we have heard about this afternoon, where doctors had to keep their books with regular billing, and go after their patients time after time in many cases until the bills were paid

or written off. And part of that write-off would be the third that I have just mentioned.

Those two things were matters which the medical profession faced and said, "All right, we are willing to accept this hazard of the occupation and we are willing to live with it." But then we came into the era when we had medical plans of all kinds, through the trade unions, PSI and other plans, which made it possible for doctors to bill the plans directly and get their money. With the coming of these plans, this old idea of charity work taking up a large proportion of the work they had to do, and for which they were not being paid, simply went by the board. It was no longer true, and as plans increased, this amount of so-called charity work, work that had to be written off, diminished proportionately.

In Ontario, with the coming of OMSIP, one of these gaps which existed was filled, because one of the great gaps—and doctors made no bones of this—was the indigent patient; the person who was too poor; who ran into hard luck; whose income was low. The doctor just could not chase him to get the bill paid but he had to provide the medical service free to that kind of person.

But OMSIP has filled that gap, and so the person on low income now is a sure-fire pay proposition as far as the medical profession is concerned. Along with the other plans, he is facing a situation where almost 100 per cent of his income is now guaranteed. What the medical profession said a few years ago was true, that they were writing off a large proportion of possible income, then that income today has gone up rather markedly because of the elimination of bad debts and of indigent patients.

Now, Mr. Chairman, because this is true it seems to many of us that there is no reason why, with the present schedule of fees, a guarantee of 80 per cent is not adequate for the medical profession. I was talking to a medical man not long ago and the words he used to me were, "yes, I will take 80 per cent, it is sure money."

There was a time, and I do not know whether this has been entirely redressed, Mr. Chairman, but there was a time when OMSIP first came into being that the doctors had to wait a long time for their money. There was a great deal of grumbling. I have not heard that lately. As I understand it, that problem has been largely eliminated and now the cheques come with some real degree of regularity.

So, the medical man getting 80 per cent, on time, with no indigent patients, and sure of his money, is quite happy. Certainly the executive of the medical association is bound to complain as we have heard this afternoon. But the rank and file medical man I think, is satisfied and would be satisfied with this amendment.

When I look at the average income of the person in Ontario, I realize that the medical income is pretty high in comparison. Then we asked the question, how can we justify this legislation. The Dominion Bureau of Statistics says that in Ontario only 20 per cent of our people get an income of $6,000 or more, that only nine per cent get an income of over $8,000 and four per cent get an income of over $10,000. When the average income of the medical profession today is approximately three times that last figure I have mentioned, then we face the fact that this legislation, even though it does not, at this time, raise rates in OMSIP, must eventually raise either the rates or the tax load of the people of Ontario. It must come out of the productivity of our people in the long run. While the Minister assures us that OMSIP rates may not be raised immediately, eventually they must go up, or else we have to dip farther into the tax revenue from our people. So that $10 to $12 million has to be provided, and it will be provided in the future in one of these two ways.

Mr. Chairman, one other thing: For the life of me I cannot understand why it is that the medical profession is so afraid of this word "negotiation". They want to make their decisions unilaterally and then impose them upon the government and upon the people of Ontario. Almost all the people of this province negotiate in some way or other as far as income is concerned. It is an accepted pattern in our civilization. Why doctors are not willing to accept this accepted pattern is beyond me. We just cannot quite understand and grasp their point of view in this regard.

Because of these reasons, because it does assure the medical profession of a very adequate income, because unless this amendment is passed, it means a greater burden upon the people who already have relatively lower incomes than the profession itself, much lower, and because we believe that negotiation can be and should be a vital part of the whole wage setting process, of our civilization, I support this amendment.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, I want to say only a word or two on this amendment. I think it is rather sur-

prising, in fact rather noteworthy, to what extent this Legislature reacts whenever the medical profession is involved. But how slow it is to react when other people are involved, other wage earners in this province.

A day or so ago I asked the Minister of Education (Mr. Davis) about the plight—and I call it that—of the teachers who are at present employed by the colleges of applied arts and technology across this province. For two years they have been unable to negotiate with anybody because of the legal mess which we found ourselves in when the colleges were declared to be Crown agencies.

Mr. Young: They would like to negotiate.

Mr. Pitman: They would like to be able to negotiate. But they cannot negotiate with anyone. One would well wonder why it is that this Legislature can be so slow, so lacking in concern about one profession, and yet so quick when it comes to the slightest indication on the part of the doctors that they are somewhat unhappy with their lot in life.

I want to suggest to the Minister at this point that he is far too concerned and far too fearful about the doctors in this province. I want to suggest to him that the doctors with whom he deals day by day and week by week are what one might call the professional organizers, the doctors' representatives. These are the people who invariably end up in the upper echelons of any organization, and I say any organization, whether it be a legal organization, whether it is an organization of lawyers, of teachers, of workmen of any kind—

Mr. MacDonald: Medical pork choppers.

Mr. Pitman: —and particularly seem to end up in the upper echelons of the medical professional organizations. Very often these doctors do not represent in the slightest the views of a day-to-day working doctor in his office who is seeing people and looking after his patients. These are, on the whole, I think, pretty happy with the fact that they are in the upper group of earners across this province. They have done rather well by the fact that they are no longer a part of the market place, but rather they are part of the social services of this province.

As the hon. member for Yorkview has pointed out, they no longer have to go in and dig to get their bills paid. They no longer have to go and virtually find patients, because now most of the people of this province are able to secure medical services. The problem is to look after the number of people who are looking for those services.

So I think the Minister is completely off base when he thinks that just because the medical profession indicates a concern, that immediately this Legislature should jump, that we should raise it to 90 per cent, that we should virtually accept whatever demands they make.

I think it is time that the doctors of this province realized that they are part of a fabric of society. They live in a society which is inter-dependent; a society which is providing services, or at least that they are providing services to society. They have a responsibility to realize that there must be some degree of negotiation on their part; indeed, some restraints on their part if, indeed, the Treasurer of this province is right when he talks about the fiscal problems that we face at the present time.

It is pretty hard to go out and talk to trade unionists and say that they should restrain themselves in their wage demands. Or to go to a small businessman and say he should restrain himself in his desire to secure further capital and so on when he reads in the newspaper the degree to which the medical profession is able to raise its fees. They decide exactly not what they want but what the professional organizer wants. Of course, for the professional organizer, to a large extent, his job depends on what he is able to convince himself and a few of his colleagues that the medical profession wants in this province.

I would suggest that it would be a good thing, a very good thng, for the doctors of this province to come to this Legislature, and the committee of this Legislature, and talk to the people who are elected by their patients and find out what those people are saying. I am sure the hon. members on the other side, Mr. Chairman, receive letters as I do indicating the concern of people across this province who are receiving double billing. They are people who realize to what extent the whole business of medical costs has got out of hand and the extent to which this government has done nothing to stop this.

I think it would be a very good thing for the image of the medical profession, because that is one profession whose image has been severely damaged over the past few years. One would think from reading the letters I receive and the articles I have read, that greed and almost an obsession with fees is the hallmark of the medical profession, and I do not believe that is true. I think it would be a very good thing if we found out from the working doctors what they feel about what is

going on here in this House and what has been presented to this Minister and what has appeared to us in this piece of legislation.

I appeal to the Minister to think very carefully as we go through the reading of this bill; look very carefully at this amendment. I think it would be to the entire advantage of the medical profession if they recognized their role in society as providing a service as a part of a whole fabric of services. And most of all that they realize that they have social responsibility as it is expressed in this Legislature.

Mr. Chairman: Does anyone else want to speak before the hon. Minister?

Mr. Trotter: Mr. Chairman, I have a couple of questions for the Minister but I think I would like to hear his answer first.

Hon. Mr. Dymond: Mr. Chairman, I am not going to get into a philosophical discussion because this was already done when the bill was discussed in principle.

There are some erroneous statements which should be pointed up, I believe. I suppose it might be a matter of interpretation of certain things that are happening in other provinces. One hon. member's interpretation may very well differ from mine, and *vice-versa* of course. But I would like to point out to the hon. member for York South that his information about British Columbia and Manitoba is not exactly as I read it. First of all, the government of British Columbia did not impose a formula upon the medical profession. Fortunately, at that time, the medical profession there proposed the formula to the government of British Columbia on the eve of their bringing in their medical services insurance bill.

I may say that I was rather impressed with it and did everything in my power to persuade the Ontario association to make the same gesture toward us and—

Mr. MacDonald: Why did you not impose it on them?

Hon. Mr. Dymond: I did so. Just wait a minute now, my friend. When they were not disposed to approach me with the proposition, I made a proposition to them which they found totally unacceptable, and I asked for the same kind of proposition as in B.C.

Secondly, in Manitoba, the hard-nosed Tory government—and, of course, all our governments are reasonably hard-nosed—did not, my friend, legislate as you have tried to indicate to this House. They wrote in that every doctor would be considered to be in the plan unless he opted out. As soon as the fee schedule was announced, I am advised, and I have no proof of this except the reports I read, that more than 50 per cent of the doctors opted out of the plan, therefore giving them the right to bill their patients directly at whatever fee schedule they propose.

Those who stay in do, by that very act, enter into a contractual agreement. Once again, Mr. Chairman, since we began our earliest discussions with OMSIP, I have tried to persuade the doctors to enter into a contractual relationship with the government, just as they did with PSI. Indeed, I thought using the precedent of their own organization was a sound basis from which to start. They would have no part of this, either.

It is all very easy to say pass the legislation and make them do it, but how? I need not remind my hon. friend from York South that one of his fellow-travellers did this in Saskatchewan. He passed legislation and he tried to do exactly what the hon. member would like me to do here, but it did not succeed.

An hon. member: Yes, it did.

Hon. Mr. Dymond: No. Mr. Chairman, for the first time in the history of Canada the doctors withdraw their services. The only people who suffered, Mr. Chairman, were the people who needed the services. It is very easy to argue who is boss.

Mr. J. Renwick: You can impose compulsory arbitration on the nursing homes, but not on the medical profession?

Hon. Mr. Dymond: Mr. Chairman, may I have the floor? I kept absolutely quiet when they were all speaking; it was difficult for me to do, but I did.

It is very easy to argue who is boss and it rankles that I cannot say that I am boss, but I have to face the real hard fact of life—who provides the service? If my hon. friends can tell me how the government of Ontario can provide medical services for our people who need them, then we can do all of the things. We can accept all of the suggestions they make, but I would have to add, too, that the same kind of legislation should apply to everybody throughout every stratum of our society. But that would come along in due course, too, I am sure.

The hon. member for York South did make a proposal that the council be involved in this. I would have to say to you, sir, that the council did devise a formula as a basis upon which to negotiate fees, but again the profession refused to accept it. The profession told

us very clearly, as I said when we debated the bill in principle, "We will set our own fee schedule and if you do not want to pay all of it, state what part of it you are going to pay and that is it. We will look after our own collections."

The hon. member for Parkdale pointed out that 80 per cent of the doctors bill us directly; another ten per cent use our forms and they may send the bill directly to us but ask us to pay the patients. So, in effect, 90 per cent of the doctors who are dealing with OMSIP deal directly with the organization, except that ten per cent ask that the money go to the patients.

We want to maintain this because we can live with the ten per cent who do not have anything to do with us and who often will not use our forms. They send the bills on their own personal letterhead creating a very great deal of additional organizational work, as you will understand. We want to maintain this.

The ten per cent increase could quite easily be interpreted in an entirely different light, as the hon. member for Parkdale again pointed out. I say, with respect, he used a bad example because there is no charge for a local anaesthetic; the surgeon provides that himself. However, that is quite by the way. Anaesthesia rates have not been raised for a very long time until now, and some of them have gone up, as I believe the hon. member for Humber pointed out the other day, very, very markedly. But the 9.7 per cent that we believe this will cost us is based on the kind of services which we have been billed for over the past year. While, in some instances, we are going to be paying a great deal more than ten per cent in others we are going to be paying a great deal less. The net balance the net result is that our total costs should be increased by something of the order of 9.7 per cent.

I agree with my hon. friend, while it is quite apart from the discussion of this section, that all of us are very concerned about lab fees. But the fee being charged now and the fee being paid by OMSIP to a lab which uses the auto-analyzer, is markedly reduced because a fee schedule has been arrived at, or an understanding has been arrived at, that where an auto-analyzer is used, and multiple tests are done on one speimen, then the fee is very markedly reduced. A fee which for individual tests would be something in the order of $50 or $60, is down to about $5 now. This has been done by agreement. But this does not alter the fact that both the profession and ourselves are very much concerned about marked increases in certain phases of health care costs. We are watching those very closely.

Mr. Trotter: Mr. Chairman, I wonder if the Minister would accept a question. It is this. Has the Ontario Medical Association, even on a voluntary basis, made any attempt to control the cost of laboratories, because I understand that even the OMA are concerned with the excessive charges.

Hon. Mr. Dymond: No, Mr. Chairman, I do not think they have reached the place yet where they are in the position to do that. They are involved in a very extensive and expensive study of laboratory services, and we are joined with them in this because it is being done in some measure through the liaison committee between ourselves and the association. They are concerned with the accreditation of laboratories. All this is part and parcel of the same thing.

The hon. leader of the Opposition spoke about his willingness to assist us. I appreciate this. I do not speak facetiously, but I would have to say to my hon. friend that every time we have a debate of this kind, I particularly pick out *Hansard*, mark every section that has anything to do with it, or contains the words of any hon. member in this House, and send a copy to every member of the board of the OMA. They know your views and they know what you believe about them, so I do not know what more assistance or in what better way you can help me than through that means. I can say to you that it has not had any impact on them, obviously, as I am quite sure you realize.

Mr. Nixon: We will support you if you take a strong stand.

Hon. Mr. Dymond: I cannot tell you anything about the costs at the present time, but all of those things will come up during my estimates, there is no doubt about that.

Mr. Nixon: Why can you not?

Hon. Mr. Dymond: Because I do not have them, for one thing. Our premium was set on a two-year basis, just as we do with the hospital services premium. I would expect that from the first year's operation there would be a balance carried over to buttress the second year's or the third year's or however many years our premium spreads across. But the OMSIP premium was set on the basis of two-year projected costs and I would be

very disappointed if we do not have a substantial balance to take care of that. That is what we did, but this was not done—

Mr. Nixon: Not to accommodate a ten per cent increase?

Hon. Mr. Dymond: I do not know and I will not know until my estimates come before the House. We do this in the hospital insurance; there is a carry-over each—

Mr. Nixon: You could not have been fighting very hard to hold the doctors from an increase of ten per cent if you had money in your sock to pay them.

Hon. Mr. Dymond: No, Mr. Chairman. This is the way we finance the insurance programme. We have not had the experience in OMSIP yet, but we have done this with the hospital insurance programme ever since it started. We set a premium — and that premium is good for a period of time—knowing full well that there will be a surplus in the first year which will be reduced in the second and so on, until it is wiped out. Then the premium has to be readjusted.

Mr. Nixon: Might I ask the Minister if, in his negotiations with the doctors, any particular sum of money associated with OMSIP was arrived at for what it would cost us if we acceded to their demands? Surely the Minister must have considered what it would cost overall?

Hon. Mr. Dymond: Yes. We have it from the highlights report that we spent $84 million last year. So a ten per cent increase would be $8.4 million; a 9.7 per cent increase would be something in the order of $8 million. I can anticipate now what the increase is likely to be, but how we are going to finance it, I cannot tell you until my estimates are before the House. I will be in a position to tell you, then.

I would say this, too, Mr. Chairman, that we are losing sight of the fact that OMSIP—and it is to OMSIP only that this amendment applies — covers two million of our people. The great majority of the rest of our people are covered by programmes that are, with one exception, paying 100 per cent of the 1969 fee schedule. Now if we want to destroy OMSIP, I can think of no better way of doing it than supporting this amendment, because that is exactly what will happen to it.

I say to my hon. friend from York South that in spite of his fears, this measure is in the public interest. I am quite certain that if we do not take this step, reluctant as I may be to take it, the doctors who are now billing us will stop billing us in spite of all my hon. friends say. It is very nice to hear that the majority of doctors are opposed to the executive, but I say to you, Mr. Chairman, that the action of the executive is all ratified by the membership.

The tariff committee, for example, is not drawn from the executive. It comprises a group of practising physicians who have taken on this responsibility, and this is their job. The committee's job is to deal with the tariffs and the changes, and their recommendations go to the board and from the board must be ratified by the general membership. If the general membership are not in favour of what the board does, they will vote it down. Unfortunately, the general membership, at least from my standpoint, have ratified the action of the board in these matters. I say to you, sir, that in my view the doctors will stop billing OMSIP and start billing the patient. The cost to the patient will go up. The change in the fees will become a deterrent, and a very real deterrent. Unfortunately, deterrent fees cause hardship to those people who most need the services. Therefore, I say to you, Mr. Chairman, the only satisfactory way to protect the public interest in this particular matter is to defeat the amendment and support the bill before us.

Mr. Chairman: The hon. member for Oshawa.

Mr. C. G. Pilkey: (Oshawa): Mr. Chairman, it seems to me that what the Minister is saying is that whenever the doctors increase their fees then we, the people of the province of Ontario, and the government should completely capitulate to the doctors. Now, this is—

Mr. J. Renwick: They will withdraw their services.

Mr. Pilkey: Right. Obviously, in many facets of our society where there is free collective bargaining, make no mistake about it; the employers do not just cave in, as this government is caving in although they have some jurisdiction over this fee increase. Let me remind the Minister that even under The Labour Relations Act, the medical profession is excluded, and rightly so. I want to suggest to the hon. Minister that if we tried to include the medical profession in The Labour Relations Act, they would fight as they have never fought before, because they

have the best collective bargaining rights in the whole province. They make unilateral decisions as to what their fees are going to be.

Let us find out exactly what has happened. You are talking about ten per cent for OMSIP, but the PSI, which is governed by the doctors, increased its fees 46 per cent. That was a good ploy, too. You see, they do not have to negotiate there either. They have got themselves a pot built and when they need some more, they just go back and get it. They do not have to justify it—

An hon. member: A pot?

Mr. Pilkey: Well, it is a barrel then. It is bigger than a pot. They have got a barrel of money and they just go back and pick it up whenever they need some more; they just increase it—the premiums 46 per cent and ten per cent to OMSIP.

As was pointed out previously, sir, this government introduced compulsory arbitration for the nursing homes and homes for the aged, and as far as hospital workers were concerned they set up guidelines. If the government has the power to make that kind of adjudication and those guidelines, surely it has the power to suggest what the fee schedule should be for doctors, or even lay down the fee schedule, if necessary.

Obviously, if the government is going to continue to take the position it is taking, then there is no barrier. There is no barrier to the doctors' tariff because they know that this government will completely capitulate to their demands. They will completely cave in to their demands. It seems to me that we have just got to stand up.

Mr. Chairman: I believe the hon. member is speaking somewhat apart from the motion before us. I do not see anything in that respect in this particular motion.

Mr. Pilkey: I want to conclude, then, by asking the Minister a question.

Mr. Chairman: We have a motion here.

Mr. Pilkey: Can I not ask a question? All right. This Minister said that this tariff was set up and approved by the general membership of the medical profession. I want to know from him how they justify the increase. Every worker in this province has to justify his demands to his employer and I want to know, from this Minister, if he had meetings with the medical profession, how they justified the increase.

Hon. Mr. Dymond: Mr. Chairman, we are getting completely away from the point. The government is not the employer of the medical profession. The government, in this instance, is an insurance carrier. We carry an insurance contract which purports to provide certain things. The doctor is a self-employed individual usually, and therefore has the right, or claims the right, to set the fee which he believes his services merit.

Mr. J. Renwick: You are also the government of the province of Ontario.

Hon. Mr. Dymond: Actually, he enters into a contract with his patient.

Mr. J. Renwick: He has reduced himself to the same status as London Life.

Hon. Mr. Dymond: Well, London Life is an insurance carrier and it provides contracts which purport to pay certain claims. London Life pays 100 per cent of the claim. This is the difference. But I would like to ask my hon. friend from Oshawa why it is that the UAW is very much concerned because I am only going to pay 90 per cent? They feel that, in their belief, we are on the eve of Medicare; what is going to happen to the other ten per cent which is written into your contract? So it is a good contract. But you have, as you know, written into your contract that 100 per cent of the cost of the services shall be paid.

Mr. Pilkey: By the company.

Hon. Mr. Dymond: Suppose UAW came to OMSIP and I signed them up. How do I get them to accept the fact that I will only pay 90 per cent of the fee schedule, when you have written into your contract that 100 per cent shall be paid?

Mr. Pilkey: No, no. There is nothing in the collective agreement which says that the UAW will pay 100 per cent.

Mr. Chairman: Order!

Hon. Mr. Dymond: Indeed, I—

Mr. Chairman: Order! Most of this discussion has already taken place at second reading. We have a motion before us and we are straying considerably from it.

Mr. S. Lewis (Scarborough West): I would like to speak on the motion, Mr. Chairman, and to just take a moment to deal with the Minister's reply and his refusal to support the amendment.

I can appreciate, Mr. Chairman, that there are many reasons which the Minister could

adduce to oppose the amendment. Some of us would take issue with them on this side of the House, but they would at least be a basis for debate. I want to suggest to you, sir, that the reason which the Minister has given to oppose the amendment in this case is of such a specious mythology that we have to rise to protest. It is simply an absurd proposition to put to the Legislature, Mr. Chairman, that the doctors in the province of Ontario would withdraw their services if this Legislature—

Hon. Mr. Dymond: Mr. Chairman, I rise on a point of privilege. At no time did I state that the doctors in Ontario would withdraw their services. I drew an analogy stating what had happened in Saskatchewan. I did not—and I repeat, sir, I did not—at any time, state, or threaten, or imply, that the doctors in Ontario would withdraw their services.

Mr. Lewis: I submit to the Minister, Mr. Chairman, one does not use analogies with the province of Saskatchewan for no reason at all. The implication is clear.

Hon. Mr. Dymond: Only because it suits you.

Mr. Lewis: The implications are clear to the members of this House, Mr. Chairman. What the Minister bases his argument on is that if this amendment is carried, the doctors will somehow refuse to be paid at the 80 per cent level and will double-bill. The fact of the matter is, Mr. Chairman, that it is just simply, totally, unacceptable.

I think one can say categorically that the doctors in this province would not withdraw their services; that the doctors in this province have never suggested they would withdraw their services; that the Minister is playing into the hands of the worst kind of irresponsibility when he poses that as a possible argument for defeating the amendment.

I put it to you, Mr. Chairman, that if we say to the medical profession under the public scheme—and there are some qualitative differences between the responsibility to the public Treasury as distinct from, say, a United Auto Workers contract—that under the public scheme we will pay 80 per cent of the fee schedule, it would be entirely acceptable to the medical profession and there would be no revolt whatsoever in their ranks.

The Minister has erected an argument for the medical profession. It is beyond me why he feels constrained to do so. He deals, as colleagues have pointed out, with the politicians in the medical profession. He does not deal with the profession as a whole and that perhaps, is where we reach our impasse.

Mr. Chairman, I point out to the Minister that doctors seldom receive 80 per cent of what they bill; that is a gilt-edged security for the medical profession. Most doctors in the past have written off much more than 20 per cent of what they bill—to be assured of the 80 per cent would be something which doctors would happily concur in. Many of them have had great difficulty collecting up to 80 per cent of their bills.

The fact of the matter is, Mr. Chairman, that I suspect that if the Minister were to accept this amendment—I do not suspect, I feel confident—that if the Minister were to accept this amendment, which reinforces the public interest by indicating that double billing is not acceptable, then the medical profession would gladly concur and the public sector, at least, would have indicated its interest in providing some restraint.

I might say as well, Mr. Chairman, that it is not the role of this House to drive a wedge into the medical profession. That is also what we are doing when we pass this clause. The Minister knows full well that all the successive increases in the fee schedule have served primarily the specialists in the medical profession at the expense of the general practitioner—even within this increase, the 9.7 per cent increase.

The lavish percentage increments relate to the specialties. The very modest percentage increases relate to general practice. What we are doing by constantly affirming the unilateral fee increase for the medical profession is to continue to drive that wedge between general practice and specialization which has harassed that profession and for which there is much ill-feeling within the medical profession.

It is not within the purview of this Legislature to reinforce that kind of irresponsible behaviour which the politicians of the OMA have seen fit to impose on their own profession. So we are playing politics with the politicians of the medical profession.

But there is no recourse, just some hope that the Minister publicly might not comply. I would urge the Minister to reconsider, Mr. Chairman. This amendment is a very reasonable guideline. He has said to us that it rankles him; that he is not the master of his own house. Well, I say to him, Mr. Chairman, that he can retain some sense of

mastery if he does not succumb in entirety. There is no reason at all why he should not suggest a compromise.

He need not be dictated to by fiat. He can accept a reasonable man's compromise, and surely this amendment means precisely that. Eighty per cent of the fee schedule will satisfy the doctors of this province. It will save $8 million of the public money, and it will set a precedent and guideline for future negotiations to follow. Now, what more reasonable amendment could be made?

No one on this side, surely not the Minister himself on that side, would pretend that will jeopardize the OMSIP scheme. The doctors will flock to accept it, because the OMSIP scheme, in its guarantee of payment, was the finest thing that ever happened to the medical profession in this province.

Mr. Trotter: I would just like to ask the Minister a question, Mr. Chairman. I understand that whenever there is a change in premiums or in, say, fees paid by doctors, that the computer programme of OMSIP would change. In other words, all of this comes out of the computers. I was wondering if the new computer programme has been set up, because this fee change is retroactive to April 1 of this year. Has the Minister changed his computers at this point?

Hon. Mr. Dymond: Mr. Chairman, we cannot until we have the legal right to pay the schedule. If the bill were defeated and we had had the computer programme changed, then we would have to change it all back. No, the computers are waiting the pleasure of the House.

Mr. Trotter: How long will that be?

Hon. Mr. Dymond: I do not know. They assured me they can change it very quickly.

Mr. Trotter: I hope you do not have the chaos you had when the scheme first went into effect.

Mr. Pilkey: Was there any discussion, Mr. Chairman, with the medical profession on the basis of accepting the 80 per cent?

Hon. Mr. Dymond: Mr. Chairman, I think I have made it eminently clear that it was quite impossible to get the profession to accept. Indeed, they have not told me they would accept 90 per cent. We are telling them that that is what we are going to pay.

They will not agree to accept anything less than 100 per cent of the fee schedule. I repeat that they have said, "We'll set our fee schedule; you pay whatever percentage of it you determine, and we'll do the rest." Now, I feel quite certain, in spite of what the hon. member for Scarborough West says, that this would destroy OMSIP.

Mr. Lewis: How?

Hon. Mr. Dymond: Surely, the hon. member for Scarborough West has been listening. The answer is: Because the great majority of people insured in Ontario are under contract to pay 100 per cent. We would be left only with those who are subsidized in whole or in part. Why would our paying subscribers stay with us when they can go to another contract and pay perhaps little more for it, but get 100 per cent of their fees paid?

This is a constant bone of contention between our claimants and us, this is the most common complaint I get from subscribers, that we have told them we have insured them against the costs of medical care and we only pay 90 per cent.

Mr. Lewis: Mr. Chairman, may I ask the Minister a question? In any of the negotiations with the doctors, did the OMA at any time say that they would withdraw their services if payment was less than 100 per cent?

Hon. Mr. Dymond: Never, Mr. Chairman.

Mr. Lewis: All right.

Hon. Mr. Dymond: This is what I emphasized. I would not want to construe that anything I have said indicated that the doctors of Ontario had ever theatened that they would withdraw their services.

Mr. Lewis: Did the OMA at any time, just taking it in progression, say that they would stop billing under OMSIP if you set it at something less than 100 per cent?

Hon. Mr. Dymond: No, they did not say, because OMA has no authority to say that.

Mr. Lewis: Was that implied in the Minister's negotiations?

Hon. Mr. Dymond: No, not at all. But that is my belief, out of the negotiations, out of our dealings with the physicians. It has taken us a long time, and it has been a laborious process, to build up to the point where 90 per cent are billing us. Frankly, I do not care very much what happens, I do not believe we will ever be able to get more than 90 per cent of the doctors unless we write it into law somehow or other.

I frankly state that I do not believe that legislation of that kind would be in the public interest. Believe me, Mr. Chairman, when I present this to you, it is not by any stretch of the imagination or as an apologist for my profession that I repeat that I am doing what I believe is in the best interests of the public of Ontario. They are looking to us and looking to OMSIP, and for three years have been looking to OMSIP, to cover those needs which sometimes can be catastrophic to them. Through OMSIP we have given a great deal of peace of mind to a great number of people who would have been without it had we not introduced OMSIP.

Mr. Lewis: I simply want to follow the progression because we only have the Minister to rely on about the negotiations. Was it ever discussed in your negotiations with them what precise percentage you would incorporate? As I understand it, they said to you, "We want 100 per cent, take it or leave it, you decide on what you want to pay."

Did you feel them out about how they would respond to 70 per cent, 80 per cent, 90 per cent, was that a factor in the negotiations?

Hon. Mr. Dymond: Not in the more recent negotiation. Again, I have to answer that by repeating that they said, "We'll set our fee schedule and you determine how much you will pay, and then we will do what we think we have to do from then on." Again I say that out of my dealings and out of some knowledge of the mentality of my profession, I feel quite certain that if, by law, we were to say we would pay 80 per cent of the fee schedule, the great majority of patients would get billed to schedule and get a bill for the 20 per cent.

Mr. Lewis: Unless you prohibit it by law.

Hon. Mr. Dymond: I think that is very dangerous.

Mr. Lewis: Well, Mr. Chairman, can I just make the obvious point? If the Minister will forgive me, I think it is worth making.

In his negotiations it has been established (1) that the profession never suggested they would withdraw their services; (2) that they never suggested they would leave the OMSIP scheme were the financial conditions unsatisfactory in terms of what the Minister is putting; (3) that they never said they would not support 80 per cent.

In other words, the Minister came to the conclusion on the basis of what he called his "feeling" for, or understanding of the minds of the profession. At no time during the course of the negotiations, did the doctors require that to which the Minister has acceded.

Now, we take exception to that on this side of the House, Mr. Chairman, and we say that we, too, have a right to read the mind of the medical profession. I suggest to the hon. Minister that a profession which has already committed 90 per cent of its members to the OMSIP scheme would not have deserted that scheme had the Minister set the level at 80 per cent.

He succumbed without reason, he misread the mentality of the profession, he capitulated before there was any need to. He reinforced all the prejudices for no reason whatsoever. That is not his job as Minister of Health. His job is to negotiate, and if he receives no undue belabouring from the medical profession, as he has indicated he did not receive, then let him set it at 80 per cent and say no double billing and see then what happens. He need not be a clairvoyant looking into the crystal ball.

Mr. Pilkey: Mr. Chairman, could I just ask this question then, in this same regard? On the basis of the negotiations that took place—I never had this question answered—how did the doctors justify the new tariff in these negotiations? Did they say that it was *X* number of years since they had had a tariff increase?

Was it because of the cost of living increase in this inflationary period that we may be going through, or we are going through? What were the criteria they used to determine their justification for a fee increase in the province of Ontario?

Hon. Mr. Dymond: It was, as the hon. member has suggested, Mr. Chairman, based on the increase in the cost of living, inflation, or whatever you want to call it. But they believed that the increase that they proposed was justified on the basis of increasing costs.

Mr. Trotter: I have one final item on this matter, Mr. Chairman, and then I shall, for a short time, be quiet. The problem is this; this section just puts so much more gravy on the medical gravy train, on the one place where the government could do something, and it is this, it has to do with the payment of out-patient services.

Before OMSIP, OHSC used to pay $2.25 to the hospital for each out-patient service. The government through OHSC still do that. Along comes OMSIP and they pay an extra

$4.50. I think they pay 90 per cent of the $5 fee for the out-patient service.

In other words, they used to pay $2.25, now they pay $6.75, which comes from OHSC and OMSIP. If a patient had gone straight to the doctor, even though the doctor has to pay for his own office and his own secretary, they would still pay $4.50. But that doctor sees the patient at a hospital and it then costs the government $6.75, under the old rates. Now, in come the new rates, and this compounds the legalized robbery on the public Treasury. I feel that either through OHSC, but more particularly through OMSIP, that this cost could be controlled, and it could only be controlled by the government through OMSIP setting up the regulations.

I have gone through this problem before. The doctors had even formed an out-patients association in a great number of the large hospitals in the city of Toronto, and I believe elsewhere. All this is public expense. I complained about this and the doctors came and said, "Well, our association often makes donations to the building fund of the hospital or does this or does that." But in large part, it is simply coming out of the taxpayers' funds, out of our tax funds with no control whatsoever.

The tragedy of it is that we are perpetuating this evil with this legislation, and no matter what we say about the high standards of medical services in this province, and this I do not deny whatsoever, a medical economics appraisal is just stupid. It is time that the government stood firm instead of its leaves waving firmly in the breeze. That is what is happening to date, and so I again plead with the Minister to take some action.

Mr. Lewis: Mr. Chairman, I only regret that we are not negotiating with the Minister over the indemnity of the members of this Legislature.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): I have two questions for the Minister, Mr. Chairman. I would like to ask the Minister, when he said that the doctors believe that their fee increase is justifiable, were the doctors required to prove this to the Minister? Does the Minister have material proving this fee increase that we can examine at any time, that would be open to us?

Hon. Mr. Dymond: No, Mr. Chairman, apparently I am not getting through to the hon. member. The medical profession has told me, "They will set out their own fee schedule; you as an insurance carrier can determine what part of that fee you are going to pay, but the rest is up to us." It is their belief that they do not have to justify a change in the fee schedule.

The argument comes about when I say that I am not going to pay for that or I am not going to pay that 100 per cent, but we will propose that we will pay *X* percentage. That is all right, but it is what happens after that worries me. It is quite true, as the member from Scarborough West says, of course I have to conjecture. I do not look in a crystal ball, but I have to come to certain conclusions on the basis of various things I know, just as my hon. friend does.

If I am asked to document my argument, chapter and verse, of course I cannot do it, because I point out to you that the profession tells me, "We are not going to discuss a fee schedule." I have asked this; I have urged them to sit down with us and let us jointly draw up a fee schedule that will be mutually satisfactory. This, in my view, would be the best way. Then periodically, as they or we see the need for change, we continue to discuss it mutually. But I got nowhere. They just simply say, "We will set our fee schedule, and you tell us how much of it you are going to pay."

Mr. Lewis: Well, then, if there were no negotiations at all, let us be frank and say so.

Interjections by hon. members.

Hon. Mr. Dymond: We tried to negotiate—

An hon. member: The Minister has no power to negotiate, that is the problem.

Hon. Mr. Dymond: We tried to negotiate. I would like to tell you gentlemen here that you hon. members are far better skilled in this than I am. To negotiate you must have at least two parties. If one does not talk, you come to an impasse. This is where we arrived, and this is why I believe in the public interest this kind of an amendment is essential.

Interjections by hon. members.

Mr. Chairman: The hon. member for Scarborough Centre was on her feet.

Mr. Lewis: If the Minister will forgive us, it seems to me that is an incredible abdication of the public interest—that there was no negotiation at all. It is interesting that months

later we should learn it is a fact that there was no negotiation within the meaning of that term. You say, in order to have negotiations, you must have two parties, and there was only one party. In other words, the government views the OMSIP scheme as a scheme that will pay doctors without any negotiation at all. That is the principle the Minister has laid down. I suspect, Mr. Chairman, that we are now verging on serious repetition, and I will take my place, but I think that an instructive fact has emerged this afternoon: that all of this was a façade. There was never the slightest discussion with the medical profession at all; they just presented their demands, and those demands were taken back to Cabinet.

Hon. Mr. Dymond: I must protest that. In the exact meaning of the word—if we are going to break it down in semantics—there were no negotiations in that light; there were lengthy and frequent discussions. Now what the difference is between negotiation and discussion is a matter of one's interpretation. Again, in my view, there were negotiations, and my hon. friend points out—and rightly so, according to the dictionary definition—it was not real negotiation in the sense that we talked, but in my view we did negotiate.

An hon. member: What is the difference?

Mr. Lewis: The difference is easy: an equal negotiates; a vassal discusses.

Mrs. M. Renwick: Mr. Chairman, the Minister has answered a part of the second question, but I would like to ask him if he does not realize that by not taking a stand to protect the general public, or the public purse, he has left in the minds of hundreds of people the question of whether we should have a doctor at the head of The Department of Health at all, because he has not protected the interests of the public?

Mr. Chairman: As a part of discussion on this motion, that is not in order.

Those in favour of Mr. MacDonald's motion will please say "aye"; those opposed please say "nay".

In my opinion, the "nays" have it—quite obviously have it.

Call in the members.

Those in favour of Mr. MacDonald's motion will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 37, the "nays" are 52.

Mr. Chairman: I declare the motion lost. Section 1 will stand as part of the bill.

Section 1 agreed to.

Sections 2 and 3 agreed to.

Bill 121 reported.

THE DIVISION COURTS ACT

House in committee on Bill 123, An Act to amend The Division Courts Act.

Sections 1 to 14, inclusive, agreed to.

Bill 123 reported.

THE REGULATIONS ACT

House in committee on Bill 125, An Act to amend The Regulations Act.

On section 1:

Mr. J. E. Bullbrook (Sarnia): Mr. Chairman, in connection with this bill, on second reading I had made some comments, and might I enquire of you, sir, when you refer to section 1, are you referring to subsection 1, or are you entertaining comments in connection with the entire section?

Mr. Chairman: Section 1 of the bill.

Mr. Bullbrook: Of the bill. Thank you, sir. I had made reference to what I considered offensive words in subsection 3 and in subsection 4. I would like to draw your attention to subsection 4 and the words, "designated by him". The total subsection presently reads:

> The special committee on regulations may examine any member of the executive council, or any public servant designated by him respecting any regulation made under an Act that is under his administration.

It will be my intention subsequently to lodge with you an amendment requesting that this House delete the words "designated by him". I see nothing in Mr. McRuer's report—perhaps I have missed it—which requires that the special committee on regulations should be restricted in that way. It would seem to me, sir, that the entire purpose of establishing this legislative body was to have it relatively unrestricted so that they may look at the executive branch of government and make sure that they are carrying out the

intention, as it is expressed in the legislation passed by us.

I do not know, perhaps the Attorney General can explain to me more adequately than he has thus far, why this committee should be restricted in summoning before it any public servant which it wishes so to summon? I do not see at all why any Minister of the Crown must first of all pass his approval upon such summons.

The main burden of my argument and discussion of section 1 has to do with the subsection 3.

> The special committee on regulations shall examine the regulations with particular reference to the scope and method of the exercise of delegated legislative power—

And now come, Mr. Chairman, the words which I am not attracted to:

> —but without reference to the merits of the policy or objectives to be effected by the regulations or enabling statutes—

These are the words which I do not like. I will continue to read:

> —and shall deal with such other matters as are referred to it from time to time by the assembly.

It is therefore my intention, sir, to move, seconded by the member for Downsview, that subsection 3 of section 12, be amended by deleting the words, "but without reference to the merits of the policy or objectives to be effected by the regulations or enabling statutes". Secondly, to move that subsection 4, of section 12, be amended by deleting the words "designated by him". If you could clarify for me, sir, before I lodge this motion formally with you, that by lodging the motion, I take it, I do not disentitle myself to continue to speak in support of the motion that I lodged?

Mr. Chairman: Well, if the motion is lost this section will carry.

Mr. Bullbrook: No, but I can continue to discuss what I consider the merits of my motion, is that correct?

Mr. Chairman: Prior to the putting of the question.

Mr. Bullbrook: Yes, thank you. I want to be frank in saying this to you, Mr. Chairman, and to the Attorney General through you, that I see some purpose and some merit in the words that are placed in the statute. It has not been my *modus operandi* in discussing matters in the House, or to read at length from Mr. McRuer, but I feel obliged to do so, so that the members of the House will fully understand and digest his position in connection with this. I try, essentially, to put it this way.

Basically, what causes me concern, if I might be permitted, and causes concern to the hon. member for Lakeshore who has been kind enough to discuss this matter with me at length, is the question as to whether we should restrict this committee in assessing the policy aspects of regulations. It goes without saying that when legislation is enacted by us, we do not invite necessarily a complete regurgitation of the policy background in connection with such legislation. This is what Mr. McRuer wishes to avoid. I, to a certain extent, wish to avoid that. But I really find that I cannot accept Mr. McRuer's attitude in connection with a complete abandonment, through legislative enactment herein, of the right of that committee to look at matters of policy.

It just is not enough that the committee be established to consider the administrative function in connection with regulations. I think that they have to show, as a matter of fact, or they must have the power to enquire into, whether the regulations really flow from the policy in the Act.

To digest that properly, they must look at the policy as exemplified in the regulation. Now my friend from Lakeshore has been kind enough to put to me some thoughts of his that he intends to bring to the floor of the House in connection with amendment. As I read them over—and I do not mean to prejudge them—but as I read them over I would draw the attention to the House at this time, for example, to certain words that I think he hopes to use to support in his mind and in the minds of the other members of this House my position.

On page 372 of the McRuer report, the author discusses the standing committee on regulations and ordinances established by the Senate in Australia and I read:

> The basis adopted for its examination was, amongst other othings, to scrutinize regulations to ascertain (1) that they are in accord with the statute.

Now, I think those words "that they are in accord with the statute" are attractive to other jurisdictions—perhaps also attractive to the hon. member for Lakeshore. But I suggest to you that those very words convey what I want to convey in connection with this statute. That is, that when you say that they are in accord with the statute, when you are suggesting that any evaluation of the efficacy

of a regulation must be in accordance with the statute, then I do not see how you can do so, if you do not evaluate the policy that comes from the regulation, and not purely the evaluation of the administrative aspects of the regulation.

So, when you look at these words: "without reference to the merits of the policy or objectives to be effected by the regulations"; I say in effect that what you are doing by putting those words in the statute is directly negating any ability on the part of the committee to scrutinize any policy aspect in the regulations.

My point is this. If you consider these words in the subsection, "The special committee on regulations shall examine the regulations with particular reference to the scope and method of the exercise of delegated legislative power"; and let that be the end of it, you are saying in effect that you are establishing the committee. And what are their duties? You give them broad duties.

At the end you say, "and shall deal with such other matters as are referred to it from time to time by the assembly". So in establishing the committee you give them broad responsibilities. Then you say in the statute: Aside from the broad responsibilities that we give you, we particularly direct you to this, we particularly direct you to the scope and method of the exercise.

Hon. Mr. Wishart: Mr. Chairman, I intend to reply of course, to the hon. member, but I am wondering, while he is speaking, if he will be good enough to explain to me how you could permit a policy in regulations that would be different from the policy of the Act, of which the regulations are a part or an appendix? Either you pursue the policy of the Act with your regulations or the regulations are not carrying out the purpose and intent of the Act.

If you go on to say that you may pursue a question of policy in the regulations, apart from the Act, then I think you are allowing a committee of the House to make policies. I do not know how you can give policy to a committee to deal with separate policy and regulations. The policy must follow the Act, and that is the policy of the government—not to be delegated to a committee.

Mr. Bullbrook: I appreciate the comments of the Attorney General, Mr. Chairman. Let me say this to you. We understand each other fully, this is exactly what I want that committee to do. I, as one member of this House; I as a member of the legislative body want to make sure that the executive body not just the Ministers of the Crown decide. Because if you recall, on second reading I read the definition of regulations under The Regulations Act and it does not just refer to Ministers of the Crown. So you are quite right in assuming from my remarks, that I am very much concerned that the policy as established in the regulations properly flows from the policy as established in the statute.

You are quite right in that respect because I want this committee to be able to come back to this House and say, as they are entitled to under subsection 5, "That we find as a matter of fact that in particular instances, that the regulation does not, as a matter of policy, flow from this statute."

I want them to be able to do that. I am very much concerned that you are restricting them, that they cannot do that.

Now, I want, if you will permit me, Mr. Chairman, to read from Mr. McRuer in connection with this whole question of delegated legislative responsibility. I will try to make it somewhat brief, but I read from page 376:

> A committee of the legislative assembly should be established under an appropriate name to scrutinize subordinate legislation. It should consist of a small number of members. A small committee tends to eliminate political partisanship from its deliberations.
>
> In the United Kingdom, the committee consists of 11 members with a quorum of three. We suggest a committee of seven with a quorum of three.
>
> We reject the suggestion that a single person, either the Attorney General or any specified official, be charged with the review of regulations. The supervision of subordinate legislation is a function of the Legislature.

Mr. McRuer goes further and says:

> The proposed committee with power to sit during recess and report periodically, should serve three purposes:
>
> (a) More care will be given to the form and contents of the regulations.

I invite the consideration of the Attorney General to the word "contents". I attempt here, Mr. Chairman, to use Mr. McRuer's words, resist his own attitude. He says:

> More care will be given to the form and contents of the regulations.

So, we have the great man saying that this committee should be clothed with that responsibility to look at the contents of the regulations. It seems to me entirely illogical

that if you are going to look at the contents of regulations you do not consider the policy. You must consider the policy as annunciated in those contents.

(b) The requirement that the committee consult with the department before making an adverse report should lead to the immediate rectification of any ill-considered provisions.

(c) When the committee reports, debate on the report should have a salutary effect on the process of legislation by regulation.

Again, this reinforces my position. This is exactly what it is, "legislation by regulation". This is the entire purpose of establishing this committee. In the broad concept of the peoples' individual rights and really, the rights of this body—this legislative assembly must make sure that the policy is annunciated by us in effect, albeit it is government policy and albeit there are divisions in the House, is still a policy annunciated by this assembly.

Perhaps I make a rudimentary remark when I say a statute is not passed by the government *per se*, it is passed by this body, and so the policy flows from this body in effect.

Now, Mr. McRuer, in connection with his position goes on to say, and this is important:

The terms of reference for the committee should exclude from review any consideration of the policy of the parent Act or of the merits of the regulation.

If I might again be permitted to interject, Mr. Chairman, I see his purpose there. We do not want, as I say, a complete redigestion of the debate in connection with the policy. If you are going to have a strong chairman, even a weak chairman for that matter, he does not need the restriction and fettering of those words which I invite this House to remove from section 3.

Mr. McRuer continues:

The policy of the Act, having been settled by the Legislature after full debate and discussion ought not to be reopened for the discussion in the committee.

I take issue with that. I see no reason why it cannot. Surely if our committee finds that the regulations are not concurrent with the policy established in this House, they certainly have an obligation to report back to this House and advise us so. I turn the page to page 378, and I read:

The following principles should be laid down to guide the committee in its examination of the regulations.

(a) They should not contain provisions initiating new policy.

Again, to the Attorney General through you Mr. Chairman, I invite his consideration of those words. "They should not contain provisions initiating new policy." Now, how in heaven's name is the committee going to assess whether new policy has been established in the regulation if you put in this enabling legislation the words which prohibit looking at the policies?

Perhaps I belabour the point, but I think I could go on, frankly, in reading additional quotes from Mr. McRuer. Let me read one more before I sit down. On page 379, No. 10:

The rules of the legislative assembly should be amended to provide some specific procedure under which a private member can initiate a debate on the merits of any particular regulation.

I invite your consideration of this, Mr. Chairman.

Mr. G. A. Kerr (Halton West): Do not forget section 8.

Mr. Bullbrook: I will read the whole thing if you want. Does the member for Halton want me to read the whole thing?

I am not trying to be unfair; I think you will agree. I have read some of those parts of the report that support Mr. McRuer's position, but I am pointing out that there are other assertions he makes that I say, most respectfully, can be vigorously put forward as contrary to his position.

What he says under No. 10 here is, in effect that a private member should be able to initiate a debate on the merits of any particular regulation. Now, if then he is saying any private member can initiate a debate on the merits of a regulation, then surely to goodness that committee that we established should have the right to look at the merits, and should have the right to look at the policy, therefore. If you are going to look at merits, they are not just administrative merits, but they are substantive merits that we are concerned with.

Basically my position is this. I have wrestled with this at some length, and I know the Attorney General is vitally concerned. I am not sure whether—and I say this most respectfully to him, Mr. Chairman—I am not sure whether he has the same concern for this particular legislation as I have. I think it is—perhaps monumental is a pretty extravagant term to use, but it is a significant piece of legislation.

I think it might well have gone to the committee on legal bills. I think there we could have got, I suppose, into the legalistic gymnastics of what really Mr. McRuer is saying, but my position is this. I am concerned, as I say. I believe that my friend from Lakeshore intends to come forward with an amendment which I have had the opportunity of looking at. I will perhaps speak to it afterwards but it attempts to codify the terms of reference that Mr. McRuer would like to see. I compliment the hon. member for Lakeshore in this connection, but I am vitally worried that, in a word, we restrict unduly. I see nothing that is unattractive in saying, "All right committee, go out and look at the administration, and look at the substance of the regulation." But, really, what we would like you to do is with particular reference to the scope and method of the exercise of administrative responsibility. I therefore invite consideration by the hon. Attorney General and the members of this House to this amendment.

Much more can be said, and the hon. member for Halton is quite correct, much more can be read from McRuer, but I find at times, reading from Mr. McRuer, interesting as it is, really is to a great extent, time wasting. I have tried to pick out, with some degree of fairness, substance for his position. I have tried to say, in effect, that we in this party see the intent and the background of his position. But I think we do a disservice to ourselves. We, who really have the ultimate legislative responsibility, do ourselves a great disservice in taking the step forward that we must restrict this committee in the analysis of policy in the regulations.

Just before I sit down, I want to suggest that in subsection 4, as far as I am concerned there should be no dialogue. I just cannot for the life of me see why the committee does not have power of summons not subject to the right of the individual Minister to intervene.

Mr. Singer: We have got it in—

Mr. Bullbrook: Well, I have included both amendments in—

Mr. Singer: They should be separate.

Mr. Bullbrook: Mr. Chairman, I bow to you and your knowledge of the proper procedures of this Chamber. I wanted to say this to the Attorney General, through you, Mr. Chairman. I spent 20 minutes saying to you I see some merit in Mr. McRuer's position with regard to subsection 3. I see absolutely no merit about subsection 4. Why do we establish a non-partisan committee to look into what is essentially the rights of the individual citizen in this province, and say to them: "You can summon people as long as the Minister agrees." There is no substance to that at all. I do not know why it is there.

I say, Mr. Chairman, as one member of this Legislature, if I sat on that committee and wanted to summon the Deputy Attorney General, then I would feel I have every right to do so. I do not think the Attorney General, notwithstanding the prestige of his position, which I respect, has any right to say that the committee cannot summon the Deputy Attorney General, or the inspector of legal offices, or anybody who administers any statute, and I suppose what one could call a sub-statute, as defined under The Regulations Act.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Singer: Mr. Chairman, on a point of order, before the hon. member for Lakeshore gets started. My colleague from Sarnia was in a little doubt, and I suppose I am too, about the moving of his dual amendment. It would be my thought, and we have done this before, that since the Act really only has one operative section, which is section 1, but since there are, in fact, five subsections, that we could deal with each of them separately, because there may be difference of opinion and there may be a different kind of debate. It is my understanding the hon. member for Lakeshore wants to move an amendment dealing with subsection 3. I think it would make more sense and we could get at it in a more orderly fashion if we dealt with the subsections one at a time.

Mr. Chairman: I may say that I have before me an amendment to subsections 3 and 4. Now, I recall that there have been occasions when we have dealt with various sections of a specific clause, or items within the clause. This was not placed before the committee in this manner, and I would put it to the committee—

Mr. Bullbrook: Mr. Chairman, I hesitate to interrupt, but if it is appropriate, within the rules of this House, I would prefer to have them dealt with separately.

Mr. Chairman: I would ask for the concurrence of the committee in dealing with section 1 on this basis. That is that section 1 of Bill 125 would be dealt with by taking the five paragraphs in the section in sequence. Do I have that concurrence?

Would the hon. member like to proceed with this particular motion, then we will permit a return to subsections 1, 2, and 5?

Mr. Singer: Four and five?

Mr. Chairman: No, the motion covers subsection 4.

Mr. Singer: He wanted to separate them.

Mr. Chairman: He wants to make two motions?

Mr. Bullbrook: I wanted to separate them if I might, sir.

Mr. Chairman: Then we will delete the reference to subsection 4. We are dealing now with an amendment to paragraph 3. The hon. member for Lakeshore.

Mr. Lawlor: My remarks, Mr. Chairman, are going to be directed almost solely to 3. As far as 4 is concerned, I and this party are wholly in favour of what the member for Sarnia has said touching that subsection.

As far as this Act is concerned, I want to join also in agreeing that, while it appears to be somewhat superficial and procedural and secondary perhaps, being a regulation under The Regulations Act, the impact of this—

Mr. Chairman: The hon. member—if I may be excused for interrupting him—is speaking to the motion on paragraph 3?

Mr. Lawlor: Yes, I am kind of winding into it in my serpentining way.

Mr. Chairman: That is what I perceived.

Mr. Lawlor: As I say, I was commenting upon the importance of the legislation. The impact of this legislation, as this committee gets into it, is quite likely to be as profound in its effect as what the analysis of many statutes are. You know people tend to, in the municipal area, think of bylaws as something tertiary. Really they have as much binding force and as much coercive power as the regular law itself has. The same thing holds with these regulations, which are all lights hidden under bushels, or the contrary. As we ferret them out and sift them through I am sure you are going to find many breaches of civil liberty which are going to have to be changed; at least initially, it is going to take a good deal of time.

Directing my remarks specifically, while there is agreement on paragraph 4 between myself and the member for Sarnia, we diverge on 3. It is a question of weighing human values. He says the less talk the better, although he talks as long as I do usually. I do not say necessarily the more talk, the better, but perhaps we would have to reach a compromise and we would find the Attorney General somewhere in between. We have words enough. No doubt he feels this way and has indicated the same, but I do not. I feel that it is too tight and too succinct, especially when you have other jurisdictions which have done so.

I am in a procedural quandary, Mr. Chairman, because I feel that there are no procedures or rules governing this House, with you having an amendment before you, that I can move any further amendment. I know of no rule where I can amend the amendment in order to bring about what I want to; but if I had that authority then this is what I would do. I would say that section 1 of Bill 125 be amended by adding—

Mr. Chairman: May I point out to the hon. member that we are not now dealing with anything other than paragraph 3 of section 1. The member understands that?

Mr. Lawlor: Yes, if Mr. Chairman will bear with me.

Mr. Chairman: All right.

Mr. Lawlor: It be amended by adding after subsection 3 of section 12, the following subsection 3(a): "without restricting the foregoing". I think that phrase is terribly important in this context:

> The special committee on regulations shall scrutinize regulations to ascertain that:
>
> (1) They are in accord with the statute.

That is where the whole problem of policy arises. I mean I disagree with the member for Sarnia at least in the emphasis of his argument. He is off on second base in this particular one. We must not and cannot rethresh or rehash the policy of the legislation. There is such a thing as a second kind of policy—the regulation itself may have an aura of policy. It is inevitable, you know, in the course of discussions that policy will be discussed, of course, but I would do it rather covertly—pretend you are not discussing it and actually discuss it then try to embody it in actual words, whereby we are given the authority to discuss it, which runs directly against the grain.

Mr. Bullbrook: Would it not be illegal to do so?

Mr. Lawlor: I do not think so; I think we are going to do it and do it naturally.

Mr. Bullbrook: With regard to the statutes?

Mr. Lawlor: Who is to supervise the deliberations of this committee? Who is to scrutinize the scrutineers, so to speak? *Custodies custodiet*. I am not anticipating any watchdogs on this particularly, so we are quite certain to discuss policy; one cannot help it. I think it is intrinsic to the conversation that we first of all know what the policy is. If we disagree with the policy, we can use the regulation, if we are so minded, and the chairman is not adroit enough, to do a little attacking on the legislation. In any of our legislation, or in any of our committees we do that, and some of us have a greater skill in this regard than others. As you develop in this House you come to have a consummate prowess in this particular regard—pretending you are talking about something and not talking about it at all.

I do take exception to and diverge from the position of the amendment before you so far, as it seeks to open the possibility of a deliberate way of re-discussing actual policy.

The second matter which the special committee will scrutinize is regulations to ascertain that they do not contain substantive legislation but are confined to administrative matters.

Number 3, that they do not trespass unduly, or without justification, on personal rights and liberties.

Number 4, that they do not exclude the jurisdiction of the courts except where the governing statute explicitly does so.

Through you, Mr. Chairman, the Attorney General will notice that I have worked in some wording that you will not find in McRuer in some of these sections in order to obviate certain difficulties. In other words, one comes back and says "you cannot do that because that is not the wording in McRuer." But the fact is that he is not letter perfect either, and working on his goodly base you can develop an argument and develop positions.

This is particularly the case in section 4, "except where the governing statute explicitly does so." There are statutes, of course, which do exclude the courts and therefore the regulations would do so similarly.

Number 5, that they do not impose a fine, imprisonment, or other penalty, or shift the onus of proof of innocence on to a person accused in an offence, or impose a tax as distinct from fixing the amount of a licence fee or the like.

Number 6, that they are expressed in precise and unambiguous language.

I think that covers the waterfront pretty well. Garnering up from the various jurisdictions the various headings that they have used, sometimes written right into it, sometimes adopted by way of external guidelines, apart from the legislation as such. This gives the direction that we want this committee to move in; it gives the guidelines. I see no harm in spelling them out; the Attorney General may see no good in doing so. He may say we are going to adopt McRuer surreptitiously anyhow; that the committee all know this and will draw up for private circulation among the members a little leaflet that we will hand out to each other in which we say, "These are our guidelines; this gives us our general picture, these are the self-imposed boundaries upon which we intend to operate, in line with McRuer."

My first reservation on that is whether it is quite legitimate that a regulations committee would be so irregular as all that? I think the committee is perfectly free to constitute its own guidelines. I think those guidelines have to be made; the Legislature has to be made aware of what those guidelines really are. We certainly are not self-constituting in the sense that we set whatever guidelines we please, far from it.

Therefore, since these guidelines are restrictive, since they have a certain universal significance—in other words many jurisdictions have adopted the same guidelines—I see no reason why they should not say so right from the word go and set them out in the statute. The wording here, my friend from Sarnia feels, is restrictive. He is afraid of pulling back the ambit and scope of the committee. I suggest that with the initial wording and the very way in which they are set up this does not occur; that it does give concreteness and balance and purpose and spells meaning into an otherwise fairly vague designation of our powers which is causing some debate in this House—the use of the words "the scope" and "method" of exercising delegate legislation.

As I say, mine is not a formal amendment before this House, nor can it be, but I would sincerely ask the Attorney General to take these remarks into consideration and to see whether they do not add some initiative and scope to his legislation and put some flesh on the bare bones of those clauses, to simply

leave it as it stands is delusory, so far as the discussions of policy that are likely to take place in any case.

I would just wind up by saying my hon. friend from Sarnia seems to me to lack what Cardinal Newman called the illative sense—that you just do not make conscious logical deductions. You know; you must also have the feeling of the thing in your bowels, so to speak, and as you come into areas of discussion, you know illatively when you are on policy and when you are not, deliberately or otherwise. It is a question of developing this sense that will guide our deliberations. If this sense is not too highly developed, we will trespass upon the rules: therefore to have the rules set forth, at least, in some measure in the legislation itself will be a positive good and benefit to the members sitting on that committee as to what their guidelines are.

Mr. Chairman: The hon. member for Halton West.

Mr. Kerr: Regarding the amendment proposed for subsection 3, I think, as the hon. members who have spoken have indicated, the McRuer report deals quite extensively in chapter 26 with what has flowed to this bill. Mr. McRuer has indicated that the private member's opportunity, certainly, until now to review regulations or really have any influence over regulations is very limited if not almost to the point of being nil. However, I think that if one reads through chapter 26, you cannot help but conclude that there is a very solid argument for the present wording of subsection 3. As the McRuer report says:

> The primary function of the Legislature is to make the laws, and is responsible for all laws it makes or authorizes to be made.

And he reviews in chapter 26 the various jurisdictions that have similar legislation. He refers to the United Kingdom where they also set up a committee—and its terms of reference indicate that the committee would not report on the merits of the regulations—and then lists the various functions of that committee. Australia indicates that its committee is only to scrutinize regulations to ascertain certain things. Again there is no consideration of the merits of policy or of objectives, as is referred to in this bill and is excluded from the power of the committee. South Africa implies the same thing as Australia. India indicates that the committee would scrutinize and report to the House whether the powers to make regulations, rules, sub-rules, bylaws, etc., are being properly exercised within such delegation. Manitoba is similar in many respects to what we are proposing here in Bill 125.

I think that in McRuer's recommendations this is the main argument for not supporting the hon. member's amendment. The report says that a small committee tends to eliminate political partisanship from its deliberations. In my opinion, Mr. Chairman, if the committee considers the merits of the policy or objectives to be affected by the regulations, that there will indeed be political partisanship and you might get three different philosophies—at least three different philosophies—which, in my opinion, will seriously dilute the effectiveness of the committee.

Now, on page 377, chapter 26 of the McRuer report, it really deals quite definitively with the reasons why we should not support this amendment:

> The policy of the Act, having been settled by the Legislature after full debate and discussion, ought not to be reopened for discussion in the committee. The merits of the regulations, i.e., an evaluation of the need for them and their efficacy within the framework of the policy approved and provided for by the Act, are matters for which the government is responsible to the Legislature.

Then he goes on to say why this should not in any way be changed. Page 378, recommendation 4(a):

> They should not contain provisions initiating new policy, but should be confined to details to give effect to the policy established by the statute.

Sub-paragraph 8:

> The committee should not have power to make changes in regulations. It should not be a drafting body, but a reporting body. If changes are to be made they should be made by the appropriate authority under the power conferred by the relevant statute.

I think, Mr. Chairman, one thing that we should remember is that this committee, which is being set up to scrutinize regulations, is not the same as a standing committee of the Legislature, which scrutinizes legislation or bills. The standing committees, of course, have partisan debate; we propose amendments and sometimes the legislation

that is considered comes back to this Legislature amended. However, a committee considering regulations may be more like a select committee, and the actual opinion or observation as to policy or objective should not be part of its terms of reference or functions. In my opinion, if it were, it would seriously impede the effectiveness of this proposed committee.

Mr. Singer: Mr. Chairman, I do not know whether the Attorney General is going to outwait me or I am going to outwait him, but since we are in committee, if he draws me back in, I will get in after he finishes speaking once more.

I support the amendment, and it is in line. It goes a little farther than the argument I presented when this bill had second reading, but it is along the same line. My colleague, the member for Sarnia, has convinced me that my argument at the time of second reading perhaps did not go far enough.

What concerns me very much is if we keep in the Act the words "restricting the ability of the committee to examine the policy and the objective of the regulation", that the natural English reading of that phrase would exclude the committee from an ability to determine whether or not the regulation comes within the four walls of the enabling statute. We have had this kind of discussion on other matters before.

The hon. Attorney General will remember our agreement about The Law Enforcement Compensation Act, and we were concerned at that time that the wording as it appeared to be—if you applied the logical English meaning to it—would seem to be very restrictive, and we expressed our concern about that at some length. The Attorney General did not share our concern at that time. He said certainly it is the intent of the government that where someone is injured—perhaps not quite before the policeman arrives but where the policeman is on his way—that probably compensation can be arranged at that time. Now, the Attorney General and I differed at that time on whether or not the Act could be interpreted in that way. Subsequently, the board said, "Well, we are not too interested really in what the Attorney General said in the debate. All we can do is pick up the statute, and look at what it says. That is what the Legislature did; we are restricted by that, and unfortunately we are unable to give compensation to—I have forgotten the man's name—a taxi driver."

It is my same concern, Mr. Chairman, if this statute is passed in the form in which it is presently presented, I have a real fear that the committee will be nothing more than a rubber stamp committee. A government majority very easily can say, "You cannot examine the purpose or the objective of the regulation. Well, that is what the statute says. You cannot look into the purpose or the objective of the regulation." Okay, now that is what the statute says, and if a majority of the committee says that you have to look at the regulation but you cannot look to the policy or objective of it, what then is the committee going to do. The committee is going to look and see if it is drafted in proper English, if it does not break any rules of statutory draftsmanship.

Surely, if the committee wants to take that kind of an attitude, it really is not worth the while of seven members of this House—if that is going to be the size of the committee, and that was the figure I think McRuer suggested—to sit down and check on the work of a parliamentary draftsman. If the parliamentary draftsman's work is so bad that you need a seven-man committee just to see that he is a good draftsman, then the obvious thing to do is to get a better draftsman. It would seem to me, Mr. Chairman, that with the present wording there is a real danger that this committee is not going to be able to do anything more than say, "Yes, it is drafted properly. We put our seal on it." Or, "No, it is improperly done."

This is our worry. I cannot imagine if you take those words out, what the committee is going to say for instance, in relation to a power to fix licence fees by regulation. The Lieutenant-Governor-in-Council says the licence fees should be $10. I just cannot imagine that it would make any sense for the committee to come back and say, "No it should not, it should be $5 or $50."

I do not think that is the purpose and thrust of the argument that we are making or the amendment that my colleague from Sarnia has put forward. What he says now and what I attempted to say on second reading was, if you are going to tie us in with the kind of restriction and with the language that you now have in this section 3, then the committee can be rendered nothing more than a rubber stamp committee. In which case you might just as well not go through the exercise at all.

The Attorney General agreed with my colleague from Sarnia—that this, if it works, it is going to be a significant piece of legislation and I agree with that. If it is going to be really meaningful then surely the committee has to have the ability to say, if the regulation does not purport to fit within the walls of the statute, that the committee has the right, duty and responsibility to come back to the House and say that this regulation just does not seem to belong within this Act.

You see what concerns me so much, Mr. Chairman, and what concerns McRuer, and not just in this section, is that more and more of the powers that belonged to Legislature are being taken up by the Lieutenant-Governor-in-Council under the very broadest possible wording that now finds its way into the regulatory provisions of statute that we see.

I have argued for a number of years about "the powers given to make regulations and any other matters that are pertinent and applicable". The legislative counsel and I disagreed on what that might mean, and Mr. Stone at one stage thoughtfully prepared a three-page memo for me on what his interpretation of it was, and he cited some cases. However, I just wonder if you get a Lieutenant-Governor-in-Council who wanted to extend his powers and if he wanted to seize on a generally worded power to regulate of that kind, and if we are excluded from discussing policy or objectives, whether the committee is going to be able to do anything in a meaningful way.

For those reasons, Mr. Chairman, I think that we have got to support the amendment put forward by my colleague from Sarnia. Hopefully the Attorney General will accept this, because I know it is not his intention, in bringing this legislation forward, that we accept in principle this recommendation as approved, and then set up a committee that is not going to be able to do the job that we all would like it to be able to do.

If we are going to try and reverse government policy—as I say, the licence fee being $10 rather than $5—that is hardly likely to happen, nor is a minority of the committee going to be able to get away with that, but the other thing is right within the four walls of the statute, and this is why we object. Let me just say a word about—

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Chairman, might I just say that in view of the time it would be appropriate to move that the committee rise and report.

Hon. Mr. Rowntree moves that the committee of the whole House rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain bills without amendment, and certain bills with certain amendments, and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow we will consider certain third readings, some second readings; and I understand that His Honour will be available to give Royal assent to certain bills. Thereafter we will continue with estimates.

Mr. V. M. Singer (Downsview): Before that motion is put, Mr. Speaker, the hon. Minister said third readings and second readings, but did not mention committee of the whole House. Was that deliberate or did he mean—

Hon. Mr. Rowntree: We will include the possibility of committee of the whole House tomorrow as well. We will be prepared to go to the order paper tomorrow.

Mr. D. C. MacDonald (York South): Gives us a wider choice.

Mr. Singer: Yes. Mr. Speaker, I raised this before. There are certain matters that concern some of us. I have a deskful of reference material here that I have been holding for three weeks in relation to one bill and two weeks in relation to another one, and you just never know when they are going to be called.

Hon. Mr. Rowntree: This applies to the rest of us. Some of us have been waiting to get on with the—

Mr. Singer: I just wish there was some way that some of us could know, Mr. Speaker, what the likely order of business is going to be. Unfortunately, from the remarks of the hon. Minister there is very little real clue given.

Hon. Mr. Rowntree: I think there is a very real clue, Mr. Speaker. I have said—and I will

repeat what I have said—there will be third readings and second readings and estimates. That is what I said originally.

Mr. MacDonald: I take it that is Social and Family Services?

Hon. Mr. Rowntree: Social and Family Services.

Mr. J. B. Trotter (Parkdale): What about Bills 73 and 74?

Mr. Speaker: I would point out to the members, of course, that the order in setting government matters is up to the government and the government House leader, and I think that he has given everyone sufficient indication today of tomorrow's work.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6.05 o'clock, p.m.

No. 110



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 8, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969



Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 8, 1969

Tabling report, GO-transit service, Mr. Gomme 4119
Corporations Act, bill to amend, Mr. Welch, first reading 4119
Corporations Information Act, bill to amend, Mr. Welch, first reading 4120
Corporations Securities Registration Act, bill to amend, Mr. Welch, first reading 4120
Mortmain and Charitable Uses Act, bill to amend, Mr. Welch, first reading 4120
Workmen's Compensation Act, bill to amend, Mr. Bales, first reading 4120
Highway Traffic Act, bill to amend, Mr. Shulman, first reading 4120
GO-transit and financial aid to municipalities, statement by Mr. Robarts 4121
Death of Angelo Nobrega, questions to Mr. Wishart, Mr. Nixon and Mr. Shulman 4129
Ontario Union of Indians and Indian advisory committee, questions to Mr. Robarts, Mr. MacDonald 4129
Joso Wieder of Blue Mountain Winter Park, question to Mr. Brunelle, Mr. MacDonald 4129
Explanation of tax increases, question to Mr. Robarts, Mr. Ben 4129
Hair sprays containing lacquers, questions to Mr. Dymond, Mr. Ben 4130
Eating chickens and virility of men, question to Mr. Dymond, Mr. Ben 4130
Birth control pill containers, questions to Mr. Dymond, Mr. Ben 4130
Death of Beryl Higgins, questions to Mr. Wishart, Mr. Shulman 4130
Section 20 of Bill 130, questions to Mr. Wishart, Mr. Shulman 4131
Charges against Burwash prisoners, questions to Mr. Grossman, Mr. Shulman 4131
Strike in the Lakehead, questions to Mr. Wishart, Mr. Bernier 4132
Expanded farm programme, questions to Mr. Stewart, Mr. Gaunt 4132
Students studying treatment of mentally retarded, questions to Mr. Dymond, Mr. Trotter 4133
Development proposals for housing projects, questions to Mr. Randall, Mr. Trotter 4133
Building restrictions affecting land values, questions to Mr. McKeough, Mr. Burr 4133
Course, residential councillor—mental retardation, questions to Mr. Dymond, Mrs. M. Renwick 4134
Psychiatrists at Ontario Hospitals, questions to Mr. Dymond, Mrs. M. Renwick 4134
OMB and restricting building permits, questions to Mr. McKeough, Mr. Sargent 4134
Dispute between Metro and local municipalities, question to Mr. McKeough, Mr. Sargent 4135
Fishing licence regulations, questions to Mr. Brunelle, Mr. Sargent 4135
Indian friendship centres, question to Mr. Yaremko, Mr. Stokes 4135
Reduced transportation fares to senior citizens, question to Mr. Haskett, Mr. B. Newman 4136
Royal assent to certain bills, the honourable the Lieutenant-Governor 4136
Establishment, upon an opinion poll by secret ballot of the farmers in Ontario, of a General Farm Organization, bill to provide for, Mr. Stewart, second reading 4136
Estimates, Department of Social and Family Services, Mr. Yaremko, continued 4155
Recess, 6 o'clock 4156

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 8, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: Our visitors today in the east gallery are students from the Ivan Chandler Public School in Windsor, York Humber High School in Toronto; and in the west gallery from Preston High School in Preston. Later this afternoon we will be joined by students from Park Street Collegiate Institute in Orillia.

As has been my custom when one group of legislative pages is about to leave us, I wish to draw to the attention of the members of the House the names and home ridings of those pages who now serve us.

Many of these boys will be leaving us tomorrow. On Monday, we will welcome a new group of pages constituting some boys from the first group who were in last fall and winter and some boys from the group now leaving, together with a considerable number of new boys.

Those who are now completing their tour of duty are as follows: Ronald Bujould, Toronto, from the riding of St. Davids; Ollie Bush, Scarborough, from the riding of Scarborough Centre; Brian Cook, Toronto, from the riding of Eglinton; Richard Dadd, Glencoe, from the riding of Middlesex South; Richard Deacon, Unionville, from the riding of York Centre; David Donnan, Toronto, from the riding of Humber; David Duffus, Wallaceburg, from the riding of Chatham-Kent; Brian Elliot, Puslinch, from the riding of Wellington South; David Ginther, Scarborough, from the riding of Scarborough Centre; Brian Green, Toronto, from the riding of Eglinton; Paul Harbridge, Gravenhurst, from the riding of Muskoka; David Hooke, Peterborough, from the riding of Peterborough; Bruce MacTavish, Willowdale, from the riding of York Mills; Neil MacDonald, Willowdale, from the riding of York Mills; David Newton, Islington, from the riding of York West; Stephen Pape, Belleville, from the riding of Quinte; Marc Pariser, Port Colborne, from the riding of Welland South; Thomas Sawyer, Weston, from the riding of Etobicoke; Douglas Thomson, North Bay, from the riding of Nipissing; Rodney Walker, Kempville, from the riding of Grenville-Dundas; Seth Walker, Peterborough, from the riding of Peterborough; Harold Weigeldt, North Bay, from the riding of Nipissing.

I am sure that the members will join me in expressing their appreciation to these boys.

Petitions.

Presenting reports.

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I wish to table a report on the evaluation of the GO Transit rail commuter service. This report also contains considerations of the alternatives for future expansion.

As the Prime Minister (Mr. Robarts) will be delivering a statement on transportation matters within a few minutes, I shall not deal with the report's contents. Members who wish a copy of the report may obtain it by contacting my office.

Mr. Speaker: Motions.

Introduction of bills.

THE CORPORATIONS ACT

Hon. R. S. Welch (Provincial Secretary) moves first reading of bill intituled, An Act to amend The Corporations Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: Mr. Speaker, this bill amends The Corporations Act in three main aspects. First, it is complementary to provisions in The Securities Act, 1966. Secondly, it is complementary to amendments to The Insurance Act contained in Bill 92: An Act to amend The Insurance Act and thirdly; it changes the references to the Provincial Secretary in the Act to the Minister designated by the Lieutenant-Governor-in-Council, to administer the Act.

Section 75(d) of The Corporations Act is brought into line with section 103 of The Securities Act, 1966. A new section which is complementary to section 141(a) of The Securities Act, 1966, provides a procedure for applying to a judge for an order compelling

compliance of the requirement for furnishing insider reports and for furnishing proxy forms and information circulars respecting proxies.

The amendments complementing Bill 92, An Act to amend The Insurance Act, extend the powers of Fire Mutual Insurance Corporations to undertake liability insurance in respect of persons and property insured against fire and provisions are made for re-insurance.

An amendment to section 224 of The Corporations Act will clarify the intent that the payment for the qualifying shares for a director of a joint stock insurance company is paid into the capital account of the corporation.

Mr. V. M. Singer (Downsview): Mr. Speaker, would the Minister permit a question before he introduces the second bill? Does section 1 imply that the government is abandoning its role in corporations?

Hon. Mr. Welch: I think the question—

Mr. Speaker: I would point out that we agreed on Mr. Speaker's ruling some time ago that there would be no questions or debate of statements on the introduction of bills.

The hon. Provincial Secretary has the floor.

THE CORPORATIONS INFORMATION ACT

Hon. Mr. Welch moves first reading of bill intituled, An Act to amend The Corporations Information Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: Mr. Speaker, I have two other Acts for which the same explanation will apply.

THE CORPORATIONS SECURITIES REGISTRATION ACT

Hon. Mr. Welch moves first reading of bill intituled, An Act to amend The Corporations Securities Registration Act.

Motion agreed to; first reading of the bill.

THE MORTMAIN AND CHARITABLE USES ACT

Hon. Mr. Welch moves first reading of bill intituled, An Act to amend The Mortmain and Charitable Uses Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: Mr. Speaker, the last three bills introduced are complementary to the references made to The Corporations Act. These amendments have changed the references to the Provincial Secretary to the Minister designated by the Lieutenant-Governor-in-Council for the purposes of their administration.

THE WORKMEN'S COMPENSATION ACT

Hon. D. A. Bales (Minister of Labour) moves first reading of bill intituled, An Act to amend The Workmen's Compensation Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, this bill raises the minimum payments made under The Workmen's Compensation Act to workers who have suffered total or partial disability as a result of occupational accidents. It will establish a minimum pension of $175 a month for all workers who are permanently and totally disabled. At present the minimum is $100 a month.

Mr. E. Sargent (Grey-Bruce): Thanks to the Opposition.

Hon. Mr. Bales: Related to this, minimum pensions for permanent partial disability will be paid on a directly proportionate basis. In addition, the bill raises the minimum payment basis to workers who suffer temporary total disability from $30 to $40 a week, or actual earnings at the time of the accident if these are less than $40 weekly. These minimums, Mr. Speaker, will be the highest in Canada and they will apply to existing pensions as well as those which will be paid in the future. I am advised that this amendment will mean increases for more than 7,400 pensioners at a cost to industry of more than $1,200,000 annually for the next ten years.

The other provision of the bill is designed to give statutory protection to those providing reports and communications of a medical nature to the board insofar as any proceedings outside of the board may be concerned.

Mr. G. Ben (Humber): You can still get more from unemployment insurance. You are still cheapskates!

THE HIGHWAY TRAFFIC ACT

Mr. M. Shulman (High Park) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, the purpose of this bill is to require motor buses used on highways to have safety belts.

Mr. Speaker: The Prime Minister has a statement.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, in connection with the report dealing with the commuter railway service, GO Transit, which the hon. Minister of Highways has tabled, I should like to make several comments. I should also like to refer to provincial financial assistance to municipalities for the provision of local road systems and subway construction.

This is a rather long statement and perforce I will have to read it; I beg your indulgence when I do so, but it is a matter of some importance I think to the members of the House and to the public.

The hon. members will recall that when the government undertook the experimental, demonstration commuter project along the lakeshore corridor, it was understood that it would take between two and three years of full operation before a comprehensive evaluation could be completed. However, the immediate public acceptance of GO Transit and the widespread publicity attached to it stimulated demands for its early expansion to other communities. This prompted the government to carry out an evaluation on the basis of the first year of full service rather than the original longer period. This one-year evaluation has now been concluded.

The evaluation has resulted in a number of important conclusions which will be valuable as we move toward a balanced transportation system in this and other densely populated regions of Ontario.

GO Transit was designed to test the effectiveness of a rail commuter service in reducing congestion on parallel highway facilities. It was felt that measurable reductions in the use of adjacent highways, brought about by efficient and attractive public transportation service, could result in large savings in construction and maintenance of expensive highways. During the 12-month period of the evaluation, a total of 4.5 million trips were made on GO Transit. Weekday trips averaged 15,100, Saturday trips 5,300, and Sunday trips 2,500.

In measuring the effectiveness of GO Transit, it was estimated that an additional 450 vehicles would have used the Queen Elizabeth Way at the peak of the rush hour had there been no such service. To put it another way, these cars represented nine per cent of the measured volume of 4,700 vehicles which passed Etobicoke Creek at the evening rush hour in April, 1968. At this point the Queen Elizabeth Way has a theoretical capacity maximum of 5,300 vehicles an hour and has experienced an annual growth rate in traffic of six per cent in recent years. Therefore, the conclusion suggested is that the operation of GO Transit delayed by between one and two years the point at which the capacity of the Queen Elizabeth Way would have been reached.

To the east of Toronto it was estimated that GO Transit has reduced the volume of traffic moving into the city during the heaviest part of the morning rush hour by approximately 750 vehicles. This would represent 17 per cent of the measured peak volume of 4,300 vehicles using Danforth Avenue, St. Clair Avenue East and Kingston Road. However, unlike the Queen Elizabeth Way, it is not possible to measure with any degree of accuracy the normal increase in traffic that would have occurred on any one of these streets.

In evaluating the effectiveness of GO Transit, it must be taken into account that 20 per cent of the riders indicated in a survey that they had moved into the lakeshore corridor because the commuter service would be available. Surveys also showed that the convenience of access of home and work locations to GO Transit stations is an important factor in determining whether the service is used. As many as two-thirds of GO passengers live and work within a short walk of their origin and destination stations. The share of the market by GO Transit decreases proportionately as this convenience factor decreases.

Another factor that surveys revealed was that the GO Transit share of all trips in the lakeshore area tended to increase as the distance from Toronto increased. It is concluded that the increasing availability of alternative public transportation in the Metropolitan Toronto area has a pronounced effect on the volume of rail commuter passengers.

Mr. Speaker, the results of the surveys I have just mentioned are highly significant in the consideration and planning of any medium —or long-range commuter services. The necessary interaction of all parts of the transit package is evident from these results, and therefore the government will be seeking the co-operation of all local agencies in providing as co-ordinated a public transit service as possible within this region.

Before turning to the possibilities for expansion of the GO Transit service, I should like to review briefly the financial aspects of establishing and operating the present service. The total capital cost amounted to $24.1 million. This included $8 million, which was the government's share of the total cost of adapting the track and signal system to accommodate the service; $4.6 million for installing stations and parking lots, platforms and underpasses; and $11.5 million for the purchase of rolling stock, including an additional 14 cars delivered last Fall.

The operating costs for the first year of full operation ending on August 31, 1968, was $5,128,000. Revenue totalled $2,524,000, leaving an operating deficit of $2,604,000 which was covered by the government of Ontario.

While there is no doubt that the cost of operating and subsidizing the GO Transit system along the lake shore corridor is substantial, I should like to assure the House—and I would like to assure the users of the service—that the government considers GO Transit to be a success insofar as the public acceptance is concerned. The service will be continued, and we are looking at methods by which we shall meet future passenger volumes.

The report which the Minister of Highways tabled today estimates that with continued residential development along the lake shore route, the peak riding capacity of the present service could be reached within three years. A further increase in capacity could be achieved in either of two ways: by operating more trains, which might require additional capital expenditure for track modification and certainly funds for additional equipment; or, by increasing the capacity of the present trains through the introduction of doubledeck coaches for use in periods of peak demand.

The extension of the service eastward from Pickering to Oshawa, according to Canadian National Railways estimates, would require an expenditure of $12 million for track and signals. A further investment of approximately $2 million would be required for construction of station facilities and additional trains. An alternative that would not require large capital investment would be the introduction of a shuttle bus service between Pickering, Ajax, Whitby and Oshawa. This is being explored.

The financial aspects of extending full service westward from Oakville to Hamilton are even more disheartening. At present about 250 weekday trips are being made on the four trains serving Bronte, Burlington and Hamilton. It is estimated that another 700 to 800 trips would be made if the service were extended. However, the Canadian National Railways estimates that an additional capital expenditure of $30 million would be required for tracks, bridges and signals between Burlington and Hamilton.

That is almost four times the capital expenditure on track and signals required to begin operating the present service. A further expenditure would be required for extra rolling stock. Operating costs would be increased significantly. Here again a bus shuttle service between Oakville, Bronte, Burlington and Hamilton may provide a feasible solution.

Mr. Speaker, since GO Transit began to operate, we have had many requests for extension of the service to other areas of the Metropolitan region. An inventory of all the rail lines in the Metro region was carried out in 1963. It was stated at that time that certain levels of service could be introduced on lines other than the lake shore without substantial alterations to track and signals. This inventory has been brought up to date. Traffic conditions on several of these lines have changed substantially since the original 1963 study.

I should like to present to the hon. members details of the appraisals of these lines. In doing so, I should like to emphasize that the evaluations were made on the basis of information from several sources. For example, the costs of necessary alterations to track and signals were provided by the railway companies.

Operating costs were estimated from the experience gained with the lake shore service. Revenues were based on the existing GO Transit fare structure. The estimated numbers of weekday trips were obtained from home interview surveys carried out as part of the Metropolitan Toronto and Region Transportation Study and updated to reflect present-day demands.

The estimates included in the following six alternatives are based on the provision of a full service of trains every 20 minutes in peak periods and hourly at other times. This would be similar to the service in the lake shore system.

1. It is estimated that the 29-mile CNR line serving Weston, Malton, Bramalea, Brampton and Georgetown would attract in excess of 8,700 trips each weekday. The capital costs would amount to an estimated $30 million for track and signals and a further $10 million of rolling stock. The estimated

operating deficit would be $1.4 million annually.

2. The CNR line serving a 34-mile route linking Maple, King City, Aurora and Newmarket would require a capital expenditure of $26 million on track and signals and $9.6 million for station facilities and rolling stock. It is estimated that the number of weekday trips would be more than 7,200. There would be an annual operating deficit of $2 million.

3. Another possibility for serving the area north of Toronto is a combination of Canadian National and Canadian Pacific track to serve Leaside, Oriole, Thornhill, Richmond Hill, Gormley and terminate at Wesley Corners, east of Aurora. The estimated cost for signals and adapting 30 miles of track is $16 million. An additional $9 million would be needed for station facilities and rolling stock. It was estimated that this line would attract 6,500 weekday trips. The annual operating deficit would be $1.7 million.

Mr. Ben: It sounds as if the railroads are trying to take the government for a ride.

Hon. Mr. Robarts: We have investigated this pretty thoroughly, Mr. Speaker, and I can assure the hon. member that we are aware of the suspicion or the fear that he might have, but we have been working with the railway on GO Transit for some years and all these matters have been taken into consideration.

4. A further possibility is the linking of these two lines by building five miles of track between Gormley and Aurora. This 36-mile line would provide service to Thornlea, Thornhill, Richmond Hill, Aurora and Newmarket. However, south of Thornlea this line would compete with the extended Yonge Street subway. It is estimated that this route would attract 6,700 weekday trips, have an annual operating deficit of $2.2 million and require a capital expenditure of $27 million.

Mr. Sargent: Where is the government going to get the money?

Hon. Mr. Robarts: Mr. Speaker, the hon. member obviously does not understand what I am trying to present to the House. These are investigations—

Mr. Sargent: I understand that this drain has got to stop.

Mr. Speaker: Order!

Hon. Mr. Robarts: This is a report, Mr. Speaker, of certain investigations we have made and we are presenting them to the House and to the people so that they may see for themselves what is involved in these various alternatives that I have presented.

5. A fifth route that was investigated was a section of CPR line between Milton and a terminus at Islington near the end of the Bloor Street subway line. This 24-mile route would provide direct subway access to residents of Erindale, Streetsville and Milton. The estimated number of weekday trips would be about 4,400. The annual operating deficit would be $1.6 million. Capital costs are estimated at $5 million for tracks and signals and $6.6 million for station facilities and rolling stock.

The 1963 inventory indicated that limited service could be introduced along the Georgetown and Newmarket lines with little modification of existing facilities. The CNR now advises that due to changing circumstances even a limited service could not be accommodated without substantial reconstruction of the track.

An evaluation was also made on the other three lines with a view of providing a limited service of three trains in the peak periods during the working week with no service on weekends. Because such a service would not provide much flexibility, the estimates of patronage were considerably reduced. In the case of the Newmarket line, via Richmond Hill, the number of weekday trips was estimated at 2,800. Capital costs would involve $2 million for tracks and signals and $7 million for equipment and station facilities. Such an operation would have an estimated operating deficit of $210,000 per year.

Limited service on the line which would terminate at Wesley Corners would involve a capital expenditure of $7.4 million and an annual operating deficit of $130,000 based on approximately 2,750 trips per weekday.

Limited service on the Streetsville line would require $5.3 million in capital costs. The annual operating deficit on 1,900 weekday trips was estimated at $170,000.

6. An evaluation of limited service was also made on two other lines: the CNR line to Stouffville and the CPR line to Locust Hill, east of Markham. These lines were considered only for limited service because passenger estimates were low. It was estimated that a total of $4 million would be required to provide a limited service on the Stouffville line. A total of $2.8 million would be required on the CPR line if service terminated at Malvern or $3.2 million if it terminated at Locust Hill. While the patronage estimates

do not justify service at this time, proposed future development in both the Stouffville and Malvern areas could alter this.

Mr. Speaker, the evaluation of the various routes for possible expansion of GO Transit to other areas of the Metropolitan Toronto region is contained in the report which was tabled today and is available to those members who choose to read it. I should like to draw to the attention of the hon. members three main points which should be considered in any plans for future expansion. These are:

1. GO Transit should be planned as part of the overall future transportation requirements of the region;

2. This comprehensive transportation plan should be an integrated part of an overall development plan for the region and for the province; and

3. Accepting the need for long-term planning, consideration should be given to public transportation modes other than those operating on existing railway rights-of-way.

In amplifying the third point, the report notes that the use of existing rail lines for expansion has certain disadvantages. All the possibilities for full GO Transit type service contained in the report require a total government expenditure for right-of-way improvements totalling $94 million. Yet the right-of-way would still be owned by the railways. All decisions regarding the scheduling of trains would have to be approved by the railways and would, of course, have to fit in with the other traffic they are carrying.

One alternative would be the purchase of new rights-of-way for rail commuter services. This would be extremely expensive. As another alternative, the report recommends that an investigation be made into the possibility of making use of highways and Ontario Hydro rights-of-way as possible routes for public transit.

The potential choices of mode include conventional rail service, express bus service on an exclusive right of way, monorail, and an air cushioned train system now under development.

Some of the routes listed in the report as worthy of consideration are the proposed extension of the Don Valley Parkway, to be known as Highway 404, which will run to the east of Newmarket, and the proposed Highway 407 which will extend from Highway 27 to Markham. Any plan to enlarge Highway 400 would provide a third possible route. In time, service could be routed directly to the downtown area via an extension of Highway 400 or through the Don Valley, or a combination of the two.

As an example of possible use of Ontario Hydro property, the report suggests the right of way just north of Finch Avenue which, it says, could be used in conjunction with one or more highway routes, to link a transit system with the Toronto Transit Commission's Yonge Street subway.

Mr. Speaker, I have dealt with the GO Transit evaluation and expansion report in some detail so that there can be no misunderstanding of what is involved in developing and extending rail commuter services. While subscribing to the proposition that efficient forms of public transportation are an integral component of a balanced transportation system, and while each of these suggested routes for expansion of GO Transit remain under consideration as possible solutions, the government cannot accept a programme of such extremely high initial and continuing cost without first examining alternative routes and modes. This we are now doing and will be doing in a concerted manner in the months ahead.

As an example, we are vigorously investigating the possible multiple use and joint development of transportation and service corridors. The concept of concentrating different forms of transportation and the major public utility systems such as water, sewage, power and communications, within the same land corridors, holds great possibilities. If feasible, it could mean a reduction in the publicly held land required for the future and greater economic use of lands that have already been acquired.

Both the GO Transit project and the MTARTS Study, as well as the current evaluation of MTARTS proposals, have demonstrated that there is a need for long-term, comprehensive planning of the transportation requirements for the total province and, in particular, the major urban areas.

This transportation planning must encompass the movement of both people and goods. And, while the report tabled today deals primarily with the movement of people, the government of Ontario is no less concerned about the emerging problems facing the movement of goods within and between our population centres.

The full-scope studies that are being carried out as a result of the MTARTS report and the planning studies required by regional governments will be analyzed on the basis of desirable development. Recommendations will

be made to accomplish the overall result from the standpoint of transportation.

To assist local authorities to evaluate immediate and long-term transportation requirements within the planning objective of regions, the government of Ontario, through The Department of Highways, will provide financial assistance to cover a generous portion of costs of studies. The present 75 per cent subsidy that has been available for studies of roads, streets and highways at the local level will be extended to cover all aspects of transportation.

In the course of its review of transportation, Mr. Speaker, the government examined another problem that has contributed to some degree to the transportation congestion that is being experienced by some urban areas. That, of course, is the financing of local road construction.

The matter of subsidy for approved municipal projects has been under study from various aspects in an attempt to devise a more equitable subsidy framework that would meet changing conditions. The present subsidy rate from The Department of Highways is 33⅓ per cent for cities and separated towns.

The government has recognized for some time that this formula as applicable to cities and separated towns has grown deficient in the light of increasingly higher costs that have been experienced in road construction. In order to maintain our road transportation facilities at a continuing high level of efficiency, the government proposes to increase the subsidy rate to 50 per cent. Therefore, half the cost of approved municipal road projects will be financed by the province and the other half by the municipal authority.

This new rate will also apply to the subsidy that the province has made available for subway construction in Metropolitan Toronto. In recognition of the need for public transportation in this densely-populated area, by amending The Highway Improvement Act in 1963, the government stipulated that a number of items involving construction of the subway roadbed would be eligible for the one-third subsidy. The additional funds this change will make available will further encourage expansion of this form of public transit.

The necessary legislation will be introduced to bring this new rate into effect in the next fiscal year. The additional funds required will be made available in the budget of The Department of Highways. Thus, a considerable sum of money will be available to municipalities across the province to assist them in meeting their transportation problems.

Mr. Speaker, the government of Ontario recognizes the need for an integrated, total approach to the emerging problems of transportation in our heavily-populated urban centres. I use the word emerging because transportation experts agree that in our early recognition we have the capability of dealing with them before they grow to overwhelm our expanding communities.

We can take advantage of the lessons of the experiences of the great cities of the world. We are prepared to take the bold approach to find the right answers while we still have time on our side. We have done this in the GO Transit experiment, and it was, believe me, an experiment. But the experience in this service has not satisfied us that this is any more than one element in the ultimate solution.

The high level of investment required for mass transportation systems of any kind necessitate that the fullest investigation be carried out to prove their economy and effectiveness. The money that we are prepared to make available in our search for acceptable solutions will, we are confident, be a wise investment that will ensure greater value for our transportation dollar.

The approach we have adopted in Ontario is a logical approach we think to bring about orderly development of the province and, in particular, our highly populated areas.

Mr. F. Young (Yorkview): Mr. Speaker, could I ask a question, for clarification, of the Prime Minister? In the paper which the Prime Minister has just read, he mentioned that the new subsidies for highway and for subway construction within cities would be available next year.

Does that mean that the present construction going on in the north Yonge subway, for example, and the Spadina Expressway, would not be eligible now? In other words, if it is not paid now it might pay these municipalities to defer action and therefore, slow the whole thing down for a period of time.

Is it possible that this can apply to present construction?

Hon. Mr. Robarts: One has to pick a time somewhere in any plan such as this and you have to be arbitrary. You have to have a plan when it starts. This might affect the planning in some areas differently than in some other areas but when the expenses are incurred, they will be eligible for the subsidy beginning with the next fiscal year.

We will leave this to the ingenuity of those who are planning these facilities. As I say, however, one of the great difficulties, of course, in this province is the great diversity we have from one border to the next, east and west and north and south.

We do not have comparable conditions in all our urban centres. They all have to be dealt with in a different way and have to be dealt with by the local authorities who are best fitted to see the requirements and needs of that particular area.

Therefore, we must pick a certain date and say from that date on we will meet this, as I have said here. But, generally speaking, I would say that the planning for most of these facilities takes sufficient amount of time and knowing that this is coming next year the planning will be done now, because very few of these things are accomplished without, in many cases, several years of forward planning. We make this announcement now, so that as the municipalities plan ahead they will know that this additional financial assistance will be available to them.

Mr. Young: Mr. Speaker, the problem that I am not sure the Prime Minister met, was the fact that—

Mr. Speaker: The hon. member is trying to make a statement. If he has a question he can ask for clarification.

Mr. Young: Then if I could phrase it in the form of a question:

Does the Prime Minister not fear that this matter of deferring until the first of next year will slow down, in fact frustrate, some of the construction which might go forward now, and that, if the present date were set, the date of the announcement would speed up construction, and solve some of the problem?

Hon. Mr. Robarts: Mr. Speaker, I suppose, if we carried that argument to a logical conclusion, we would just say we will pay 100 per cent and everything will be done at once.

But the point really is that planning is going ahead, and I would have to check into the precise period of where the present facility is that the hon. member is speaking about in terms of planning. But the months go by. There are only ten months left in this fiscal period, and I think—as a matter of fact, I would be of the opinion that this will encourage forward planning—will encourage greater development in the future. If you start to plan now, you will be ready to do your construction when the additional subsidy is availing.

Now I know what the hon. member means. I understand precisely what the hon. member means. He would like us to say—

Mr. Singer: They are constructing the subway right now.

Hon. Mr. Robarts: He would like us to say, as of today we will pick up whatever the expenses are. Well it is difficult to do that.

Mr. Singer: More than just him, a lot of us would!

Hon. Mr. Robarts: It is difficult to do that in the total planning of government expenditures.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: Would the Prime Minister care to clarify—before we take a bite into this projected $100 million programme, looped around Metro here—he has always been saying he would give like treatment to the rest of the province in rapid transit, or a like amount of money—

Mr. Speaker: Is the hon. member going to ask a question?

Mr. Sargent: Will the Prime Minister clarify for me, sir, for one who does not understand the equalizing factor to the rest of the province, in view of the fact you have spent "X" millions of dollars here. We do not know how much. What is the equalizing factor to the rest of us across the province in this programme?

Secondly, Mr. Speaker, what is this projected increase to 50 per cent? What is it going to cost next year to raise the subsidy from one-third to 50 per cent?

Mr. Speaker: The hon. member's second question is not a question for clarification.

Mr. Sargent: All right. The question is very important.

Hon. Mr. Robarts: Mr. Speaker, you have to look at the philosophic approach which is how one goes about governing a province as large as Ontario which has within its—

Mr. Sargent: Well, sir, the Prime Minister has always said—

Mr. Speaker: Order!

Hon. Mr. Robarts: —within its boundaries such a great diversification of structure, concentrations of population, needs, and requirements; and what we attempt to do is to see that each area of the province is developed according to its particular needs.

Now the hon. member must realize that it would be impossible for us to attempt to separate out, all the tax revenue that is raised in the Toronto area, and to make sure that all that was spent right in the Toronto area; and none used any place else.

We will look after each area in the province as we see its needs, and, if we are to have a province, we use an equalizing, not a formula such as we use in the federal—

Mr. Sargent: The government is doing those 15,000 to 25,000 people out of millions of dollars—

Mr. Speaker: Order!

Hon. Mr. Robarts: We have, at the federal-provincial level, an equalizing formula developed by which this province contributes sums of money to other parts of Canada that are not as wealthy as Ontario may be. Now we practice the same form—

Mr. Sargent: Just stick at it.

Hon. Mr. Robarts: —same form of equalization within the province because we—

Mr. Ben: The government does not give half enough to Toronto.

Hon. Mr. Robarts: Well, fight that out with him! I would like to see these two, preferably not in this chamber, but some place—

An hon. member: In a dark room!

Hon. Mr. Robarts: Mr. Speaker, the hon. member raises this question periodically and I am quite happy to answer it. The changes that we are making in the subsidy rates will benefit his municipality, and, I realize, his mind does not get much beyond the municipality he represents, and that is the proper thing.

He sees the problem that way but when you govern, as I say, a province as diverse as this one is, you cannot of course, treat every section of the province in precisely the same way.

I will just give you an example. When we were building Highway 401, for instance, there was a great outcry in the Chatham area, similar to the remarks made by the hon. member, that all the money was being spent in Toronto and none down there. So the Minister of Highways of that day went to Chatham and he made a speech, and he dug out the statistics, which proved rather conclusively that there was more money being spent per capita by the province on highway construction in the Chatham area than there was in Toronto.

Interjection by an hon member.

Hon. Mr. Robarts: Just a minute, it only needed the amount of time it took for him to get from Chatham to Toronto when he had to face that question here. Why do you not equalize Toronto with Chatham?

I use this simply to illustrate the futility of attempting to think that you can finance the development of a province on the basis suggested. If you did, you would have to divide the province, I suppose, into "X" number of regions and then take all the tax revenue—provincial tax revenue produced in that area—and make sure it was spent there and have no overflow.

Of course, the whole thing would be completely ridiculous. We have to govern the province as a whole. We attempt to do so. We think that the formulas we devise are fair to all the people in the province. This is one of the problems involved and I will have a question here, when we get to questions. But these are the problems involved in attempting to administer a government, and a wonderfully-magnificent diverse province such as this is.

Mr. Speaker: The hon. member for Oshawa has the floor.

Mr. C. G. Pilkey (Oshawa): Could I ask a question on one point? The Prime Minister indicated that the cost of extending the GO system from Oshawa to Pickering would cost something in the neighbourhood of $12 million, and an additional $2 million for stations. Then, he pointed out that an alternative could be a bus shuttle system—

Mr. Ben: GM buses?

Mr. Pilkey: General Motors buses, thank you, a shuttle system taking in Oshawa, Whitby and Ajax. He also pointed out that this alternative would not require a large capital expenditure. If that being the case, and the alternative looked like the logical—

Mr. Speaker: Order!

Mr. Pilkey: I am asking a question.

Mr. Speaker: Yes, I was just going to enquire when the hon. member was going to come to his question.

Mr. Pilkey: Well, I am coming to the question right now, if you will just wait a moment. If the alternative is the logical one—in view of the fact that it is not a large capital expenditure—would this be given a priority?

Mr. Speaker: The hon. member is not asking a question for clarification of the Prime Minister's statement. He is merely asking for an elaboration on the statement, and I rule that question is out of order.

Hon. Mr. Robarts: Mr. Speaker, if the House would consent, I realize that these matters are important, and—

Mr. Speaker: I am sure the House is agreeable.

Hon. Mr. Robarts: If the House is agreeable, I would simply say to the hon. member that in this report we are trying to present the various alternatives, and, of course, the shuttle bus service has a great appeal because it is not as expensive. But, once again, it has to be investigated. Because the real secret to public transport, as we found out with GO Transit, is to develop a service that is attractive to the public.

If they will not use it, then it does not matter how efficient it may be in terms of the simple movement of people. We want to go into this bus proposal very, very carefully. For instance, you might have to have express buses that simply would not stop all along the way: you get on at one spot, and you get a fast ride to connect with the rapid transit.

These are some of the things that we are looking at; and we are looking at them because we are anxious to extend this service, but we think there is more than one way of doing it.

Mr. R. F. Nixon (Leader of the Opposition): Since the Prime Minister is interested in giving further information on his statement, I wonder if he could clarify his remarks having to do with a 75 per cent level assistance for any municipality that is concerned with making a transportation study as the matter affects their own locality.

I thought he indicated that he was prepared to go beyond 75 per cent. I forget the phrase he used—"and I could perhaps turn it up", something like that almost—in answer to a criticism that the Prime Minister felt might have come to him from one part of the House, that he was not considering the problems elsewhere in the province, that he was prepared to substantially finance studies in other parts where these problems were obviously of great and growing importance.

Hon. Mr. Robarts: No. That is why we are increasing this 75 per cent subsidy. What we are doing is to extend it. The present 75 per cent has been available for studies of roads, streets and highways.

Mr. Nixon: The government is extending that?

Hon. Mr. Robarts: We are extending it to all aspects of transportation. This would mean, in other centres, the study of what might be done to develop mass public transportation, as opposed to deciding where you are going to put roads and streets. In other words we lead in to wider studies right across the province of tranportation studies *per se*, instead of just, as it presently is, roads and streets.

Mr. Nixon: This of course would leave 25 per cent responsibility at the local level, which may be necessary, but I wonder if it would not be possible for a study similar to this but with the emphasis on the different aspects of problems that are found, not in the metropolis concerning three million people, but in a city like Ottawa, where they have a continuing problem. Why could the province not undertake a study that would have, let us say, a general application to problems of that type, and I guess there are probably eight or ten of them across the province.

Hon. Mr. Robarts: I think I understand what the leader of the Opposition means and this, frankly, I would say, would be the next step that we would get into. But you learn as you go along in many of these things. We started with the MTARTS study, and from that we learned a great deal. We went from there to the development of GO Transit, as an experiment and we have learned a great deal from it. Now, we have gone this far at this precise moment in time, and I do not doubt for a moment that we will be into the type of study that the hon. member is indicating, but not at this stage of the game.

Mr. Nixon: But the study that was tabled by the Minister of Highways was 100 per cent a provincial study, I understand.

Mr. Speaker: The hon. leader of the Opposition has a question of the Attorney General, I understand.

Mr. Nixon: Yes, Mr. Speaker, I want to ask the Attorney General if he would explain why there is a delay in calling an inquest into the death of Angelo Nobrega.

Mr. Speaker: I wonder if the hon. member for High Park could place his similar question at this time.

Mr. Shulman: To the Attorney General, Mr. Speaker. In view of the extreme anxiety among the Portuguese community and others, will the Attorney General arrange an earlier date for the inquest into the death of Angelo Nobrega?

(2) Why is it now taking so much longer to arrange inquests than it was under the former management?

Hon. A. A. Wishart (Minister of Justice): The second part of the question is based on a false premise. It is not so. Mr. Speaker, I had already taken this matter under consideration. New dates have been arranged, May 22 and 23.

Mr. Speaker: The hon. member for York South.

Mr. D. C. MacDonald (York South): I have two questions, the first to the Prime Minister. In view of Chief Nadjiwon's resignation from the advisory committee, will the Prime Minister move immediately: 1. To meet the request of the Ontario Union of Indians for $54,000 to finance field officers who can gather the necessary information for shaping realistic policies, with Indians playing a critical role in the decision making?

2. To reconstitute the Indian Advisory Committee on a more meaningful basis?

3. To reconstitute the interdepartmental committee as a Cabinet committee, responsible directly to the Prime Minister, operating with a full-time executive officer who will have the status of a deputy Minister?

Hon. Mr. Robarts: Mr. Speaker, in reply to the first part of the question, the request of the Ontario Union of Indians for $54,000, that is presently under consideration by the government and this consideration will continue. And I might say that the decision of the government will not be influenced in any way by the resignation which the hon. member mentions. The resignation is the kind of thing that happens and it will not have any effect on the decision of the government.

The reconstitution of the advisory committee on a more meaningful basis—we think it is presently functioning on a meaningful basis. There has been a resignation from it but that does not mean that the committee itself is not functioning.

Mr. S. Lewis (Scarborough West): They almost resigned en masse.

Hon. Mr. Robarts: I have no intention of reconstituting the interdepartmental committee on the basis as set out in the third part of the question.

Mr. Speaker: The hon. member has not completed his questions yet.

Mr. MacDonald: I am sorry, Mr. Speaker.

To the Minister of Lands and Forests: Has the government been approached by Joso Wieder, owner of the Blue Mountain Winter Park eight miles from Thornbury, with regard to this well-developed facility being established as a public park? If so, what has been the government's response?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for York South; yes we have been approached by Mr. Wieder. This matter was recently discussed at one of the last meetings of the Ontario Parks Integration Board, who agreed that as long as the establishment was operated in a satisfactory manner and remains open to the general public the province should not purchase the interests.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: Mr. Speaker, I have a question of the hon. Prime Minister. Does the Premier —I apologize—does the Prime Minister plan to send out his own explanation of tax increases if the Metro Toronto Council or city council sends out a pamphlet to metro taxpayers blaming the provincial government for the increase?

Hon. Mr. Robarts: Mr. Speaker, the hon. member does not need to apologize when he calls me the Premier. He might get together with his leader and then they could have a common approach.

Mr. Sargent: He should enjoy it while he can, Mr. Speaker.

Hon. Mr. Robarts: I do not think that I have my own personal explanation, indeed I do not know who would be interested in it. I have not seen this pamphlet but I read about it in the paper this morning. We will look at it, of course. We are used to having the blame for all sorts of things put on our

shoulders and we will see what this particular statement says when I have an opportunity to read the pamphlet and then decide how we might deal with.

Mr. Ben: Thanks, Mr. Prime Minister.

I have a question, Mr. Speaker, of the Minister of Health. Will the Minister set up a body to study the effects on the lungs of the constant use in closed spaces of hair sprays containing lacquers? I dare say it could apply to other spray items.

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, I do not think such a study group is necessary, because much work is being done in this area already and all the results are available to us.

There has been a good deal of clinical observation of people exposed to fairly heavy concentration of these various aids to beauty —I presume they are—and there has been nothing to indicate they were suffering unusual respiratory infections or diseases.

Mr. Ben: Will the Minister accept a supplementary question? This question has just occurred to me after watching some of this stuff used. Could the Minister make available to the members that desire it this body of information that the Minister indicates is available?

Hon. Mr. Dymond: I suppose I could, Mr. Speaker, but it is available in any medical library to anyone who wants to read it.

Mr. Ben: Well why not make it available to us?

Hon. Mr. Dymond: I will hunt up some of the papers and give them to the hon. member.

Mr. Ben: I have another question, Mr. Speaker. Has the Minister given any consideration to the report of May 5 in many of the Toronto newspapers that the eating of chickens which have received chemicals used to fatten them may adversely effect the virility of men?

Hon. Mr. Dymond: I am not sure, Mr. Speaker, if he is referring to chicken man or not. But really, sir, I have not noted that there was any decline in the virility of men in Ontario or in Canada.

Seriously, if the hon. member had read a little further down in the article, he would have found that the hormone that is used in the United States and to which this report referred is not permitted in Canada. Implantation of estrogens is not allowed in Canada under The Department of Agriculture and, I believe, the food and drug directorate.

However, we are concerned and have been concerned for some time with residues of various substances possibly carried over in flesh of animals used for human consumption, and we have on-going studies in this; the department of nutrition at the University of Toronto and others are keeping watch over this for us and have undertaken to alert us should there be any cause for alarm.

May I add, Mr. Speaker, if the hon. member begins to feel any symptoms, I would be delighted to look into it.

Mr. Ben: I am gratified to know, Mr. Speaker, that the Minister is not going to permit American chickens to turn Ontario men chicken.

I have one more question, Mr. Speaker, again of the Minister.

Will the Minister of Health request his counterpart in Ottawa to introduce legislation which would require birth control pill containers to be labelled to the effect that the use of such pills could have harmful side effects?

Hon. Mr. Dymond: Mr. Speaker, these substances are not available by over-the-counter purchase. They are sold only on prescription, and I have no doubt the practitioner explains all the possibilities to his patients when he prescribes these substances.

Mr. Speaker: The hon. member . . .

Mr. Ben: On a point of order, on behalf of the hon. member for Kenora (Mr. Bernier), will the boxes be labelled that the non-use of the pills may also lead to complications?

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: I have a question for the Attorney General, Mr. Speaker. When will the transcript of the inquest into the death of Beryl Higgins arrive? The Attorney General said it was mailed last week.

Hon. Mr. Wishart: Mr. Speaker, I am advised it was mailed the day the hon. member asked the question. If it has not got there yet, he will have to take it up with the post office department.

Mr. Shulman: Can the Attorney General check and make sure it was actually mailed?

Hon. Mr. Wishart: I have already checked.

Mr. Shulman: Thanks. I have another question for the Attorney General, Mr. Speaker.

Does the Attorney General believe that an appointed official should be allowed to overrule Acts of the Legislature, and is this not the result that will occur if section 20 of Bill 130 is enacted?

Hon. Mr. Wishart: Mr. Speaker, the answer to both parts of that question is no. The hon. member is misconstruing the effect of that section, which in so many words says that where the procedures, as laid down by the proposed Act, are in conflict with the terms of any other Act, rule or regulation, then the new Act which is proposed will prevail.

In other words, the procedures for agencies and tribunals created by statute—the way they shall try hearings, appeals, etc.—shall be determined under this Act which I introduced a few days ago and the other Act will give way to it, so it is not allowing an individual to overrule the Legislature. The Legislature is saying these procedures which we establish shall apply to all tribunals once this bill is passed and, of course, I would remind the House that that bill was introduced and given first reading with the intention it will lay on the table and be studied by the public, by the members of the Legislature, and by all bodies who may be affected, so that we will have full opportunity to debate it. I would think we would not deal with it in this session certainly, but perhaps in the next session of this House. In any event, it does not have the effect which the hon. member fears.

Mr. Shulman: Would the Minister accept a supplementary question? Is the Minister assured that the meaning of the bill could not be misconstrued to say that persons appointed under the bill would then have the power under this particular section to override other Acts?

Hon. Mr. Wishart: I am quite certain that what the section says—and I have looked at it—is that the provisions of this Act, of this proposed Act, shall govern, notwithstanding what any other Act says. The whole purpose is that if we establish procedures for tribunals to follow in hearings, in appeals, licensing reviews, and that sort of thing, The Statutory Power Procedures Act—and I think this is a very monumental piece of legislation, frankly—shall lay down procedures which shall be followed.

There shall be such things as records kept, notice given, and all these things shall be followed, and notwithstanding what any other Act says, they shall govern—and it is this Act. Again I say it has not the effect the hon. member seems to anticipate, but in any event we shall have the fullest opportunity to debate that bill as it goes through the processes of legislation.

Hon. A. Grossman (Minister of Correctional Services): That is the short title of the bill anyway, wait until hon. members get the full title.

Mr. Shulman: Thanks. I have a question of the Minister of Correctional Services. It is in three parts.

1. Were the charges involving homosexuality, laid against several Burwash prisoners, all dismissed?

2. Did the complainant admit in court that the charges were fabricated?

3. Has a charge of perjury been laid against the complainant?

Hon. Mr. Grossman: Mr. Speaker, the answer to the first part of the question is "yes".

Insofar as parts two and three are concerned, I am advised that the Crown attorney has the matter under consideration, and therefore will take such action as he deems warranted under the circumstances.

Mr. Shulman: Will the Minister accept a supplementary?

Hon. Mr. Grossman: So long as the hon. member keeps in mind that it may be *sub judice*.

Mr. Shulman: In view of the outcome of this unfortunate event, will the Minister make some amends to the prisoners who have been subjected to this unfortunate series of events so far as their sentence is concerned?

Hon. Mr. Grossman: Well, Mr. Speaker, I am speaking from memory again, but it seems to me we dealt with this in a previous question-and-answer period. If it is the same case—and I think it is—I made it quite clear at that time that it was not our department, nor our officials, who laid the charge. The charge was laid by a certain other inmate and it was turned over to the police, and they dealt with it accordingly. I do not know what we can do about that.

Mr. Shulman: Will the Minister accept a further supplementary?

Hon. Mr. Grossman: Well, I think, Mr. Speaker, we are getting a little more deeply involved here, and it may just be wise not to

deal with it at this time and wait until it is dealt with by the Crown attorney.

Mr. Shulman: Is the Minister saying no?

Hon. Mr. Grossman: That is what I am saying, yes.

Mr. Speaker: The hon. member for Kenora.

Mr. L. Bernier (Kenora): Mr. Speaker, I have a question for the Attorney General.

Is the Minister aware of the large amount of violence and vandalism which to date has included possible loss of life and arson at a strike in the Lakehead between the Teamsters Union Local 990 and the Lakehead Freightways Limited.

If so, what action is being taken by this department to attempt to bring this violence to an end?

Hon. Mr. Wishart: Yes, Mr. Speaker, I am aware of the strike which began in early February at the Lakehead; I am aware of incidents of violence which have occurred.

We have had no request from the local police authorities for assistance in any way, and our policy is that the provincial police would go in only when requested. Notwithstanding that we have not had a request, assistance has been given in that the provincial police escort trucks of this company from the city to a considerable distance outside and keep a general watch on the routes over which the trucks go. Certainly there has been investigation of the incidents which have occurred. Actually, an investigator of the criminal investigation branch has been in the area since May 1, and investigation of the fires and of the shooting and other incidents has been carried on very thoroughly. It gives us all concern that this sort of violence seems to appear and be related to a strike of this kind, but truckers seem to have been noted for this sort of thing. Perhaps we may have something further to report as the investigation continues.

Mr. Bernier: Would the Minister permit a further question?

Hon. Mr. Wishart: Yes.

Mr. Bernier: Have there been any charges laid at all to date?

Hon. Mr. Wishart: Not so far as I am aware at the moment.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I had this question for the Minister yesterday, and I was not able to put it. However, the question reads:

1. Why did the department find it necessary to go across Canada in recruiting needed personnel in view of the major reorganization of the extension branch, particularly when many will have to be retrained at the University of Guelph?

2. How much will this programme cost?

3. Has the department drawn the boundaries for the ten regions which will be set up for extension purposes?

4. What will happen to the county offices, and does the Minister intend that the farm income report be debated before the estimates of his department are before the House?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in reply to the question: First of all, as a department, we have found it necessary to explore all possibilities of finding suitable employees to carry out this expanded programme of farm business management, budgeting, accounting and all matters associated with decision making in farming. Not all the graduates of the University of Guelph, the Ontario College of Agriculture are qualified in this particular regard, so we have attempted to find them wherever we can in Canada.

As far as the retraining at the University of Guelph is concerned, all of our own staff from time to time go there, that is, the extension branch staff go there for retraining and updating in farm management techniques. It is assumed that the new members of the staff when they are engaged, will go through this in-service training course as well.

It is difficult to say how much the programme will cost because it will depend entirely on the number of properly qualified staff that we are able to acquire.

The boundary lines have not been drawn as yet for the respective regions and we do not know how this will work out yet. We are taking a good look at this.

There will be no change as far as the present county extension branch offices are concerned, other than to say there will be increasing emphasis on farm business management and accounting. As far as the farm income committee report is concerned, it is not our intention to have a wholesale debate on this in the House. If you wish to refer to the report in matters concerning the Budget Debate and my estimates, that is fine with me.

Mr. Gaunt: May I ask a supplementary question, Mr. Speaker? I am wondering if the Minister is in a position in indicate when he expects the boundaries to be drawn? Will this be done very shortly or will it be some while yet?

Hon. Mr. Stewart: Well it is under consideration now, Mr. Speaker.

Mr. Speaker: The hon. member for Parkdale.

Mr. J. B. Trotter (Parkdale): It is a question I had yesterday, Mr. Speaker, of the Minister of Health. What is the status of the students from Humber College who are on the course studying the treatment of the mentally retarded and who are supposed to be employed this spring and summer at the Ontario Hospital School at Orillia? Secondly, what does the government intend to pay these students?

Hon. Mr. Dymond: Mr. Speaker, those students enrolled at Humber Memorial College are at the Ontario Hospital School in Orillia as a required part of their training and will spend the summer there prior to completion of their course. During the period of practical instruction, they will hold the same status and receive the same salary as trainees on the course provided by our own facilities and that is $2.44 per hour.

Mr. Trotter: Mr. Speaker, if the Minister would accept a supplementary question: I understand there has been a considerable amount of misunderstanding. At the present time they are up at Orillia, but not in the hospital. Some of them are staying at motels and private homes. Is there not an argument over the amount of pay they are receiving?

Hon. Mr. Dymond: There is no argument of which I am aware, Mr. Speaker. Since this is part of their course of instruction, the arrangement will be made by their school, between the school and the hospital. So far as I am aware, there have been no difficulties. I will check again and make sure.

Mr. Trotter: I am sure Dr. Zarfas told them they would be getting $100 a week.

Mr. Speaker: The hon. Minister said he would check into it.

Hon. Mr. Dymond: Well, $2.44 an hour, Mr. Speaker, is $97.60 a week.

Mr. Speaker: The hon. member has a question of another Minister?

Mr. Trotter: Yes, a question of the Minister of Trade and Development. This is from yesterday, too. What builders have been invited to attend the meeting to outline development proposals for housing projects south of Flemingdon Park on May 16?

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, an advertisement inviting proposals for the development of 1,472 condominium housing units on 24.7 acres of land owned by Ontario Housing Corporation in Flemingdon Park was placed in the Toronto *Daily Star*, the *Telegram*, the *Globe and Mail*, and the *Daily Commercial News* on Wednesday, May 7, 1969. The same advertisement will appear on May 9 and 10, 1969. In addition, proposal documents were sent to the Metropolitan Toronto Home Builders Association and the National House Builders Association for the information of their members. A further supply of 50 copies of the proposal documents were sent directly to builders who have asked to receive copies of all proposal documents for developments in the Metropolitan Toronto area.

The advertisement clearly states that proposal forms and specifications are available upon request at the offices of the corporation and that a general information meeting will be held in the offices of the corporation on May 16, 1969, at 10.00 a.m.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Municipal Affairs: Are any provisions made for reducing the assessment on building lots for which building permits cannot be secured?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, in the normal course of his duties, an assessor would take cognizance of zoning or building restrictions which affect the value of land. He presumably therefore would reduce the assessment by reason of a change in the market value.

Mr. Burr: Well, by way of a supplementary question, would the Minister agree that where a health permit cannot be secured for a septic tank, because of the number of septic tanks already in the neighbourhood, that this would be a factor that the assessor might not observe and that might be subject to appeal?

Hon. Mr. McKeough: Yes, to the court of revision.

Mr. Speaker: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, these are questions from yesterday of the Minister of Health: What job classification has the department arrived at for students who have graduated from the course "Residential Councillor—Mental Retardation"? Will they be paid as monthly, weekly or as hourly rated employees I believe the Minister just answered that to the hon. member for Parkdale, Mr. Speaker. How many hours per week are they expected to work during a normal work week?

Hon. Mr. Dymond: The course to which the hon. member makes reference, sir, is prepared in collaboration with the officers of my department. On graduation, the student is eligible for the classification of councillor, group 1, within the civil service. The salary has already been noted and the employees work 40 hours per week.

Mrs. M. Renwick: Would the Minister accept a supplementary question?

Hon. Mr. Dymond: Yes.

Mrs. M. Renwick: Is that part-time employment, Mr. Speaker then, for these students? Did the Minister say 20 hours a week?

Hon. Mr. Dymond: Forty hours.

Mrs. M. Renwick: Forty; sorry! A question also to the Minister of Health: Is it the intention that the graduates from courses "Residential Counsellor—Mental Retardation" assist psychiatrists in Ontario Hospitals, as the course outline in community colleges suggests, or are they to be employed as glorified ward aids?

Hon. Mr. Dymond: The new training programme for mental retardation counsellors has been designed to provide staff with the required skills to carry out the special programmes provided for these children. They are identified with each of the four units within the facilities of the retarded. The course, in this case again, offered by Humber College was prepared as I stated already, in consultation with my staff. It is equivalent to the first of a two year training programme. It is a much more modern, much more updated course of training than that followed by ward aides. The requirement for entry into the course is Grade 12 at least.

Mrs. M. Renwick: Mr. Speaker, I wonder if the Minister would accept a supplementary question? I wonder if the Minister would keep his eye on what is actually happening to these first graduates from this course inasmuch as I have had reports that sometimes they have been assigned to—

Mr. Speaker: The hon. member asked to ask a supplementary question. She is not doing so. She is making a statement. If she wishes to ask a supplementary question she may do so.

Mrs. M. Renwick: Mr. Speaker, I was asking the Minister first of all if he would keep his eye on it? Does the Minister know that these students have been assigned washing diapers for instance?

Hon. Mr. Dymond: I would point out, Mr. Speaker, that in my view washing diapers when one is looking after children is a perfectly normal part of the duty.

Mrs. M. Renwick: A question of the Minister of Health, Mr. Speaker. How many qualified psychiatrists are on staff of Ontario Hospitals and where are they located?

Hon. Mr. Dymond: There are 118 full-time qualified psychiatrists and 18 part-time psychiatrists on our staff. Four full-time at Brockville; two full-time, Goderich; 14 full-time and two part-time, Hamilton; 14 full-time and two part-time, Kingston; nine full-time, one part-time, London; 12 full-time and five part-time, Lakeshore; three full-time, North Bay; Owen Sound, two; Penetang, four; Northeastern, one full-time, two part-time; Port Arthur, three full-time and one part-time; St. Thomas, nine full-time; Thistletown, six full-time; Toronto, 10 full-time and two part-time; Whitby, eight full-time; Woodstock, two full-time; Aurora, one part-time; CPRI, seven full-time; Cobourg, one full-time; Palmerston, one full-time; Smiths Falls, two full-time and one part-time; Mental Retardation Centre, four full-time and one part-time.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Speaker, a question for the Minister of Municipal Affairs.

In view of the press report in the *Globe and Mail* this morning that the Ontario Municipal Board is restricting the issuance of building permits to 100 this year for 80,000 acres of land in the township of Pickering, will the Minister advise why he permits such restrictive policies?

Hon. Mr. McKeough: Of course, this is nothing new. It has been in effect for sev-

eral years. I gather the hon. member has just become aware of it.

But it is one of the duties of the Ontario Municipal Board to ensure that a municipality does not incur obligations that are beyond its financial capability. The township of Pickering has been under financial stress in recent years because of the necessity to finance the cost of services required by individual residential developments in the municipality. The limit of 100 building permits imposed by the Ontario Municipal Board is related to the financial ability of the municipality to cope with the residential developments that it already has, and to avoid an even greater financial burden being placed on the present taxpayers in the province.

Mr. Sargent: Well, in view of the need for housing, I think the government policy is wrong.

Another question to the Minister.

Will the Minister advise why he thinks the hands-off attitude in the dispute between Metropolitan Toronto and local municipalities, as reported in today's Toronto *Telegram*, under the heading "Sailboat Roulette". Will the Minister advise how he can pick and choose the municipal areas where he will interfere?

Hon. Mr. McKeough: Mr. Speaker, I have not seen the article in today's *Telegram*. The letter which I wrote to the mayor of Toronto was a somewhat lengthy one; rather than read it, I will table it.

Mr. Sargent: Thanks. Mr. Speaker, a question to the Minister of Lands and Forests.

Will the Minister advise if he has any plans to amend the fishing licence regulations, and will the Minister advise why a farmer must buy a licence to fish in his own stream?

Hon. Mr. Brunelle: Mr. Speaker, in reply to the hon. member for Grey-Bruce, I would like to say that the fishing regulations are presently under review.

An hon. member: Even the one about the farmer?

Mr. Sargent: By way of a supplementary, I asked two questions. Why should he buy a licence to fish on his own farm, and would you consider the issuance of free fishing licences to senior citizens and people on welfare?

Hon. Mr. Brunelle: Firstly, in reply to the second question, this matter has been given very careful consideration and we have found that it would not be advisable to give an exemption to senior citizens. If we do it for senior citizens, we have other classes of people—people with disabled pensions, blind pensions and so forth—who are just as deserving of consideration. With reference to this—

Mr. T. P. Reid (Rainy River): What is the matter with that?

Mr. Sargent: There is nothing wrong with that.

An hon. member: Not at all!

Hon. Mr. Brunelle: In reference to farmers being exempted, I would say that it is very difficult to define what are private waters. For instance, a permanent stream going through a farmer's farm, that stream, the water and fish belong to the Crown.

Mr. Sargent: Pay taxes on it!

Hon. Mr. Brunelle: However, I would say that I believe, in my own opinion, that we are looking into such a question, for instance, as a pond on private land. I believe that should be exempted, and this is a matter that is under review. Maybe at the next sitting of the Legislature we could have an amendment.

Mr. Sargent: Then the government would not prosecute now?

Hon. Mr. Brunelle: Pardon?

Mr. Sargent: Then the Minister would not prosecute now?

Hon. Mr. Brunelle: Well, I would say—

Mr. Sargent: I have to know, I have to know!

Hon. Mr. Brunelle: It will depend on the circumstances.

Mr. Speaker: The hon. member for Thunder Bay.

Hon. Mr. Randall: There is a new way. Feed them with baking soda and when they come up to burp, hit them with a stick.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker, I have a question for the Minister of Social and Family Services.

Will the Minister assist the Indian friendship centres of northwestern Ontario in their efforts to hold a convention as outlined in their letter to Mr. Dufour, director of the Indian development branch of his department?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, Mrs. Monica A. Turner, director of the Thunderbird Friendship Centre, has been advised that the request has been granted.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport.

Has the Minister undertaken any studies respecting reduced transportation fares to senior citizens, and if so, will the Minister name the municipalities in the province that give reduced fares to these citizens?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the subsidizing of senior citizens is not a responsibility of The Department of Transport. Our department has no jurisdiction in the matter of fares charged to passengers on buses operating within a municipality.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, with your permission, I will ask the Lieutenant-Governor if he will come into the Chamber and give Royal assent to—

Mr. Nixon: What about the other Third readings?

Hon. Mr. Robarts: Well, I believe some of them might be debated and I know His Honour has another engagement, so we will leave those for another day.

The Honourable the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

Hon. W. Ross Macdonald (Lieutenant-Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

The Clerk Assistant: The following are the titles of bills to which Your Honour's assent is prayed:

Bill 76, An Act to amend The Pension Benefits Act, 1965.

Bill 81, An Act to amend The Residential Property Tax Reduction Act, 1968.

Bill 84, An Act to repeal The Public Finance Companies' Investments Act, 1966.

Bill 85, An Act to amend The Credit Unions Act.

Bill 86, An Act to amend The Loan and Trust Corporations Act.

Bill 87, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963.

Bill 90, An Act to amend The Hospital Labour Disputes Arbitration Act, 1965.

Bill 92, An Act to amend The Insurance Act.

Bill 93, An Act to amend The Homes for Special Care Act, 1964.

Bill 94, An Act to amend The Pharmacy Act.

Bill 95, An Act to amend The Nursing Homes Act, 1966.

Bill 96, An Act to amend The Pesticides Act, 1967.

Bill 97, An Act respecting The Department of Health.

Bill 118, An Act respecting the City of the Lakehead.

Clerk of the House: In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to these bills.

The Honourable, the Lieutenant-Governor was pleased to retire from the Chamber.

GENERAL FARM ORGANIZATION

Hon. W. A. Stewart (Minister of Agriculture and Food) moves second reading of Bill 140, An Act to provide for the establishment, upon an opinion poll by secret ballot of the farmers in Ontario, of a General Farm Organization.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, we have followed with a great deal of interest the development of this bill following the publishing of the report of the committee on farm income.

The committee report itself is not under debate but I think most of us who read it and have listened to the reaction to it, not only from the agriculture community but from other segments of the economy of Ontario, realize that the committee set itself very broad goals indeed. They undertook not only to advise the government and others on what might be done to improve farm income, but they also laid out the most amazing blueprint, I felt, to solve almost all of the social and economic ills of the province, ranging at one stage into the establishment of a guaranteed minimum income.

But the main area of concern had to do with the farmers themselves. The problem that has been very apparent to those of us who are farmers and also members of the Legislature is that while our organizations have to some extent been strengthened, not only through consolidation but through a new approach to their responsibilities, still we can come nowhere near representing the needs of farmers as effectively as so many other organizations in other pursuits in the community have been able to do.

I sit between two lawyers here and I have often, in private conversation with them, congratulated them on their good fortune and success in establishing an organization—I suppose you could call it "a closed shop"—which has rules and regulations which are the envy of many working men in this province who rely on trade unions and other sets of laws that regulate them.

I think the same is true of school teachers, I was a school teacher myself for nine years, and there is a possibility I might be again. The Ontario Teachers' Federation requires membership, by Act of this Legislature, and certainly the members of that organization have been very effective in promoting, the pay levels for teachers. I think they are moving quite effectively beyond that in promoting the general professional levels in the teaching profession.

This is true certainly of doctors, and we have had extensive debate on those matters just in the last few days. I feel that many groups in the community have been particularly successful in making their fellow citizens realize the importance of the contributions they make to the fabric of our life. But the farmers have been unsuccessful in doing this. They have in years gone by had a great power, politically and otherwise, and there is every reason to see that their ability to influence public policy has decreased, I suppose begining about 1912, certainly after the first war.

I am sure Mr. Speaker would agree with me, the result perhaps to the reaction in rural communities to the fact that they had less to say about the course of events in this province and in this nation led to the formation of specific political parties which dealt in public policies from the standpoint of farmers and the rural community.

While I think this experiment was successful in some regard, I do not think it would have any place at all in the efforts of, influencing public policy as we know it today. The lesson taught by the farmers' parties, the Progressive Party—the United Farmers of Ontario, of course, is a case in point that I would not want to pass without mentioning. The lessons are there to be learned. And while they may have had their role in the politics of the times, certainly they have no comparable role today and I do not suppose the farmers would want such a role in our changing community.

But there is a feeling, and it has been expressed politically, as well as in every other forum for the years, particularly since 1955-56 when the down grade of farm economy became so apparent to so many farmers presently in the business, that something had to be done in order to improve the powers of farmers in the market place.

I would like to talk at length about what this administration has done in order to improve that situation. I think they have been guilty of serious failure in not having the power or taking the initiative in controlling vertical integration, but they must be congratulated—and I believe the whole Legislature can be congratulated—on the establishment of marketing boards, which I submit have been a success. They cannot be maintained for ever in their present status, and their usefulness for farmers and for the community at large has got to be changing. It may be that more and more of these will have their centre of operation transferred from the provincial jurisdiction to a federal jurisdiction. I would think that this is very much a possibility in specific products.

But the farmers have felt that not sufficient power was granted to them as an economic unit within Ontario, to order their own affairs and to put their own case in a way that was substantiated and enforced and made powerful by the research that must be a part of any kind of a modern organization which would have as its aim the promotion of the interests of one group. I think we must realize that the organization that is going to be put forward in this bill, at least for the approval or rejection by the farmers, has as its main purpose the promotion of the interests of farmers.

Frankly, I have never approved of the Minister's attitude that his responsibilities are other than to deal with the farming community. He, in the expansion of his organization, has changed the name of the department which emphasizes that he represents all parts of the community and I know he likes to put it this way, or he likes to think

of it this way, that is, representing the consumers' interests as well. Certainly, the government as a whole must represent the consumers' interests. But I have often felt that the efficiency and the usefulness of the Minister of Agriculture has depreciated somewhat by the change in his own attitude, and the change in public policy which reflected in the name change a couple of years ago.

So, more than anything else, the farmers, because of these changing economic pressures, have felt that they have not had a vehicle in which their views can be expressly put to the government. First, the community at large. Second, that they have not had an organization which was strong enough to command the financial support that is needed, if they are going to have the background and depth that will make a farmers' organization appreciated and respected in the community.

We have two very potent, very competent farm organizations now. I suppose, by virtue of the fact that I am a taxpayer in the county of Brant, which extends a levy to the federation of agriculture, that I am to that extent a supporter of the federation of agriculture. I have never joined, personally, the farmers' union, because a part of membership in the farmers' union requires rejection of membership in all other farm organizations, which I was not prepared to undertake.

But as a farmer, and as a legislator, it has become apparent to me that the thrust of farmers' needs has been blunted, and reduced in its power by the division between these two organizations.

This is apparent in the farming community, where I have a great and continuing interest as a member of the Legislature. I have been gratified, as leader of the Opposition, that both these organizations—when they prepare briefs to be presented to the Cabinet, to have some effect on public policy—unlike some other organizations, which should take a letter and direction, I believe, from these farm organizations, should come to the Opposition. I know they have come to the NDP, and taken time to present their brief and their reasons and arguments associated with it. It is quite apparent that the two organizations frequently work at cross purposes. There is a tremendous rivalry between them, which we have seen grow since the inception of the farmers' union a few years ago, an inception based, I believe, on the feeling that the federation was simply not effective in stating the needs of the farmers to the government and to the community.

In this, frankly, I would agree with the farmers' union. I felt that the federation has been inadequate, that it became complacent, that its briefs year by year tended more and more to praise the government for what they had done; rather than pointing out courses of action which might have been entered into.

I always remember—and I do not believe I am revealing a caucus secret—one of the occasions when the federation presented their views to our caucus when the hon. member, the former member for Grey South, Farquhar Oliver, was there. He undertook to chastise them, to some extent, for saying they spent altogether too much time complimenting the Minister of Agriculture and Food and the administration, and trying to hide—deeply imbedded in their brief—some small criticisms.

He felt, and I agreed with him, that the time had come when the farmers' organizations had to quit pussyfooting; that they did not always have to be on a first-name, back-slapping basis with the Minister of Agriculture and Food in order to state the needs of an important and separate section of the economy.

Well, the Bill that is before us sets up machinery which will place before the farmers of Ontario, and those closely associated with the farm community, an opportunity to indicate whether or not they want to free themselves from their allegiance to present organizations; and opt for the formation of a general farm organization.

This has been opposed, strongly, by the Ontario Farmers' Union, because I think they very correctly see, in it, a reaction to their attitudes and policies—or reaction to the way they present their views, which has offended farmers, politicians, and I suppose Ministers of Agriculture. There is a feeling among those who strongly support farmers' union policy that, in fact, this Bill and the plebiscite which it will put before the farmers—particularly if it is accepted—will try to abolish the farmers' union. And certainly, if approved, will reduce the force and support of that organization.

I would say that there is more than a grain of truth in what has been put forward by the president of the farmers' union so strongly in this connection.

I must say that I feel the effectiveness of a farm organization is going to be based, in the future, on its ability to speak with a concerted voice.

For that reason, I would say that, while the farmers may not agree with me in this, I still think that many of them want the

opportunity to express their views. I think that they are very anxious that the ballot which will be presented to them does have something more than just the proposition: will you accept a new organization? Yes or no, you either vote in favour, or in fact, you are not taking part.

I think that there is a possibility, through this legislation, that we may be unfairly approaching this situation, and this is why certain questions put to the Minister of Agriculture and Food in recent weeks have attempted to draw from him how he is consulting with the two main farm organizations in preparing for the ballot that will be put to the farmers if this bill is approved.

I have had representations, public and private, on both sides of the principle of the bill. We believe, as Liberals, that the bill should be supported in that it does crystallize the feeling that is found in all parts of the farm community—that we can no longer continue as we have; that we must take definite steps to coalesce either in one organization—or with strong support behind two—and do away, once and for all, with the internal strife that I think has reduced the effectiveness of the public presentation of farm policy on behalf of farmers.

It is for these reasons, Mr. Speaker, that I will tell you that when the motion for second reading is presented to us, we intend to support it.

We have a number of difficulties with certain sections of the bill, and particularly with the Minister's efforts to co-ordinate farm policy and farm attitudes in a build-up to the presentation of the bill. This eventually may be a referendum presented to the farmers themselves: that an independent committee has been active across the province, closely associated with the federation of agriculture—although not directly associated with them—and that this committee has been fairly heavily funded from sources that have been objected to by the farmers' union. I must say in some instances I object myself; since it tends to be the use of public funds for what, in this particular case, is at least a semi-private project.

Nevertheless, I think the concept of the bill is one that is essential. It is one that we will support. Our attitudes on the ballot itself I will be glad to make clear when we have had a chance to see it. I understand there is a draft ballot presently in circulation, although I have not received one myself.

I feel that a good many problems associated with this are bound to come forward in this debate, but in general I am convinced that we must support any sincere effort to unify the farmers' approach to government and the public in the light of the impossibility of farmers doing this under present circumstances.

So for these reasons, Mr. Speaker, we will support the bill on second reading.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, as my leader has indicated we will support the bill on second reading. It seems to me that this bill is an admission by the government and by farm leaders generally that the past system of organization has not been effective in coping with the needs and the aspirations of farmers.

That recognition is underlined by the fact that agriculture in the province of Ontario is in trouble, agriculture in Canada is in trouble, indeed, agriculture in the United States is in trouble from the standpoint of getting a very low return on labour and money invested.

However, the bill is also an indication on the part of all those concerned of a desire to move ahead and to a considerable degree break new ground in attempting to set up a single structure which will, it is hoped, reflect the views and needs of the farm community.

Mr. Speaker, we support the bill, and I want to, for a moment, counter some of the arguments I have heard that have indicated opposition not only to the GFO, but also to the holding of a plebiscite. Let us take the latter one first.

The argument goes something like this. We should not have a vote on this question because it will divide the farmers. Well if divide means to separate numerically those who have differing opinions, then I say why not? After all that is a fundamental principle of democracy. The same line of reasoning could be used to argue that we should not hold a provinical election every three or four or five years because it would divide our people. Well really, if we have to wait for all 7.5 million people in this province to come around to the position where they are in favour of tossing this government out, for instance, before we have an election then I am afraid we are stuck with you for a long time.

Mr. Nixon: They are almost all of that opinion now.

Mr. Gaunt: The vast majority indeed are.

Democracy is the rule by the majority and if the majority of farmers want a GFO so be it; if they do not, so be it, but at least they should have the right to vote and to voice an opinion one way or the other. Essentially the no vote argument has no basis in logic or in common sense in my view.

The other argument that arises runs along the lines that if there is a vote then Plan A must be on the ballot. Now let us analyze that. Plan A consists of a number of points, the most important of which are—

1. A plebiscite be held, and that is coming.

2. A call for financing by commodity check-off, and apparently that has been met.

3. A call for a voluntary membership with payment of dues over and above the check-off, and this is apparently going to be met.

4. Plan A proposed an eventual integration of marketing boards into the master organization, or the GFO itself.

This is the only point in Plan A that has not been met. As far as I am concerned I urge the Minister, who has the ultimate responsibility for drawing up the ballot, to place that question on the ballot in a form similar to what I have indicated. That is to say, the ballot should contain a question: "Are you in favour of eventual integration of marketing boards into the GFO, or something similiar to it?"

I have seen the ballot that has been circulated and I do not believe that that particular ballot contains that question. Perhaps there is a question similar to it. It says: "Should each marketing board have a vote on the provincial council of the General Farm Organization?" I do not think that is quite the same thing and I would ask the Minister to give very serious consideration to that point because I think that having done that then no farmer in the province of Ontario can say with any degree of accuracy that Plan A was not put to the farmers, because I think it will have been put provided that particular condition is met.

This, in my opinion, would be much superior to putting Plan A on the ballot because many farmers do not understand Plan A and it would be confusing to have it placed in that way. On the other hand if the question to which I have made reference is put on all of the points, all of the points contained in Plan A will have been put to the farmers of this province for a judgment.

I hope the Minister will see fit to indicate to the House what he does intend to put on the ballot so that the members will have an opportunity to express their views and opinions in this very important matter. I do not think it is good enough for the Minister to draw up a ballot in the dark recesses of his office and submit it to the farmers because this type of action will only confirm the suggestions that the new organization is going to be a pawn of the government and these are suspicions and grapevine gossip that reach all of our ears from time to time.

That feeling, however justified, was levelled from time to time against the federation of agriculture, because they did not get the power for their so called deduction or check-off from the government, and so it was felt by some people that they were in some way beholden to the government for that favour. That type of thing should be avoided at all costs, Mr. Speaker, because farmers resent the government even having the appearance of meddling in any way.

Having said that, I realize the government is the only body which can provide enabling legislation for farmers to do the things they have to do and construct the organization they wish to represent them.

One of the secret fears of farmers is the fact that in the event the organization is not effective, they will be stuck with it whether they like it or not. The bill provides for an opinion poll on dissolution upon receipt of a petition containing 15,000 names which means that it is going to be harder and harder to dump the organization as the years go by because the number of farmers is constantly decreasing.

It would make much more sense, in my opinion, if the bill had specified a percentage rather than a constant number. I leave it at that. Perhaps it would be more properly dealt with under a clause by clause scrutiny.

This bill and its draftsmanship and scope follow very closely the recommendations of the Farm Income Report and the farm income committee laid it right on the line. They pointed out that the present organizations, the Ontario Farmers Union and the Ontario Federation of Agriculture have not been able to discover common ground and this has become a matter of extreme frustration for farmers when unity is so important to them.

What the farm income committee was saying is simply this: it has been too easy for governments, at all levels, to play one organization against the other, sort of Roman Empire divide and rule theory. The results are obvious, an economic crisis of major proportions. This is the crucial issue in agricul-

ture today and this we will have to tackle immediately with resolve and determination that has not been heretofore employed, if this country is to avoid a serious upheaval that could destroy the social and economic structure of rural Ontario.

I do not think I overstated; I think it is that serious. Farmers have precious little time left to be quarreling among themselves. This is a monumental problem that can only be tackled by a strong unified voice on the part of agriculture.

Of course, this situation is aggravated, as the income committee pointed out, by the so-called challenge of abundance. Farmers in this country have always been able to produce far more than market requirements at any given time, although this does fluctuate from time to time. The point is that farmers could produce twice as much as they now produce and do so, and would do so, at the drop of a hat, given a reasonably attractive price in the course of market.

I do not subscribe to the theory that we will ever be short of food in this country. At least, not during my lifetime. It has always been a source of embarrassment and remorse to me that millions of people in the world go hungry every day while we sit on the bread basket of the world and talk about supply management, tailoring our production to fit the market. Meanwhile, in India and Japan and China, millions of people do not know where the next meal is coming from.

India, for instance, fell ten per cent behind in meeting their basic food needs last year. They have 38,000 new mouths to feed every 24 hours. The world population at the moment is roughly three and a half billion. By 2000 AD, it will be seven and a half billion—over double what it is now.

The problem of starvation will not subside; it will increase—not because of our lack of food, but because of poor distribution. That has always been our problem. Farm organizations, governments, indeed, society cannot afford to stay on the sidelines any longer. If these peoples' food needs are not met, they will not ask us, they will take it.

I agree, I must say, with the moderator of the United Church of Canada, Dr. McClure. These are Dr. McClure's words:

> If we were as interested in saving lives as we are in killing people, we could find the answer to the world starvation problem.

According to Dr. McClure, it requires $360,000 to kill one Viet Cong, but $1,500 to provide sustenance for one starving person.

A farm organization has a role to play here, along with the government, and I hope this new organization—if and when it is formed—will assume a posture of greater outreach than has been witnessed up until now.

The government, of course, has to play the major role, insofar as financing is concerned. It has to play the major role simply because it acts on behalf of society whose responsibility it is.

The Canadian government is presently setting aside .46 per cent of our gross national product to assist the starving world. We are going to have to do much better than that. We could feed two-thirds of the world's population from this continent if we cared to do so.

But let me leave that point. This party believes in the principle of a general farm organization. It believes even stronger in the principle of farm self-determination. The farmers have the right to make the decisions which effect their future and, having said that, let me hasten to add that I am persuaded that they will make the right decisions.

The bill is not perfect. There are things that should be changed. We can talk about that in greater detail at a later stage. Many of the farmers complain that the checkoff is too much, that this new organization is going to have substantial sums of money at its disposal and at its command, and they have no guarantee that this money will be used in a wise way.

Farmers, I suppose, are suspicious by nature mainly because of past experience. One Minister of Agriculture ago—in other words, during the reign of the Minister's predecessor—the government made a deliberate attempt at encouraging, promoting and forcing party hacks to take leading roles in the federation of agriculture. As a result, Tory ward heelers used to trot around the back concessions promoting the Tory line, and it was obvious that it was the Tory interest first and the farmer interest second.

This government sowed to the wind and is now reaping the whirlwind. That, Mr. Speaker, was the beginning of the end for the federation. That is when it really began to erode within.

Surely we can take a lesson from that. This is why I am so concerned about the interim management committee, as provided for in the bill. This committee has tremendous

power—and more important—would be in a position to influence votes in substantial blocks. It is appointed by the government, and this committee could be a real tool of the government in the election of delegates to the founding convention, as well as the members of the interim provincial council and the executive of that council. The interim management committee is responsible for the founding convention and the election by the delegates of the members of the executive committee. I suppose the Minister will not be appointing this interim management committee until after the vote.

But I would feel much happier about this bill if I knew who was going to be appointed to the interim management committee. Let us now serve notice on the Minister, that we intend to watch very carefully who he appoints to the management committee. If it is going to be a repository for party hacks, the GFO is doomed before it ever gets started.

I would make a suggestion, Mr. Speaker, that the Minister of Agriculture and Food should pick a well-known and respected farm leader from the federation of agriculture, one from the farm union and the others from the general farm population. However, I point out that I do not think these people should be too closely associated with the government party or any party for that matter, but who have the capacity to initiate and direct the gestation period of the organization.

I cannot stress this enough. On this committee rides the success or failure of the whole plan, presuming the vote carries, of course. Well, as I indicated, we support the principle of the bill, notwithstanding a lingering reservation about what role the government intends to play in this whole affair. When one gets down to the crux of the matter it becomes a question of alternatives and we feel that we will support the bill in view of the alternatives that are now open to the farm community to improve their economic lot; to have a real voice in the direction and formation of the long term goals and objectives of agriculture that are so urgently needed.

This bill is not an end-all or be-all, a panacea for all farm ills, but it is a step, at least hopefully it is a step forward, and on this basis we will vote for a second reading.

Mr. Speaker: The hon. member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, on rising to speak to this bill I would like to say that this party will support the bill in principle, for second reading anyway, with certain reservations which I will deal with later. The prime concern, however, in the agricultural field right now, is that there is a need for a general farm organization. If you examine the corporate setup or the lack of economic power in the hands of the farmers, you start realizing that there has to be a strong countervailing force available to the farmers in their battle with the corporate sector of our economy and this is something that the GFO can provide the farmers. Certainly there are many services that can be carried out by a well financed GFO organization; services such as research, in terms of market research; they can carry out production planning; they can carry out other plans, integration of agriculture into other activities, sort of foreseeing the developing economic problems in agriculture and so on.

These are the things that can be carried out by the GFO, and in a sense these are the same tools that are being used by the corporate segments of our society and I think they should be available to the farmers. Up to now these have not been available to the farmers and this is something that the GFO can provide.

The reservations about the bill, of course, stem from two things. In the first place it is what is going to be on the ballot. As the previous two speakers have indicated I think there should be on the ballot an opportunity for the farmers union to present their views. The options on the ballot should be such that members of the farmers union and other farmers, of course, can vote for the kind of a GFO or general farm organization they want. To a great extent the type of organization that will evolve from this bill will depend from the sort of straw vote that will be carried out by the ballot.

I have a feeling, although there are arguments contrary to this, that it should be a fairly comprehensive ballot in terms of including whether we will go with Plant A, in terms of whether the GFO should look into integrating itself with a national farmers organization. It should possibly consider whether the marketing board should after a period of time be tied in with the GFO or whether the marketing board should be consolidated under GFO. I think these are some of the things that can be included on the ballot to give the Minister and the farming convention, an indication of the feeling in the farm field.

The other problem of course is the interim committee, which was pointed out by the previous speaker, that if the government decides to put on party hacks or faithfuls or individuals who do not have the trust of the farmers, it could cause a good deal of dissension and continue the battles that are in agriculture right now. I would suggest that I agree with the previous speaker that there should be a representative from the farmers union. There should also be a representative from the federation of agriculture, and I think the third person should be a neutral party, possibly selected from some field of activity that perhaps is not related to agriculture. He would be the arbitrator between the two of them, perhaps, when plans are being made for the founding convention.

I think some of the other things in the bill that are of some concern are that there is nothing in the bill to indicate that one of the roles of the GFO would be to bargain in the marketplace; to bargain in terms of acquiring the inputs that go into agriculture. I think that this possibly should be included in the bill; that this should be stressed. I think this is one of the important functions that the GFO will have to carry on.

Secondly, of course, the idea that there should be 15,000 votes in the future if somebody wants to upset some decision of the GFO or change the setup of the organization, that it should be a percentage figure as suggested earlier, in view of the fact that there will be fewer and fewer farmers in Ontario—and trying to get 15,000 votes when your farming population is going down—will become a very difficult task.

I would hope that the Minister would certainly permit—and he has assured the House that this bill will be examined in committee—I hope that there is enough time given to the farm organizations so they can present their briefs. I hope the Minister is open to amendments which I think will be introduced by the various groups who will be appearing at the committee. I think it is only fair that serious consideration should be given to these amendments from the representations that will be made by the farm organizations.

In conclusion I feel, Mr. Speaker, that there is a great need for a farm organization, a strong farm organization to represent the farmer in a corporate setup and the GFO can be that kind of a vehicle for the farmers. The responsibility of how it turns out, of course, will rest on the Minister's shoulders. I think, if anything, the Minister should try to stress his impartiality in this and listen to the farmers and to their representations. In the end when the organization is in operation, it should be a farmer controlled organization. To a great extent this Legislature should try to stay out of the deliberations or steer from trying to influence the decisions of the GFO.

Mr. Speaker: The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, a bill of this importance certainly cannot go by any member in this Legislature who represents a basic farming riding. I can only underline some of the points that were brought out by my leader and our critic for this department, and possibly add a few comments of my own which might assist the Minister and those who are hoping to implement this bill very smoothly.

This bill is in two parts. The principle of the first part, as I see it, is, in fact, the creation of an opinion poll. To me an opinion poll must have alternatives on the ballot, and the wording of this bill, I think, must be very clear, very explicit, so that the average person in a rural community can understand it. We know that many of the people in the rural areas have had good educations, they are very progressive, but there are numbers of the older ones who, through economic circumstances, may have had to forego formal education. I think therefore that the wording on this ballot must be of such a nature that they can clearly understand the questions and implications in the referendum, or the opinion poll that is going to be put to them.

On this section I note a clause that the people who have the vote are the man, the wife and those over 21 who are engaged in the agriculture operation. I think that this is a point we cannot underline too strongly, that the women, in these farm homes and farm communities, should play a very active role and that the whole family should participate and be sure to get out and vote on this question. It is not just for the men who seem to attend most of the meetings, but everyone in the household connected with agriculture.

Part two gets into the larger area of discussion and for this purpose is broken into various sections. The principle, as I see it, if this vote carries, is to enable the general farm organization to delve into research and production costs, capital equipment costs, and marketing procedures, that affect the farming community. I have some reservations here as I feel there might be a duplication of

the agricultural industries in relation to research in particular. This has been expressed to me by farmers. I know that research is very essential and that possibly in the wisdom of those directing the general farm organization they can pinpoint the areas where they are going to exert their pressures while the agricultural industry can fend for itself in the market place.

I think, possibly, tribute at this time should be paid to the farm union. I believe they were the people who have changed their thinking, and I have felt, in the past few years, redirected their thoughts from increased productivity into the area of input costs. Certainly, as a small merchant, I must be aware of my input costs, and I feel that direction of agriculture in Ontario is increasingly more and more concerned with the input, and no doubt much of the research as continuing in this principle will be devoted to that area.

I think that underlining this whole purpose and the structure of the general farm organization is that this group must have the finances to hire the very best people, to hire the proper equipment—maybe computers—and to get the top people, the top equipment to really do a job for the farming community. And, more essential, that they communicate back to the individual farms and farmers their findings. Here, again, these should be in explicit and simple terms so that the average man can understand the total nature of the problem as the hired experts find this.

Now, a further principle contained in the section is that the general farm organization is to make a representation on behalf of farmers to any level of government. It is to help develop programmes, to make recommendations of any level of government. This is a very noble purpose, but I would like to underline, today, that the government does not necessarily have to accept what the general farm organization asks. It does not matter what party is in power, they do not have to accept this—and I think the farming community should realize this. We hope the general farm organization may be a cure-all, but in fact it will not be because other problems will come along. It may not be so by the group.

I am concerned here too, that basically, to succeed, the government must pay attention to the general farm organization to the detriment of any other group, because if they should enact thoughts that are expressed by an outside group, it basically would undermine the full structure and principle of the general farm organization.

So I would hope at the founding convention that the terms of reference for the structuring of the general farm organization will allow for enough divergence of opinion within the structure of the elected executive of the farm organization before any one particular policy is settled and brought forth to the various levels of government. As I feel, in a democracy there must be room for divergence of opinions and allowance—hopefully within the structure—whereby directors can be replaced on a continuing basis, and that this will not become a family compact. Also that there will be free discussion within the ranks of the farm organization before a policy is resolved. Certainly, too, there must be an opportunity for those who dissent with the thoughts of the general farm organization to approach the members of the Legislature and their federal MPs to put forth individual thoughts and personal thoughts to the government in power, at either level.

Now, a third principle that I would like to comment upon is that the general farm organization is to assist in the establishment of a single general farm organization for Canada. I believe this is contained in the latter part of the bill. To me, this is essential in the marketing of farm products; it is essential in the regulating of production, and it is essential in making representation for tariff changes such as apply through GATT. And I think, somewhere along the line, this Minister must be willing to abdicate certain powers to Ottawa in this field; I realize the problem that there are nine other provinces that must do likewise at relatively the same time and give this undertaking to the federal Minister of Agriculture to embody a comprehensive programme of marketing for the Dominion of Canada.

So, with these thoughts, Mr. Speaker, I would indicate that I certainly will support this bill along with my colleagues.

Mr. Speaker: The hon. member for Prince Edward-Lennox.

Mr. N. Whitney (Prince Edward-Lennox): Mr. Speaker, I was very pleased to hear the remarks that were made this afternoon. I might say that the proposed vote on the general farm organization has been a matter of considerable interest in my own riding. There have been some letters which have appeared in the newspaper, and I thought this one might be of particular interest, because it was written in reply to a previous letter which objected to the formation of a

general farm organization. This person said, and it appears in yesterday's Picton *Gazette:*

Dear Mary:

At a GFO workshop only two months ago, you told an audience: "It is better to have one poor farm organization than to have two good ones pulling in opposite directions."

While your letter in Wednesday's *Gazette* raises some interesting points, you suddenly reversed the above theory, attacking the concept of a GFO on a very broad front.

Your loyalty to the farmers' union is commendable, and their goals to work towards a national farmer organization are the best—in the long run. But, unfortunately, Mr. Miller's foot-in-mouth politics have failed to inspire farmers on a local, district or provincial level. Let's not be childish and believe that he can suddenly do it on a national level. By trying to go national first, is he not putting the cart before the ass?

Surely, Mary, a strong provincial organization with adequate financial resources has a better chance to work towards a national organization than the half-starved creatures we have now peddling this idea.

The farm union executive works diligently against the GFO because it is initiated by the government. OK, let us be suspicious. What else could the government do?

Picture the Minister of Agriculture sitting in his office. In comes one delegation petitioning for a beef marketing board. But the other organization says it does not want it, they want a corn marketing board. And the first delegation says they do not want any part of it. Then one proposes to lower the bank interest rate for farmers, arguing that this would lower the expenses of the farmer and with it increase profits.

In come the other groups saying they want the interest rates raised. This way, they argue, it will discourage farmers from going into over-production, and as a result, prices will improve. And you could go on and on.

All these theories sound wonderful depending which way you look at them. The politician sits in the middle, listens to it all, tries to smile politely, and as soon as the delegation leaves his office, he will mumble, "If the so-and-so's could really agree on what they really wanted, we could try to help them". So he does nothing.

At election time he gets hell from both organizations, and the Opposition as well, because he did nothing for the farmers. But what can he do? If he introduces legislation to help the farmers out of the taxpayers' funds, the Opposition will jump up and shout, "Why waste the taxpayers' money on a programme designed to help the farmer if half the farmers do not even want it?" By half the farmers they mean the one farm organization which is inevitably in opposition.

As you can see, under the present mess the government can do nothing for you until farmers speak with one voice only. The farmers' union is trying to wreck the GFO. If they succeed, what then? Supposing the vote is 57 per cent for and 43 per cent against. Legislation needs a 60 per cent majority. Two months later a union organizer calls on farmer Giles who had great hopes that the GFO would be adopted.

The organizer—"We want to unite all farmers into one single organization to speak with a unified voice, to be recognized by the government as the official spokesman for farmers," tra, la, la.

Farmer Giles—"That is what the GFO wanted to do but you guys wrecked it. Get out of here you lying hound before I call the cops."

Obviously the rift between farmers would be greater than ever before. If you like the present state of farming, by all means wreck the GFO. Unity will be impossible for several years to come.

It is very easy to come up with phrases such as "the same old gang with a lot more money and a new name." By the same token the federation guys could wail "the government has only made up the kind of organization that the Union wanted, having given them a lot more money and a new name." Surely you must realize that there has to be a compromise.

You go on to say that Mr. Stewart could easily legislate the GFO out of existence. Is not that argument a bit hollow? The government has always had the power to legislate any organization out of existence. I cannot see the trade unions, the teachers' federations, the medical association, and so on, ever getting all steamed up over this power. Why do they try to work up the farmers over it?

I think that many farmers could make a heck of a lot more money if they would only stop bickering and fighting among

themselves, but organize and get themselves somebody at the top who knows what he is doing, instead of having all these two-bit politicians who talk out of both corners of their mouths.

Your president, Miller, has for some time now labelled the proposed GFO as being government controlled. He did this long before he ever saw the legislation and long before a founding convention was being called. Yet he told this to his followers as an already established fact. Many believing him started to whistle his tune and began to work against the GFO in good faith.

In my opinion, if a leader starts this sort of smear campaign he is not even fit to take a group of boy scouts for an afternoon stroll. In your letter you blame federal and provincial governments for dividing farmers. Even an idiot must see that this time it is the farm union leaders who want to keep farmers divided. I cannot help wondering whether they are doing it from malice, selfishness, or just plain stupidity.

The GFO is being initiated to bring all farmers into one organization and let the majority rule. This in my view, is the proper democratic thing to do. If this is not what the farm union wants, then tell us please, what they do want? A dictatorship? You say: "national farm unity". Come now Mary, you go after national unity by first wrecking provincial unity. Let us be sensible.

Fraternally yours,
Fred Hassenbach
Former member of the
Ontario Farmers Union.

Now, Mr. Speaker, I would not choose entirely the language that Mr. Hassenbach has used but nevertheless I do feel that his opinions are worth while considering at the time when this matter of great importance to all those engaged in agriculture in Ontario is being debated.

Mr. Speaker: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, I want to make a few brief comments with regard to this bill, on second reading, in support of it. I am not going to repeat the general background out of which this bill has emerged, nor the basic statement with regard to the attitude of the New Democratic Party which my colleague from Brantford has already put on the record. But I do want to underline a few points which I think are of particular importance and perhaps in underlining them, stress them sufficiently with the Minister that we can get something more than normal consideration.

As the leader of the Opposition indicated, this whole proposal emerged out of the report of the income committee. In my view that report generally was quite good. I think somebody from the federation of agriculture made the comment that there was nothing in it that they had not proposed themselves some time during the last five years, but when they saw it all set down in a comprehensive document, even they were a little startled by the far reaching and radical nature of the proposals. Indeed, it was so radical that there were rumours and rumblings of it having been written either in Moscow or some such distant place as that, and these solid men of the soil whom the Minister had chosen to make the study found themselves described in terms that normally are attributed to political radicals in distant fields.

However, the thing that disappointed me most about the Farm Income Report was that it grew out of an urgent need to tackle farm income immediately. Indeed, as every member of the House will know, and the Minister himself will be painfully aware, it grew out of the tractor demonstrations and the various activities of 1967. The Minister took the usual way out of calling a conference which resulted in a committee, which in turn resulted in interim reports and another conference, and another year or two of study.

Now, one would have thought that since the specific objective in the first instance was a farm income incentive programme, which was something of a variation of deficiency payments, or guaranteed floor prices, or other techniques that have been used down through the years, that a specific proposal for meeting the fundamental problem of farm income would have emerged, yet it did not. There have been some suggestions in the report.

What the committee did, for better or for worse, was to come to the conclusion that one can never move towards giving agriculture the kind of strength in the market place that it needs, the kind of strength in terms of relationship to a government that it must have, unless there is a strong general farm organization and so they put this ahead of everything else.

Again, whether one agrees with that or not, we are stuck with this set of priorities, and the basic issue of farm income has tended to be shelved to some degree in this pre-

occupation of the whole issue of the general farm organization. I hope to high heaven that when we have gone through this process we will not have gone through a process, essentially a mechanical process and still be as far away from coming to grips with the basic problem of farm income. Because if we do not tackle and solve that, sometime soon there is not going to be a lot of farmers around who are struggling for survival at the moment.

Now the problem that has plagued agriculture, down through the years—apart from income—is divisions in the agricultural community. What disturbs me most about the developments of the last four or five months, since the income report came out, and as we have moved towards the proposition of a plebiscite or an opinion poll, is the grave danger that those divisions are going to be perpetuated and even deepened. I do not think anybody can deny the reality of that danger. Now part of it—and let us be frank—has emerged because of the fundamentally different approach between the two farm organizations, the federation of agriculture and the farm union. I am not going to repeat the critical remarks that have been made by almost every speaker in the Opposition side, since we entered this debate with regard to the weaknesses in the federation which in effect provoke emergence of the farmers union.

It was a federation of farm organizations that got away from the grass roots. It was an organization, to use that harsh epithet that is sometimes used, that became in effect "a company union" of the government. There is no doubt about it: it was an organization that was manipulated by the government.

Well, the Minister may shake his head, but just let me say this: If the Minister does not realize that what I have said is reality, then I am deeply disturbed about the prospect of him healing some of these divisions so that we might be able to solve this problem.

And I say to the Minister quietly, and as persuasively as I can, that if he does not realize now that one of the realities in rural Ontario is the belief that farm organizations—and particularly the federation—have been controlled and manipulated and used by the government for its political purposes, then he just is not in touch with reality.

Furthermore, if he does not recognize that, he is incapable of trying to bridge some of these gaps that have emerged and even deepened as we have moved towards the prospect of holding it. This is a fact.

The Minister shakes his head again. Let me put it this way, Mr. Speaker, so I will not need to argue with the Minister. Whether or not he thinks it is true, there are an awful lot of farmers who are convinced it is true.

Hon. Mr. Stewart: That may be.

Mr. MacDonald: Okay, let us move on to ground which we can share. If there are a lot of farmers who believe it is true, then whether the Minister thinks it is or not, is irrelevant, because the reality we have to live with is what farmers think at the moment. That is the reason why farm union came into being; that is the reason why the farm union has deep suspicions with regard to the extent to which the federation and indeed, even the plebiscite committee, is in effect a front for the government that it still being manipulated by the government in the fashion that the government has manipulated farm organization down through the years for its own purposes.

Now I repeat all this—because I think the Minister in the next few weeks, has got to reach heights of statesmanship, that he has never achieved in the past, if we are going to be able to make this whole exercise a successful one.

At the moment, the reality is—how widespread, frankly, it is difficult to judge—that people who were staunch supporters of the farm union, and who are supporters of the GFO, have left the farm union. In fact, two or three top officials have come out in favour of the GFO and therefore have been expelled from the top councils of the farm union. But the net result of all this, Mr. Speaker, is that those who have remained are even more bitter. That is the reason why I say to the Minister, that the divisions are even deeper now than they were four months ago.

Quite frankly, if a significant proportion of people vote against the GFO, even if it is not a proportion big enough to deny the possibility of the GFO coming into existence. In other words, it can be upwards of 40 per cent, and the GFO could still come into existence, because your requirement, I understant, is going to be some 60 per cent—if nearly 40 per cent of the farmers of the province of Ontario are persuaded that any farm organization is just a tool manipulated by the government, they will be made even more bitter because of the passions that are being aroused in this campaign. Quite frankly, I

fear for the prospects of a successful farm organization in this province, because the net result will be organized opposition to the GFO. It will have all of the rights and privileges that the Act is going to give it in terms of economic security. I am not opposed to that, because I have always supported basic security for the economic organizations of the people. That is why I think that the checkoff of union dues, and other union security items are a very necessary part, for example of trade unions; and I am a little intrigued sometimes to see the schizophrenia among Conservatives, who are now presumably in support of this for farm organizations, and bursting out with antagonism with regard to it on the trade union side.

However, I will not go any further off on that tangent.

I do not know whether it is wise—but I think it is rather relevant—but it leaves people wondering exactly where the Conservative Party stands with regard to this issue.

The basic point that I wanted to make is that we have got to strive—and when I say we, I think the Minister has to lead in striving—to make certain that every sizeable group which has a particular point of view not reflected on the ballot shall get an attentive hearing.

Otherwise, he is going to drive them into opposition; and in driving them into opposition, he is going to end up with something approaching 40 per cent or more opposed.

This is going to bedevil the successful operation of the general farm organization in the future.

Therefore, I rather look forward to the meetings of the standing committee so that we can listen to the objections that are raised by those that are opposed to the GFO or opposed to what appears to be emerging in the ballot.

I understand that draft copies of something are now floating around.

I asked the Minister, a week or so ago, who was going to have the final say as to what was going to be on the ballot. He was a little reluctant to give me a definitive answer on that. But with one or two supplementary questions he had to concede, finally, that he will have to make the final decision. And I think this is correct, so at least it is within our power to influence the man who is going to have the final decision. And I reiterate: the Minister has got to examine, with an open mind, every proposal that is represented by a significant number of people; and seek a means for getting it onto the ballot. Only in that way can we create the unity we desperately need, as we move to giving farmers an opportunity to express their views. That is the whole purpose of this exercise.

Hon. J. H. White (Minister of Revenue): The deputy leader is spellbound.

Mr. MacDonald: Well, as a matter of fact, at least he is in the House, and listening—and most of that Tory party representative of rural Ontario is not even in the House.

I invite the Minister, instead of interrupting me, to count, and then make a calculation as to the percentage in attendance—

Interjections by hon. members.

Mr. MacDonald: I am willing to bet that there is a larger percentage of our members here than yours. Figure it out and remain quiet, then I can finish my speech—

Interjections by hon. members.

An hon. member: He'll have to take off his shoes?

Mr. MacDonald: Mr. Speaker, I think I was just about finished before I was rudely interrupted and, in any case, I have lost the train of my thoughts—

Interjections by hon. members.

Mr. MacDonald: I reiterate a point which I think I was on, that the farmers should be given a choice. And that is the whole purpose of this exercise. Our challenge now, more particularly the Minister's challenge by the man who has the final say—is to make certain that the questions on the ballot will reflect every view that a sizeable group of farmers think should be put to their fellow farmers.

Now, as a result, we might come up with the kind of ballot that will be complicated. But, quite frankly, I would prefer to see a ballot a bit more complicated by an issue that is an important issue in the minds of a significant number of farmers, rather than having a neat and tidy ballot that excludes them, and therefore drives them into opposition.

But, I reiterate, we will support second reading of this Bill, and seek to improve it at the standing committee level.

Mr. Speaker: Does any other member wish to participate? The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I would just like to add a few words on this bill.

I might say my leader has stated that we are going to support this Bill, and I might also say that the farmers of this province, as the Minister well knows—are facing a very difficult situation at the present time. Ever since the farm income report came out, two farm organizations such as the Ontario federation and the farm union group, have had their differences widened considerably, and they are working in opposite directions.

As we farmers do not like to see this, both these farm organizations have done a great deal for different segments of the agricultural industry.

Now, I might say, Mr. Speaker, I would like to warn the Minister that, on this Bill setting up an opinion poll for one general farm organization here in the province, we must be very careful with what is put on the ballot. The ballot must be clear so everyone may understand—because there will be confusion over the next few weeks. And we hear rumbling in the rural areas, at the present time, on account of the inputs that are used for agriculture, the findings that those in agriculture have been locating, and which has the farmers in such a state that they wonder if they have been misled for many years.

And they are critical of the government and of some of these inputs which the Minister or the department has not informed the farmers about—of those conditions in other provinces; and what the farmers have had to pay for inputs in this province.

I think the Minister of Agriculture and Food has a staff of experts who could have been telling the farmers in this province about these conditions long ago. Of course I support one general farm organization and I hope that we can bring about a good feeling, a better feeling, and bring these two great farm organizations together, the farm union and the federation.

I hope if they do vote in favour of one general farm organization, that this organization will not be oriented, or will not be controlled, by any political party. This will speak for the times. I think it is time we had one, and I think one organization would be the best for the agriculture industry under these very difficult times.

I hope the Minister will heed my warning of a very simple ballot; a ballot where there will be no confusion, a ballot that will satisfy the farmers which he will present to them when this vote on one general farm organization takes place.

So with these few remarks, I am going to leave anything else I have to say until this Bill goes to committee, and I will have more to say then.

Mr. W. G. Innes (Oxford): Mr. Speaker, I would like to join with the other members of my party in supporting the principle of this bill. Certainly the dwindling interest in the Ontario farmers' union, and the federation, has necessitated without doubt that a GFO organization is essential for the survival of the farmers, not only in Ontario. But certainly with the view in mind that national, international marketing boards will be the outcome.

For many years, the general farm organization has been talked about, and I hope that the bill that is about to be implemented by the Minister will have the desired effect. And I hope that the interest will grow, and will not dwindle, as has happened in the other organizations. I hope they will make it a success that this is their prerogative and not the prerogative of the government.

In the second part of the bill, mention is made about the facilities that the GFO will have in implementing certain research facilities. It would be my hope that the government would not slacken up on its rightful duty in providing research in all aspects of agriculture. Certainly the Minister speaking recently to the graduating group in Centralia mentioned that he complimented the farmers in that area for supplying facilities to the students to carry out certain experimental projects for them.

I hope that the department will co-operate with the federal Department of Agriculture and continue to do their rightful amount of research; and that they will not say, "Well we'll let the GFO do it, we have an Act that will provide for them to collect funds, and they can do their own research. I would hope that they would continue to do their rightful share in this particular field.

Mention has been made by the party to the left, that they would like to see this ballot become quite extensive in different areas of farming and marketing, so they could vote on them. I would hope it would be simple so that the farmers will know what they are voting for; they will know whether they want one GFO; they will know if they want representation by certain marketing groups as such, or they do not want it by certain marketing groups.

Certainly with the amount of specialization that is currently taking place in agriculture,

I feel that those groups which are especially interested in one type of farming can, to a greater extent, talk about their commodity better than somebody who has a general knowledge of all aspects of agriculture. I hope that they will be given that opportunity.

I notice that marketing boards, at their annual meetings, receive more interest from participants than do the federation or the farmers' union—and we can look to our beef marketing board, and milk marketing board, and others as examples.

So with these few remarks, I hope the GFO vote will carry, and that the farmers will get out and support it, that the government will not interfere to the extent that they will be directing the GFO, and I hope the Minister will take this into account.

Mr. H. Edighoffer (Perth): Mr. Speaker, I would just like to take a moment and join with my colleagues, and particularly our critic, the member for Huron-Bruce, in supporting this bill.

I also, of course, come from an area which is well known for its agriculture. I was please to see in this particular Act the fact that anyone engaged in farming over the age of 21, particularly the female part of this group, would be eligible, or have the right, to vote for or against the general farm organization.

As we are all aware, farming is one of the best examples of working together as a unit—probably one of the best examples we will ever see. These people seem to put all the efforts they have into reaching a goal together. Now this goal, of course, is to make a satisfying living, but also to produce the food which we all need.

I hope, Mr. Speaker, that the Minister's main interest is to help the farmer to improve his income, not to bring the farmers under one head.

I look forward to seeing this bill going through the standing committee, where we can further hear the views and opinions of the farmers.

Also, as I have not seen the ballot, I hope that this will be given much serious consideration before a final decision is made.

Again, I wish to say I support this bill and look forward to further discussion in committee.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I wish at this time to speak on this bill. I, too, come from an area that is largely rural, and I believe that since the farm income report has come out, it brought to the attention of many people—other than rural people—some of the problems facing the farm community. Perhaps this is what a report does in some cases, because I believe that this government and other governments in all areas have made a number of reports, some of which are never acted upon, and some which are acted upon in bits and pieces —some take two pieces out that the government likes, and the things that the other people like they do not act upon. Anyway, this report has brought to the attention of the public at large some of the problems facing the agricultural industry. And, of course, if it is a problem facing the agricultural industry, I am sure it is a problem that eventually is going to face urban people as well.

One thing with regard to the problems of the federation of agriculture—I do not think that it could continue. As we see, it had not been able to carry on, for one reason, because of the way it was financed. I do not think that you can expect an organization to properly represent the people it looks after by having funds paid by groups of organizations and areas; they really have no say actually in it.

In other words, I do not think a man is going to be interested in it unless he himself is involved in it in some way. And when he sells something under this new bill, of course, he will certainly be involved in it, because of the checkoff. That is what my boys say when they come home from work with their pay—every month there is $5 or $6, I think it is $6.50, taken off for union dues. They know then that they are a member of the union, and they expect some assistance from the union at some time. And, of course, this is what the union is there for—to assist them.

Of course, this really is not a union we are talking on here in the general farm organization, because it is not structured that way. However, probably that is all right too. I think, a farmer is not actually the same as a man who works by the hour, because a farmer is a business man, a salesman, he is his own work force, so really he belongs to the chamber of commerce. He could belong to the union, and he could belong to almost every organization and be a part of it.

I do not think, though, that the forming of one general farm organization is going to necessarily solve the problem of the agricultural industry, and I think this has been mentioned before. I think that governments should have been aware that we had some problems in the past. Apparently they were not willing to act upon them, because I think

that these problems that we are facing in agriculture today had been coming upon us for the last few years. Governments on this level—and also on the federal level—probably have been reluctant to take action as they should to help the situation.

Now, I think that since the farmers' union was formed a couple of years ago, we can give a lot of credit to that organization. This got people involved personally. People went up and down the roads to get membership and so forth in it, and paid their membership dues. This brought the people out, and this was one of the things that did and will improve the farm industry in the coming years, because it certainly did bring our problems to the attention of the government and the people.

There are a number of things that will come up under the committee clause by clause, and one of them is designating a farmer and so forth. Our government today —and all of us—have trouble at times finding out what is a farmer and what is a farm.

In our province, for a farmer's son or a farmer's daughter to vote on a municipal election, the farmer must own 20 acres of land, according to The Assessment Act. And yet, under The Drainage Act, if he has got five acres of land, and it is used for farm purposes, he is entitled to one-third aid for drainage. So we have not got uniformity as far as the actual definition of a farmer, but we can probably have an opportunity during the committee meeting, or clause by clause, to try and perhaps iron out that problem.

I do want to comment a moment on the ballot—and I think this is very essential. It has been brought up a number of times, but I think there should be a form of alternate, whether it be Plan A or something similar, but we should definitely have an opportunity for the people to choose more than one system. This is going to be very important, as has been mentioned before.

I believe, Mr. Speaker, that covers all I have to add at this time.

Mr. D. Jackson (Timiskaming): Mr. Speaker, as you probably know, every time I rise in this House it is usually on a mining problem or a problem of northern Ontario that has nothing to do with farming. And when the government committee on farm income put forth their report, they wrote off northern Ontario as a viable farming area.

However, anyone who has travelled in northern Ontario will know that the New Liskeard and Earlton districts support a very viable farming area in the Great Clay Belt.

Well, Mr. Speaker, we in northern Ontario —and the farmers, I think, specifically—have a great suspicion of any organization that this government brings forth, and today—

Mr. B. Gilbertson (Algoma): The hon. member is the only one.

Mr. Jackson: —when the government has brought forth their proposal for a general farm organization, that suspicion has come forward again.

My colleague from Brantford has stated that we are going to support this bill, but I can assure you that the farmers in my area will be looking with a jaundiced eye upon the operations of the government's actions before the vote is taken. And only if we can be assured through participation of the local farmer in the vote, and only if we can be assured that it will not be a government-controlled organization, will we be happy.

Hon. Mr. Stewart: What does the member see in this bill that makes him think that this is a government-controlled organization?

Mr. I. Deans (Wentworth): It was brought in by the government.

Mr. Jackson: Mr. Speaker, there has always been suspicion amongst farmers that the Ontario Federation of Agriculture has been government-controlled—that suspicion has never lessened. In fact over the past few years it has grown in our area, and unless the Minister brings the final vote forward and he does so in a way which removes that suspicion, then the farmers in my area will not be happy. All I can say to him now is that I hope that when he finally does put it to a vote, he does so in a way that will assure the farmers that it is a fair vote—then we will accept it.

Mr. Speaker: Is there any member who wishes to engage in this debate?

Does the hon. Minister wish to reply?

Hon. Mr. Stewart: Mr. Speaker, I appreciate very much the support which has been so readily indicated by the various members who have spoken concerning this bill, and I can appreciate the concern which some of them have regarding the content of the bill. I suppose that when it comes to the committee on agriculture and food that there will be representations made by the various farm organizations and individuals as well.

There are several suggestions that have been made and I want to deal with one or two of them because I think they are quite important. If I may, I would like to come to what the hon. member for Oxford has said first of all, because to me he hit right on the crux of this whole matter, and that is the concern that is being expressed by a great many farm people across this province who have special interest in various commodities.

The hon. member for Oxford referred to this special interest and he said that there—I do not want to put words in his mouth but as I recall what he said it was—that there is difficulty in many farm people who have those special commodity interests conceding those policy decisions that must be made concerning those particular commodities to a general farm organization. I hope I have interpreted what he said, and I have his assurance that this was it.

This really has come to us in so many, many ways from so many farm people across this province. I appreciate what my hon. friend from York South has said concerning the feeling of some members of the farmers union when he mentioned the bitterness which they are expressing concerning the fact that Plan A will not be on the ballot. Now, really, what is Plan A? I think that when one really looks at Plan A, and then what is proposed on the ballot—I saw it over there this afternoon; it has not reached my desk yet, but there has been a proposed ballot that I have seen—and in this there is an expression of opinion asked for as to whether farmers want a general farm organization with compulsory check-off.

Then the second question is, if a general farm organization is established your answers to the following questions will direct the delegates at the founding convention respecting the structure of the organization, and that second question would read: Should each marketing board have a vote on the provincial council of the general farm organization?

The connotation on that second question, it would seem to me, Mr. Speaker, would be that there is a continuing position that all commodity boards should maintain. Whether or not they should have the right to vote in the central council of the general farm organization as proposed in this bill will be left to the farmers to decide. But there is nothing in this ballot that would say that those marketing boards as we know them now should disappear, save and except that under The Farm Products Marketing Act today every commodity marketing board in this province can of their own free will and volition vote themselves out of existence.

They can vote themselves in with another commodity board or group of commodity boards, or they can, if they so desire, vote to make the general farm organization, if and when one is established, their marketing vehicle for their particular commodity. That right already exists. They have the right to do that now on a producer vote. But as many farmers who have interests in particular commodities point out to us that the problem with Plan A is that the commodity board virtually disappears. Plan A as has been presented to me reads as follows:

The transfer in our opinion of commodity boards to the general farm organization would take place when 51 per cent of the producers of the said commodity or—and I want hon. members to note that word "or"—the majority of delegates voting at a meeting representing producers of the said commodity vote in favour of the function of their board being integrated into the general organization. Once the producers have made this decision the marketing board policy function on marketing will pass to the general organization.

Herein lies one of the great difficulties which we have come up against, I must confess. And while I appreciate and recognize the intimation of my hon. friend from York South that I must become some sort of a superstatesman to bring together these opposing viewpoints, I tell you it is extremely difficult to do this because we have very firmly held opinions of men who have spent a lifetime in developing the commodity board structure that we have in this province today.

The Farm Products Marketing Act, I believe, Mr. Speaker, was brought in in the days of the Hepburn government if I am not mistaken—in 1935 I am prompted to say—and developed since those days on, by people who were dedicated to the interests of their particular commodity. The Marketing Act has been amended, it has been strengthened, we have improved it, we have gone so far as to work out with the government of Canada arrangements whereby national marketing boards or commissions can come about. This surely is in the interests of Ontario farmers, in fact in the interests of all Canadian farmers.

But these men and women and the young people whose future is tied up in the agriculture industry of this province are very much concerned that someone is going to determine policy on their particular commodity who may not even have anything to

do with the production of that commodity. How we get these two opposing viewpoints together I just do not know. We have tried. There has been a continuing committee that has worked on this for many months. They simply could not arrive at a satisfactory answer and ceased negotiations.

Now, the farm income committee—charged with the responsibility and terms of reference which we all know—brought in their report, and in this, and the member for York South is quite right about the central theme, certainly it came out very clearly to us at the conference on agriculture held in mid-January, that the one thing that seemed to supersede all else in that report was the establishment of a general farm organization. Hon. members who were there will recall very well that I was asked to draft the legislation and present it at this session of the House so that such an opinion poll could be held. This bill is the result.

It may not be all things to all people, but, Mr. Speaker, I do not think that we can be all things to all people. We have suggested this afternoon that our ballot should be, even if complicated, large enough to include all of these various ideas that have been presented, and this on the surface would have great merit, it would seem. On the other hand, I just received this afternoon a petition from a particular commodity organization which demands that there should be a separate or different type of organization entirely to that proposed either in this ballot or in Plan A.

If this is to be on the ballot, then surely it confuses the issue, as was pointed out by the member for Kent and by others who have spoken this afternoon on the necessity for keeping the ballot separate. It is difficult on such a complex question to prepare a ballot that is both all-inclusive and yet at the same time reasonably simple.

So we have taken these various things into consideration and I must confess that they will have to get continuing consideration, but it is not going to be easy to do that. I feel that there is validity in the argument that has been advanced quite eloquently by the farm community that there should be an opportunity to vote on a ballot that is as simple as possible and yet would allow the farmers to determine whether or not they want the general farm organization financed on a compulsory check-off, whether or not the marketing board should have a vote or whether they should be just there, not even *ex officio*, and whether or not the membership that would be necessary should be obtained in varying ways. These are surely important points.

My hon. friend from Huron-Bruce referred to the interim committee among other matters, and he hoped that that interim committee would not become a tool of the government. And I think he went on to say that he wanted no party hacks—whatever they are—appointed to that interim committee.

Now I ask you, Mr. Speaker. This government is not guilty of that kind of thing, because, as a member of the Ontario Food Council today, sits Mr. Donald Baxter, who once sat in the Opposition party of this House—is that the kind of a party hack the member was referring to?

Mr. S. Lewis (Scarborough West): No, but we will name a few others—

Hon. Mr. Stewart: Well, sure you can name a few, but I tell you that this government has not been guilty of that kind of an accusation, and I do not like that aspersion being thrown at us quite frankly.

I would like to say this: that when we, in this government, appoint members to a committee, they are men who are appointed because of their wisdom and ability, and if they happen to be wise enough to be Conservative so much the better.

Interjections by hon. members.

Hon. Mr. Stewart: Now having got that little point out of the way—

Mr. MacDonald: Does the Minister feel better now?

Hon. Mr. Stewart: No, I would not say I feel better. But I just wanted to put that on the record as fact because there have been opinions expressed that are not always pertinent to the facts.

The bill, as the hon. member for Huron-Bruce suggested, should have provided for a percentage of the farmers to sign a petition for a vote. I think I would be inclined on the surface to agree with that suggestion but it is most difficult to determine, as the member for Essex-Kent suggested, who is a farmer really.

At the 1966 census, I believe, the indications are that there were about 102,000 farmers in this province. We considered putting in a percentage factor here, but, on reflection, we began to think that perhaps it might be wiser to say 15,000 farmers, and that would be the figure.

As was mentioned here earlier today, if, as history seems to indicate and the future appears to indicate, there might be a lessening number of farmers and that 15,000 figure was too great. Then, I suppose, we would have to take a look at that and change it. But surely that would be a reasonable figure today, and so this was the reason it was arrived at.

There has been concern expressed by several members who have spoken today, particularly the member for Brantford (Mr. Makarchuk), who referred to this interim committee, expressing concern about the relationship of the committee to the success or failure of the general farm organization.

I would call attention to the fact that the interim committee is simply charged with the responsibility after the vote is held; and, if it is a successful vote and the organization has been voted in, or at least an indication has been given that it should come about, then this interim committee would simply be charged with going out to each county or district of this province. They would be charged with the responsibility of seeing that three delegates per 1,000, or part thereof, of farmers within that county or district, would go to the founding convention. And, the one who had the largest number of votes in that democratic election, to choose those delegates, would be the representative to the first provincial council of that founding convention. Take the county of Middlesex, for instance, where I believe there are about 4,000 farmers: that would mean about 12 delegates, four of whom would be delegates to the provincial council, and it would be done the same way in all other counties and districts.

This is for the first convention. At that convention this interim committee would be charged with drafting bylaws that would assist in carrying on the convention, choosing for the place of the convention, making arrangements for accommodations and all the rest of it.

But, more particularly, I refer to the bylaws, which would not come into force until they were confirmed by a majority of the delegates at that founding convention. So while I appreciate the reference that has been made to the interim committee, I do not wish that there be over-emphasis placed on this committee, because really all they will be doing is organizing the first convention and from there on it will be a completely organized operation by the farmers of this province.

I was pleased to note the reference that has been made by speakers this afternoon to the fact that women in the farm communities of this province have been given the opportunity to vote on this farm organization, also those who are 21 years or over, because we feel very definitely that farm women of this province—and I refer to the women's institutes as an illustration, and many other women's organizations throughout rural Ontario—have contributed a very great deal to the benefit and welfare and the betterment of Ontario.

There are no group of people who have a greater stake in the welfare of the community, than the farm women of the province; and we feel very definitely, and I am pleased to know that members who have spoken today, support the idea that farm women should be given the opportunity to vote.

We also feel that those who are 21 years of age or over, and who are associated in the farm business, should have that opportunity to vote as well. This is a new departure in farm organization voting. This is really not a farm marketing vote but, in the past, on farm marketing votes, those associated with it who are 21 or over, have not been given that opportunity. This is something new. We think it is unique. Well, it is unique; and certainly it is a very great step forward.

Mr. G. Bukator (Niagara Falls): Many of them are Liberal.

Hon. Mr. Stewart: Yes, indeed, they are—in many cases. In mine particularly, as the hon. member for Niagara suggests. We will look forward to the agriculture and food committee, when the bill will come before that committee, and when we will have further representations on it. I thank you, Mr. Speaker, for the support that has been given to this bill, and I am pleased to note that all members of the House will give it second reading.

Mr. Speaker: The motion is for second reading of Bill 140.

Motion agreed to; second reading of the bill.

Mr. MacDonald: Mr. Speaker, on a point of order right now, is the Minister in a position to indicate when this will come before the standing committee?

Hon. Mr. Stewart: Yes, I am sorry, I thought it was understood. Next Tuesday—and I thank the Premier (Mr. Robarts) and leader of the House for having brought this bill forward today because we want to advance it for next Tuesday's agricultural committee

meeting, and word has gone out to the various farm organizations that the bill will be there.

Clerk of the House: The 37th order; House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2003:

Mr. D. C. MacDonald (York South): Mr. Chairman, at 11.20 p.m. the night before last, I was rising to present to the House an amendment. To my utter astonishment the Provincial Secretary (Mr. Welch) rose and cut me off by adjourning the debate, and so we all went home and had a good night's sleep. But the validity of that amendment has been proven very conclusively by events in the last 36 hours. Therefore I want to present it to the House and deal with a few basic issues related to it, and in the course of my remarks to ask some questions that I think become very important in light of the developments of the last 24 hours.

In my view, the resignation of Chief Wilmer Nadjiwon is evidence of the kind of thing that we are trying to say in this House and that the Minister, in his so well-developed fashion, was dismissing as being without any real substance. Indeed, I was even more prophetic than I knew when I said to him that he revealed his insensitivity to exactly what was happening when he invited the whole of the advisory committee to come down and watch the spectacle which unfolded in this House.

The fact of the matter is that when they did come down they found out, at least in the mind of one of them, that the cause was really a pretty hopeless one.

The point I want to make, Mr. Chairman, is this, that the resignation of Chief Wilmer Nadjiwon is only the tip of the iceberg. If the Minister, for one moment, tried to kid himself, or kid the public, that this kind of feeling, this widespread disillusionment, is isolated to this one individual who saw fit to resign, then he is so badly mistaken that, once again, he is out of touch with reality.

For the moment, you have only one resignation, but even that one is important because it happens to be the man who today is the leading spokesman for Indians in the province of Ontario. He is president of the Ontario Union of Indians.

His reasons, I think, are pretty interesting ones, Mr. Chairman. He said that this government's attitude and policy were "inadequate, ineffective and insincere." One does not need to argue the proposition that the government's policy was inadequate, because it is inadequate even on the government's own standards.

The government had appropriated $1.4 million for this past year's expenditure and, at the end of the year, $1 million had not been used at all. So, by the government's own standards, their policies and their programme was inadequate.

It was ineffective, obviously ineffective. Indeed, the Minister himself says that one of the greatest disappointments that he has experienced in the last ten years is the fact that we have made so little, if any, progress on this vital issue in relation to our native people. It was a rather revealing comment that he made in the course of his reply on Tuesday evening between five and six o'clock.

But most important of all—and this is a matter of some delicacy—was the accusation of Wilmer Nadjiwon that the government was insincere, that the Minister was insincere.

This is a difficult thing to pin down. But I want to try to suggest to the House why, not only Chief Nadjiwon, but many Indians have come to this conclusion. I have in my hand the Ontario Human Rights Code—that document which the Minister contends he had something to do with producing—that was a revelation to me, but I do not want to dispute his word. This booklet which the government has put out on the human rights code, has an introduction by the Premier (Mr. Robarts) of the province, entitled "Human Rights Are Indivisible". I want to read one paragraph from it:

> We must never lose sight of the fact that the Ontario Human Rights Code is much more than a number of laws designed to deal with a prejudiced minority; it is rather a set of inviolable principles to be practised and lived from day to day by all of us, not just because the law requires it, but rather because enlightened social behaviour demands it.

Mr. Chairman, in face of that, what we have to listen to from the Minister by way of a rationalization as to why they could not go ahead and implement his programme just makes a mockery of the matter.

To appropriate $1.4 million, and then to use constitutional arguments, on the fact that you do not have a fiscal agreement with the

federal government, or the fact that the problem is so complex the Minister is trying to wrestle with this and get on top of it. We have the shocking, enraging, infuriating proposition of a Minister getting up and saying that he has found the whole advisory committee a self-education!

God help us that we have to sit around here, and wait for him to get at problems that have been neglected for decades while the Minister gets educated to them.

Now, that all this has taken place at a time when the Prime Minister of the province has made some comments about the human rights code, which is being violated by this Minister day in and day out. This Minister says the constitution is—in his way: "I can't get the money from Ottawa" and he is violating the Ontario Human Rights Code by his inaction, because the Ontario Human Rights Code says that you are going to make no divisions between those who live in the province of Ontario.

We simply cannot continue to go on, Mr. Chairman. We simply cannot continue to go on using this or that excuse. I am persuaded —and this where the feeling of insincerity creeps in with Chief Nadjiwon and others— that when the Minister uses those excuses he will dream up another one, because the white man has dreamed up excuses for 100 years and nobody is more capable of dreaming them up than this Minister.

We simply cannot procrastinate any longer in coming up with a programme that is going to be a constructive programme, a programme that is going to have resources, a programme that is going to be worked out primarily by the Indians and not be the product of an uneducated Minister— who some day presumably might become an educated Minister. Such a programme has to be worked out by the Indians. I simply cannot understand why the Minister would have the temerity to come into the House without responding to the request of the Ontario Union of Indians for $54,000 in face of an unexpended $1 million voted to him last year. What are you sitting on it for? What are you waiting for?

You cannot go out and find out what the Indians want because the Indians have lost so much confidence in the white man. As one of them put it to me the other day. In fact it was Chief Nadjiwon, and I think I should identify him because he is president of the Ontario Union of Indians. He said when even one of our people goes out on to an Indian reserve he has to spend a day or so to win the confidence of that reserve before he can find out the facts upon which you can realistically base policy.

Do you suppose that somebody, a white man from this government's department with its record, is going to be able to flit into an Indian reserve for a day and come out with the confidence of the Indians and the information upon which to shape a policy? Of course you cannot. You are the victim of a record of bad relations with the Indians.

That is the reason why, Mr. Chairman, I would have thought that this government would have responded with alacrity to the suggestion that the Ontario Union of Indians is willing to make their new and growing organization—now put on a much more viable basis—with field officers available to go in and to dig out this information and to begin to shape policies and then come back and hand them to the Minister so that he would have some idea as to what exactly he is going to do. But the Minister apparently does not want that. He is satisfied with his own policies, which are inadequate.

I want to present this amendment so that you can take a look at it over the supper hour. But I shall have a few more comments to make, Mr. Chairman, before I conclude my remarks. My amendment is this, that estimate 2003 be stood down, in order that the Minister may return to the Treasury Board for consideration of a realistic budget for the Indian development services, including a restoration of the unexpended $1 million from last year's appropriation which reverted to the consolidated revenue fund, so that the financial means will be available for a constructive programme in the health, welfare, education and economic development fields.

Further, that a portion of such expenditures should be made available to meet the request of the Ontario Union of Indians for field officers who can gather the necessary information to make it possible for the Indians to have a paramount role in shaping the policies to meet their urgent needs.

Mr. S. Lewis (Scarborough West): The Minister has to support that amendment. There is no alternative.

Mr. MacDonald: I assume by the hour, Mr. Chairman, that it would be appropriate if I move the adjournment; or do you simply send us out for supper?

It being 6.00 of the clock, p.m., the House took recess.

No. 111

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 8, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 8, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, continued 4159

Motion to adjourn, Mr. Welch, agreed to 4189

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

ESTIMATES, THE DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Continued)

On vote 2003:

Mr. Chairman: Immediately prior to supper hour the hon. member for York South (Mr. MacDonald) had presented the chair with a motion pertaining to the total vote 2003. During the supper hour I have had the opportunity to review the motion completely, and I must point out that if this motion were accepted and put to the committee and were defeated, it would have the effect of carrying the entire vote. Considering the discussion that has taken place I would be tempted to do just that; however I do find that the motion itself is not a proper motion at this time, and I quote for the committee the reasons for that opinion.

In "Lewis" on rules and procedure of this House, on page 71, he says "that neither can a motion to postpone a proposed resolution be entertained." Now this particular motion has the effect of postponing the estimates in this effect. "May's" 13th edition recites as follows:

> Each resolution for a grant—

That is a vote:

> —forms a distinct motion which can only be dealt with by being agreed to, reduced, negatived or superseded, or by leave withdrawn.

Now "Lewis" proceeds as follows:

> Nor may an amendment propose that a proposed appropriation be devoted to something other than the purpose designated in the estimates, as submitted. Such an action would constitute an initiation of an expenditure and as such is a prerogative of the Crown.

Now on an amendment proposed for the purpose of reducing the amount of the appropriation as estimated, this last proposition is succinctly stated in "May" at page 730:

> Hence the well known rule of supply that no amendment is in order except the simple reduction of the amount demanded.

As the proposed amendment by the hon. member for York South offends all of the principles enunciated it is manifestly out of order; and I so rule that the motion is not a proper motion.

Mr. D. C. MacDonald (York South): Well Mr. Chairman, I shall have to confess to you that I think you are quoting "May" correctly, but "May's" rules were created to deal with estimates some 150 years ago. While I concede that it is an accurate statement of "May", I think it is inadequate to cope with modern estimates.

However, I will not argue the point. I think that is another point that should be looked at in the modernizing and streamlining of our rules.

I accept your ruling, but I would like to proceed with some comments which are even more important in view of the fact that we cannot have a motion to focus attention on the situation.

Mr. Chairman: Does the hon. member propose to continue the discussion on the Indian affairs programme?

Mr. MacDonald: Right.

Mr. Chairman: That is quite in order.

Mr. MacDonald: I think we have reached an historic turning point in Canada in our relationship with our native peoples. Either we are going to grasp this occasion to create the opportunity for a new relationship which will be satisfying and meaningful to them, or we are going to invite increasingly serious difficulties with them.

Now I know that when one tended to use that phraseology a day or so ago the hon. member for Port Arthur (Mr. Knight), and others in the Liberal group and on the other side, said "You are fomenting trouble." But let me paraphrase Chief Nadjiwon. Either this government proves that it is sincere, and comes up with a meaningful programme, or you are going to have trouble with the Indians of the north.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Helped by the NDP.

Mr. MacDonald: They do not need any help. In fact they do not need any help because of the failures of this government. Do not blame others for what rests squarely with this government and its failures.

Hon. Mr. Simonett: You are helping them all the time!

Mr. W. Ferrier (Cochrane South): If the government would do something for them they would not be in the state they are.

Mr. MacDonald: At Ottawa, in a somewhat reluctant, somewhat fumbling fashion they are recognizing that an historic turning point has been reached. I say somewhat reluctant and somewhat fumbling, because just this past week they had a meeting at the end of which there was a massive confrontation between the 44 Indian tribes who were represented at this gathering and the federal Minister, Mr. Chretien, which was described in the news stories as being a complete capitulation by Mr. Chretien.

The Indians, in effect, said to him, "Go ahead and change your Indian Act if you want. We don't care, but we are not going to participate because as far as we are concerned item one on the agenda is that you must finally sit down and face up to the unresolved problems in relation to the treaties and our rights that flow from those treaties. When you have done that, fine, we will then play a role in reshaping the Indian Act which is in turn going to reshape our lives."

The news interpretation of it was not only as a capitulation by Mr. Chretien, but the final acknowledgement that it is the Indians who are going to make the decision and are going to decide on the priorities. In other words, we have just about reached the end of the road, when patronizing white peoples, in bureaucratic patronizing governments, are going to shape the lives of Indians and they are going to take it without protest. From this point on there is not only going to be protest, there is going to be a refusal to cooperate.

I would hope that here too we would recognize that we have reached a turning point. Indeed there is one aspect of the turning point, the profound significance of which the Minister seems to have missed. One of the problems in dealing with the Indians up until now is that they had no authoritative voice among themselves; they were so divided that it was difficult to get a consensus. In fact that problem has not been completely solved.

But across this nation the Indians are building their own organization, the National Brotherhood. They are developing a voice, which is a voice for all of them, and they have achieved it in the province of Ontario in recent months to a degree that I would have hoped this government would have heaved a sigh of relief at and said, "Thank God, now we have somebody to work with, who are authoritative spokesmen for the Indians."

We have had for some years the Ontario Union of Indians, but it has been a very loose-knit organization that I think the Indians themselves would agree was not a very effective or authoritative voice for the Indian community as a whole. In the last year or two there have been some very significant developments, culminating in the last two or three months.

Men like Omer Peters, in whom I think one can say this government has confidence because they have worked closely with him when he was president of the Ontario Union of Indians, when he gradually worked through the various organizations that were partly in the white community and partly in the Indian community, such as the Indian Eskimo Association, until last year, he was elected as the national president—the first Indian native president of the Indian Eskimo Association—and Omer Peters has resigned from both of those positions to take a post as a full-time secretary of the Ontario Union of Indians. His place has been taken as president of the Ontario Union of Indians by Chief Wilmer Nadjiwon.

So you have an organization now which is emerging as the voice of Ontario Indians, which is seeking to be able to do a job on behalf of Ontario Indians. As yet, they have no adequate resources. In fact, Mr. Chairman, there is another aspect of this development that the Minister may or may not be aware of, and in case he is not—in case other members of the House are not—I would like to detail it.

The Indian Eskimo Association for years has in effect been giving voice to Indian needs because there was no authoritative voice for the Indians themselves. But the Indian Eskimo Association has publicly stated its policy down through the years as being a body which would seek to help the Indians develop their own organization, and at an appropriate time the Indian Eskimo organization will eliminate itself and hand the job over to the Indians.

I would say there are a few more creditable records in terms of an organization assisting a native peoples, and stating that at an appropriate time they would get out of

the picture and hand the responsibility over to the Indian organization.

In fact last fall the Indian Eskimo Association at a meeting of its top body—I think it is called the provincial council—made the proposal that at this time—somebody made the motion at the meeting—the Indian Eskimo Association should in effect pass out of the picture. And it was Chief Nadjiwon himself who said, in effect, "Well let us not rush into this. Let us not eliminate an organization that is assisting us at a time when we are struggling to establish ourselves; at a time when we may not yet have achieved viable independence."

In short, it was the Indians themselves who asked the IEA to stay in the picture for some further time. The Indian Eskimo Association agreed that they would increasingly drop into the background, assist the Ontario Union of Indians with research work, with finances to keep their office, and with the staff that they need to put into the field to do the obvious job that has to be done.

Now the Ontario Union of Indians comes to this government. What they want to do is to go out and to establish that relationship of confidence on the Indian reserves, to get the necessary information, to bring it back, to assess it in conjunction with the Indians, and out of that would emerge, I trust, policies that would not only be the creation of the Indians but policies that this government would welcome so that then they would have a more constructive programme to move forward on.

That is the reason they ask for $54,000, to put six field officers out across the province to gather this information for the policy-shaping purposes. I am mystified why a department which is sitting on a million dollars unexpended money would not have automatically responded, would not have recognized that here is an historic turning point, a legitimate place to spend a small fraction of the unexpended one million dollars. And yet the Prime Minister confirmed when I put a question to him before the orders of the day, that the matter is still under consideration. How much longer are you going to consider it before we move?

If we have reached an historic turning point, Mr. Chairman, I think there are two or three important parts of the machinery that have got to be re-examined because the record indicates clearly that that machinery has not been effective. I want to address my remarks to them now. I touched on this before but in the new context of yesterday's developments I think we have to do it once again.

In my opinion the interdepartmental committee has been a failure. The Minister may argue otherwise but Chief Nadjiwon, along with the voices that have come from this side of the House for the last two or three days, are urging the Minister to resign from the chairmanship of the interdepartmental committee. If the Minister will not resign I suggest to the Prime Minister that he should ask for the Minister's resignation, or more appropriately, he should reconstitute the committee. Because here let me say, in all fairness, the responsibility is not only the Minister's, it is an unworkable structure.

I go back once again to what I shall henceforth describe as the Kruger model for an interdepartmental committee. When Professor Kruger made his comments with regard to the interdepartmental committee that was established some years ago to deal with regional development, I suggest that his observations were entirely pertinent with regard to the operation of this committee. Some of his comments were these: if you bring together a half a dozen Cabinet Ministers, all of whom have the responsibilities of their own department, and you choose from those Cabinet Ministers one person as chairman of the committee, it is unworkable because the man is already preoccupied with his own department.

It is unworkable for a second reason—cabinet Ministers are human beings and instinctively protect their empire. They are hesitant to have their empire reduced. They do not react sympathetically and spontaneously to the proposition that comes from another Cabinet Minister that there should be serious reshuffling. One Cabinet Minister is not the appropriate person to be giving directions to another Cabinet Minister. If you are going to have an effective interdepartmental committee, says Professor Kruger, it must be a Cabinet committee under the direction of the Prime Minister, and not with one member of the Cabinet assuming burdens in addition to his departmental burdens, but with an executive officer whose full time responsibilities will be to see that that committee operates.

If he is going to be working with Cabinet Ministers—in this instance the Ministers of Agriculture, of Education, of Lands and Forests, of Mines, of Trade and Development—then he has to have a person who speaks with a degree of authority. His line of

authority must be directly to the Prime Minister, His relationship to the Prime Minister should be essentially that of a Deputy Minister so that when he speaks, and seeks co-ordination from all the various members in the Cabinet, he will be able to do it because the Cabinet Ministers will know that he is speaking on behalf of the Prime Minister and that he has the support of the Prime Minister. that is the only way you are going to get an effective Cabinet committee that will achieve a global approach to a problem which involves the participation of many departments.

Unwittingly the Minister has revealed the inadequacy of the interdepartmental committee; unwittingly the government has revealed its inadequacies and its ineffectiveness. We asked a question with regard to a live issue in the educational field—my colleague from Peterborough dealt with it at some length. Under the statute it states clearly that where Indian children are being taught in a certain system, Indians have a right to have representation on the county board. In Lambton County they have refused. As of the day before yesterday the Lambton County board finally said they cannot have representation.

I put this question to the Minister. He did not know anything about it. "You will have to go to the Minister of Education," he said. Well, I am critical of the Minister but I repeat, it is the ineffectiveness of the machinery. The Minister cannot do his job in the department and be on top of all the other departments in their involvement in his committee; only somebody full-time can do it.

But a second revelation as to the ineffectiveness of the committee has been in the whole consideration of these estimates. If you wanted further proof of the fact that we have retrogressed, instead of progressed, in coming to grips with this problem, I ask you to recall what happened three or four years ago in this House when a full debate was initiated on this estimate.

The Prime Minister said that this would be the occasion in which we would debate all Indian affairs—at one time, in a tidy package—and we would have sitting in the House not only the Prime Minister and the Minister who happened to be chairman of the inter-departmental committee, but all the Ministers of other departments involved. If anybody on the Opposition side of the House asked a question that the chairman of the interdepartmental committee could not answer, the Minister of Education was there to answer it.

But tonight, where is the Minister of Education? Where is the Minister of Agriculture? Where is the Minister of Trade and Development? Where is the Minister of Mines? Where is the Prime Minister? As far as I can see, the only member—apart from the chairman, who has to be here because of the estimates—is the Minister of Lands and Forests. This committee has collapsed.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, on a point of order. I know that the hon. member will be interested in knowing that I discussed this matter with those of my colleagues he has referred to, and the statements I made yesterday in the House were accepted—that the generalities we will discuss as we have, and then as each Minister presents his estimates, the specific situations relating to his department may be discussed in intimate detail.

Mr. MacDonald: Mr. Chairman, this shows how nonsensical is our approach—to deal with it in generalities. I do not blame the Cabinet Ministers for asking this Minister to deal with the generalities because he is a master at doing that, but the generalities are meaningless.

Hon. Mr. Yaremko: The member has been doing the same thing very well so far.

Mr. MacDonald: Well if mine are generalities I have been dealing with a lot more specifics than we have heard from the Minister. That has been our problem through the consideration of these estimates.

However, I have made the case that you cannot get an effective inter-departmental committee on the basis on which this one is set up. I reiterate my plea, in the hope that some time soon, in the interests of tackling Indian affairs effectively, at this turning point in the history of our relations with the natives, the Prime Minister will respond and reorganize this committee.

Now, let me turn to the advisory committee, which presumably is the other important agency. As one listens to the Minister, he stressed it as being a very important agency. But his description of its operations left me increasingly puzzled. It is a body that meets in private—indeed, we have not yet got the *Hansard*, so I cannot go back to the Minister's inimitable phraseology about its meetings being more effective because it was in private where you could be informal. It was in the context of his saying that it had

played a very important role in educating him.

I suggest to you that the advisory committee should be something more than a body to educate the Minister. Because we are spending $14,000 in public moneys, it should become an effective body.

I want to ask the Minister a number of questions and I hope he will be willing to answer these questions specifically, so that we can get some clearer idea of this advisory committee.

For example, am I correct that the news story in this morning's *Globe and Mail* lists the membership of the committee correctly? Or need we haggle over that point, as my colleague says? It claims that in addition to Wilmer Nadjiwon, the other members were: Lorenzo Big Canoe, a Chippewa from the Georgian reserve; Alf Bruyere of Fort Frances; Chief William Meawasige, an Ojibway from the Serpent River reserve; Chief Flora Tobodondug, from Parry Island; Melville Hill from Desoronto, and Chief Fred Greene of the Shoal Lake Reserve. Is that complete membership?

Hon. Mr. Yaremko: Yes, it is.

Mr. MacDonald: Well may I ask, how many times did that committee meet in the last fiscal year?

Hon. Mr. Yaremko: Four times, I believe.

Mr. S. Lewis (Scarborough West): Five, to be exact.

Hon. Mr. Yaremko: It all depends on what you mean by a year, because they met yesterday and the day before.

Mr. MacDonald: I said the last fiscal year. Four times during the fiscal year from April 1, 1968, to March 31, 1969? Now, may I ask the Minister, what recommendations did the advisory committee make to him during the course of the last 13 months, since the beginning of the fiscal year of April 1, 1968?

Hon. Mr. Yaremko: Mr. Chairman, this Indian advisory committee is, as I have stated both in this House and elsewhere, an advisory committee to the Minister. It meets in private. Its recommendations, its discussions, of necessity—and I have accepted it up until now—have been of a confidential nature. In all my discussions with the committee, and I have attempted to attend within the limits of the time available to me as often and as long as I can.

I have accepted the fact that I have spoken to them in all frankness, in all confidence, as any other Minister would speak to any advisory committee. If I have asked them to respect my confidence I must respect the confidence of all. As the committee has been acting and constituted in the last period of time since I became aware of it, I have treated it as a confidential committee.

If there is to be any change in the structure, in the work, in the procedures of the committee, that will have to be decided for the future.

Mr. MacDonald: Mr. Chairman, may I ask this question. Is the committee private at the request of the Indians who are on it, or at the dictate of the Minister?

Hon. Mr. Yaremko: This was a basic assumption that I had with respect to this committee—as I have with all other committees that have been in an advisory capacity to me. There are several committees within this department and in other departments, and I just made that basic assumption. It was never ever discussed until recently, and I proceeded right from the very beginning believing that the exchanges of ideas and thoughts that I was to have with this committee were to be open and frank. Because I have used the expression "educating"—and educating is nothing anybody need be ashamed of—I was trying to get their ideas, their feelings into my system.

This is one of the fundamental things that has to take place, that the non-Indian must begin to understand the Indian and I have discovered that the Indian must also begin to understand the non Indian and his ways. If a Minister is to have an advisory committee I must speak frankly and completely without concern that, because I explore a line of thought, make an expression of opinion, this cannot be treated as in confidence. I asked the Indian advisory committee to attend upon this to listen.

This was no impulsive naive gesture on my part. I asked them to sit here and listen and to tell me; they have listened and they will read and they will advise me in confidence. They will examine my utterances and they will say, "Mr. Minister, you strayed from this point or that point." They will say to me that the position of the Opposition was either right or wrong. I am going to be interested in knowing how much of what was said by members of the Opposition of both parties had any validity to the advisory committee.

Mr. Lewis: Oh, he has said it too often.

Hon. Mr. Yaremko: I will ask their judgment of your opinions too.

Mr. Lewis: That is fine, you will hear from me.

Mr. L. A. Braithwaite (Etobicoke): You had better ask them about mine, too.

Hon. Mr. Yaremko: I am very much interested in the summation that the member for Riverdale made. He made up with concrete points one after another.

Mr. Chairman: The hon. member for Etobicoke just shouted an interjection that he did not believe the hon. Minister. I do not think this is proper at all. It is on the record. I think the hon. member should withdraw it.

Mr. Braithwaite: I said they did not!

An hon. member: He should be made to withdraw it.

Mr. Chairman: The hon. member said he does not believe the Minister. I do not think that is a proper comment at all.

Mr. Braithwaite: I did not want to get into this, but I must say this: I do not know for how many years now we have sat here and we have heard this very Minister talk about Indians. I have sat through a good part of this debate, Mr. Chairman, and I have listened. I have come to the conclusion, just like my good friend who has resigned, that there is a great deal to be said on behalf of these people. I wonder if this is not the time for the Minister to resign, Mr. Chairman.

I say this because I do not think that this Minister is at all competent. I do not think he cares at all about these people—

Mr. Chairman: Order! Order please.

Mr. Braithwaite: —and as far as I am concerned—

Mr. Chairman: Order! Order! The Chairman has suggested to the hon. member that he uttered words in these Chambers inferring that he did not believe the Minister, and I do not think this is proper.

Mr. MacDonald: Well let me interrupt—I do not believe the Minister. So let us not get hung-up on a technicality. I do not believe the Minister, because I have got to make a choice between his record, or his word in view of his record in this House, and the Indians. At this point I will choose the Indians, and I do not believe the Minister.

Mr. G. Demers (Nickel Belt): Very dramatic.

Mr. MacDonald: Right. You bet it is dramatic, because the Minister says he is anxious to find out what the advisory committee thinks. Well, the Minister does not need to wait. He has found out from Chief Nadjiwon, and if the Minister is kidding himself for one moment, let me tell him again he came within an ace of the whole of his advisory committee resigning *en masse*, and he knows it.

Interjections by hon. members.

Mr. MacDonald: Must we suffer the inane comments of the hon. Minister of Energy?

I wish you would silence him, so that we can go on with the debate. Mr. Chairman.

Mr. Chairman: Order! order, please! It seems to me, in listening to those remarks, that perhaps they conveyed a different view than I may have taken at the beginning. In the context which the hon. members have placed their remarks, I will accept them.

The hon. member for York South has the floor.

Mr. MacDonald: Right. Well, my whole problem is the longer these debates go on, the less I believe the Minister. That is my problem. He says he wants to do well, he is the most well intentioned and do-gooding Minister I have ever seen, but he is simply not doing the job.

Hon. Mr. Yaremko: I have done a lot of good too.

Mr. MacDonald: Right. Well, that—he smuggly says, "I have done a lot of good."

Hon. Mr. Yaremko: That is a lie!

Interjections by hon. members.

Mr. MacDonald: Yes, as somebody says it is getting more and more unbelievable every minute.

You see, Mr. Chairman, this matter is too serious to waste our time arguing with the Minister. I am pleading with this government to "get with it"—to get with the Indian problem.

Hon. Mr. Simonett: You are pleading for votes.

Mr. W. G. Pitman (Peterborough): You take it down to the lowest point.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): That is your whole hang-up. You do not want anything to do with it.

Mr. Chairman: Order!

Mr. MacDonald: That may be the point, because there are only 50,000 Indians in the province. They are going to wait for another 100 years before they get anything from a Tory government.

The hon. Minister from Energy and Resources has maybe revealed the basic motivation, and the basic problem with this government.

Mr. Chairman: Perhaps we can get back to the estimates.

Mr. MacDonald: This government, at this point in time, must seize the opportunity of building a new relationship, because henceforth he is going to be faced by Indians with a voice, with an authoritative organization. And, if he is not astute enough to recognize that that kind of a development is one that we should welcome with open arms and begin to work with it, instead of putting off—instead of postponing decisions for making $54,000 available, when they are sitting on $1 million of unexpended money—then the Minister is merely underlining his incapacity to do the job as chairman as this interdepartmental committee.

However, let me get back to the advisory committee; we got side-tracked here. The Minister, in effect, has said that he will not tell me what the recommendations were—that were given to him by the committee, this is private, it is for his education.

May I ask the Minister this question: what recommendations were given which have since been put into effect? In short, what things that were done during the last year were done on the recommendation of the advisory committee of the Indians?

An hon. member: They accepted two page boys.

Mr. MacDonald: Somebody said two page boys were brought down from northwestern Ontario. It is the Speaker of the House who chooses the page boys, not this Minister. Therefore, if all this Minister has done from the recommendations of the committee is to see that two page boys got their place among young people who are doing this job in the Legislature, then it just underlines the fact that the Minister has done nothing, because it was either the hon. member for Kenora or the advisory committee or somebody else.

I repeat my question: name the things that were done in the last 13 months, since the beginning of the fiscal year April 1, 1968, as a result of recommendations from the advisory committee?

Hon. Mr. Yaremko: I have not got that list in front of me, Mr. Chairman.

Mr. Pitman: Just one. Just one.

Hon. Mr. Yaremko: Mr. Chairman, on a point of order.

One of the great factors that will have to be determined is the relationship of the advisory committee to the Minister. We are going to have to decide, and Chief Wilmer Nadjiwon is an outstanding example. He has been, until recently, a member of the advisory board for a long period of time. On that advisory board he played a certain role, like all citizens do on advisory boards.

Now he is president of the Union of Ontario Indians. He is playing a different role. Now I suggest to you that one of the fundamental differences is that the Union of Ontario Indians and its personnel have very unique roles to play and the Indian advisory committee have their role to play.

Now one of the things that is going to have to take place is whether, following the reasoning of the hon. member for York South (Mr. MacDonald), the Indian advisory committee—as he has suggested—play a different role. It would be interesting to find out what kind of a role it would play other than advisory without supplementing or supplanting the kind of role that the Ontario Union of Indians is to play.

Chief Nadjiwon has for himself a role and a field of activity which will be completely different from his role as a member of the Indian advisory committee, and surely the hon. member for York South sees that.

Mr. Stokes: Unless it is meaningful it will not be any different.

Mr. MacDonald: Mr. Chairman, you see I would think that if the Minister wanted an advisory committee to perform the role it has been performing up until now, one of the people he would want to have on that advisory committee would be the man who held the presidency of the Ontario Union of Indians.

Hon. Mr. Yaremko: Not—

Mr. MacDonald: Just a minute, let me finish.

Hon. Mr. Yaremko: I will be interested in listening to the hon. members' rationale behind this procedure.

Mr. MacDonald: Just a minute. I would think that in a meeting that is confidential, where the Minister can level with its members and they can level with him, I would think that the man above everybody else that the Minister would want on that advisory committee is the president of the Ontario Union of Indians. By virtue of his position, by virtue of his activity as president, he would be the most knowledgeable person with regard to Indian affairs.

Hon. Mr. Yaremko: But how could you talk in confidence when his position as president of a union *ipso facto* necessities that he express his opinions on the public platform?

Mr. Lewis: Why talk in confidence at all?

Hon. Mr. Yaremko: Because that is a good way of doing business.

Mr. Pitman: If you do anything—there is the point.

Mr. MacDonald: Now you see the Minister unwittingly—just a minute now—the Minister unwittingly has revealed the purpose of the advisory committee. And what is it? To shut the mouths of a group of leading Indians.

Hon. Mr. Yaremko: Not so!

Mr. MacDonald: Well, just listen.

Mr. Pitman: That is exactly what you said.

Mr. MacDonald: What you have said—and it is in *Hansard*—is that if you have talked it over with them in confidence they cannot go out on the public platform and discuss it, because if they cannot then Chief Nadjiwon cannot.

Hon. Mr. Yaremko: That is right. Then the whole purpose of confidentiality—I am not endowed with the kind of wisdom that evidently all members of the NDP are—I do not know whether I am right or wrong. I will take advice, and I have been educated, I have been learning. As a matter of fact, I went to the very man who resigned, and I discussed with him one of the most important pieces of advice I would ever ask of any Indian and he expressed an opinion that had nothing to do with policies or platforms. I wanted to know how an Indian would react if I were to behave in a certain fashion, and he told me.

Mr. Pitman: Good!

Mr. Lewis: The imperialist of the Cabinet.

Mr. MacDonald: The Minister's childlike naivety! That he should have gotten up a day or two ago and told us in such detail what a wonderful experience it was being educated by members of the advisory committee and now he gets up and he tells us that he goes to these men and says, "If I do this or if I say that, how will the Indian react?" The Minister unwittingly reveals his incapacity to do a job. He should be man enough and have enough capacity to be able to come to the conclusion himself. After all this educative process in contact with the Indian he is so insensitive and so incapable of learning how the Indians are going to react. I do not know what Chief Nadjiwon said—he must have gone away and laughed that the Minister should have come and asked him that kind of a question.

The fact of the matter, Mr. Chairman, is that this committee is a committee which the Minister unwittingly indicated is drawn in for confidential talks, and because things are talked over confidentially members cannot go out and discuss them on the public platform because it would breach their confidence with the Minister.

That is the reason why, I suspect, Chief Nadjiwon resigned. And I suspect that is the reason why—not because the Minister has learned, but because the Minister has failed to learn—that the whole committee came within an ace of resigning. Only because of the patience of the gods that the Indians have, were they willing to give him one more chance, to see whether he is willing to come up with a programme that really reflects their needs and their wants. But at the moment the Minister is really on trial. He should quit kidding himself if he does not think that we are at the breaking point in terms of our relationships with the Indians at the present time.

Well, I was going to ask whether or not we could get the minutes of this meeting but obviously it is not possible to get the minutes because of the nature of the meeting as he has described it.

Let me try to wrap this up, Mr. Chairman. This is a critical turning point at which I think we have to be willing to make money available, from the $1 million of last year and the $1 million we are voting for this year, to assist the Ontario Union of Indians to do a job.

Now, it may well be that these estimates were drawn up before it became obvious that

the Ontario Union of Indians was emerging as a viable, independent organization, capable and willing to do that kind of a job. That is the only reason why I can understand that the government would appropriate only $4,000 measly dollars, as the money available for the Indians to do the job.

Just think of the grants that they have made available to the horse breeders' association, to umpteen different organizations, in so many departments. Here we have, finally, an organization which is our greatest hope in terms of solving the problem of the Indians in the province of Ontario, and this government makes $4,000 available to them.

This is the reason why I want you to take this back to the Treasury Board and come up with a programme that will meet the needs for the coming year. That is the reason why, even if you put that in at an earlier stage when you did not realize the potentiality, I thought you would have spontaneously responded to the request for $54,000 to put organizers, survey men and field men out across the province to get the information to shape these new policies. But you are still sitting and considering that $54,000.

My basic propostition, Mr. Chairman, is that this issue should go back to the Treasury Board and it should be reconsidered because of the government failure to meet the needs of people.

You have gone back now and you are rewriting your whole budget to deal with the extra millions of dollars necessary for education, to make the county boards a viable unit. You have gone back to get $9 million, to bow to the unilateral dictate of the doctors of the province. I suggest you should go back to the Treasury Board and get them to accept a realistic budget including the $1 million that reverted to the consolidated revenue because you did not spend it last year.

That is the reason for my amendment that was put, and has been ruled out of order. But if it has been ruled out of order, there are others, Mr. Chairman. So I move, seconded by the member for Thunder Bay (Mr. Stokes)—

Hon. Mr. Yaremko: Before the hon. member moves the amendment.

Mr. MacDonald: No, no, I am moving this and then I am sitting down.

Hon. Mr. Yaremko: Are you not going to give me an opportunity—? Well, all right, go ahead.

Mr. MacDonald: I move, seconded by the member for Thunder Bay: "That the item relating to travelling expenses in the amount of $46,000 within the Indian Community Development Services Branch of vote 2003, be reduced to one dollar." We would then be able to immediately get the money for the union of Indians so that it can do a job and restore some confidence in us.

Hon. Mr. Yaremko: Mr. Chairman, just to touch upon the matters that the hon. member has touched upon. First of all, let us make it unmistakably clear—and this has been the position of this government now going back, not just within the term of this Indian Community Development Branch but prior to that—that nothing will be done without the consent or the acceptance of the Indians themselves.

This is a basic fundamental principle, and I say to the hon. member for Riverdale (Mr. J. Renwick) that he used a very proper expression. The choice, the opportunity must be there for them. Whether they will sup at that table of opportunity will be up to them, that is a basic fundamental—

Mr. Lewis: Sup at the table of opportunity! Boy, oh boy, oh boy!

Mr. Stokes: You have thwarted them at every move.

Mr. Lewis: Sup at the table of opportunity!

Hon. Mr. Yaremko: That is what I have been doing all my life.

Interjections by hon. members.

Hon. Mr. Yaremko: Let us not waste time with repetition. The hon. Minister of Lands and Forests (Mr. Brunelle) was before the Indian advisory committee because they had to face some issue by reason of something that had happened relating to a certain fishing situation, and it was made unmistakably clear to them that The Department of Lands and Forests would not enter into the discussions until they had been invited to attend, and the hon. Minister also made it abundantly clear. I do not think we need thrash that one out any more.

Mr. Stokes: Why did the Minister of Lands and Forests charge them $3 for a fishing licence?

Hon. Mr. Yaremko: With respect to the Indian Eskimo Association, and the sincerity of this Minister, one of the things, one of the little things that I will always be proud

of, is that about six or seven years back when I had just become Provincial Secretary, the original request for moneys from this government for the Indian Eskimo Association, was channelled through the person of John Yaremko.

Interjections by hon. members.

Hon. Mr. Yaremko: Yes, now you see, three minutes ago the Indian Eskimo Association and its work was very worthwhile. Now I bring out the fact that I was the initial one to channel this, even though I did not have the money; it went through the Treasurer and ended up in The Department of Education, who were prevailed upon to provide the $10,000 which now, years later is in the department that I have the privilege of heading.

Mr. MacDonald: What did the Reverend J. A. Mackenzie say?

Hon. Mr. Yaremko: Let us not discuss the Reverend J. Mackenzie.

Mr. MacDonald: Oh, you know what he said!

Hon. Mr. Yaremko: Yes, I know him well too.

Mr. MacDonald: Right!

Hon. Mr. Yaremko: Absolutely! So we will just clear up who was the godfather of this outstanding association.

Interjections by hon. members.

Mr. Chairman: I must point out the chair has a motion.

Hon. Mr. Yaremko: With respect to the grant. One of the things that will always puzzle me and I am going to be working with Chief Nadjiwon, as I have declared, is at the time I met with Chief Nadjiwon and Mr. Peters with respect to the grant on Monday morning; I had wanted to meet with them earlier for clarification and they could not because they were in Ottawa. I met with them at the first opportunity which was on Monday morning.

Mr. Peters was in my office, the executive director was in my office discussing this grant at a time when, unknown to me we spent a considerable time talking in my office about this grant, when unknown to me the president of the union was calling, having already submitted his resignation and was holding a press conference. This to me will be one of the great puzzles.

Mr. MacDonald: What day was that?

Hon. Mr. Yaremko: Yesterday. Yesterday at 3 o'clock Mr. Peters and I were discussing this grant in all sincerity and I was attempting to communicate with Chief Nadjiwon and Nadjiwon had called.

That is one of those things that happen in human affairs and I doubt whether there will ever be an answer because the chief is now the president of the union and I will be in contact with him in that capacity.

The last thing I say, and this is the only time I will repeat it again, is that whether it—this committee or any other committee, no committee will be workable until that fundamental constitutional fiscal issue will be resolved.

This money, this $1 million that is referred to, has been placed to be available in the event that the proper negotiations are achieved with the federal authorities so that we will have our portion available to show in the massive approach.

Not the individual departmental work which is going apace—every department is carrying on its activities—but the work of all the departments cannot be brought together in this massive—to use the word of the hon. member—global approach until this fundamental issue is resolved.

Mr. Chairman: The chair has been presented with a motion. I have not placed the motion before the committee, I have not read it, but I would like to comment on this particular motion.

We are dealing with vote 2003 and it was agreed in this department that we would deal with votes, not by items but by programmes. Now, I am suggesting this to the committee that the motion itself would have the effect of reducing one item within the programme. We were dealing with the total programme, not the items in the programme.

Mr. Lewis: We had a motion by the leader of the Opposition (Mr. Nixon) in respect to this department not many days ago when an item was reduced by the equivalent of the Minister's salary, an item within the programme, and that motion was accepted. I think it is understood that the vote taken at the end of the estimate then if it is defeated passes the section of that vote 2003, but the precedent for amending an item was established with these estimates very recently.

Mr. Chairman: I think the hon. member is quite right and I accept the motion. The

motion, of course—and I will not repeat it now—the motion is debatable.

Mr. V. M. Singer (Downsview): May I speak to the motion?

Mr. Chairman: Yes, the hon. member for Downsview.

Mr. Singer: Mr. Chairman, this debate has waxed on for a very considerable period of time. Certainly there is no doubt in the minds of my colleagues and myself the job that this hon. Minister has done insofar as looking after the affairs of the Indian community development services—and that is the formal title of this vote—not only is inadequate, it is an embarrassment to all the people of the province of Ontario.

We will support this motion, sir, because this is the only way in which we can express our complete and utter dissatisfaction with the approach of the government to this very, very serious problem.

I have sat in this House for a number of years now and I have listened to a variety of patronizing phrases and they range from the phrase that we heard a few years ago from the hon. Minister of Energy and Resources Management who said, "Let them live in wigwams". I remember that very vividly.

Mr. Lewis: He said it again tonight.

Mr. Singer: Did he say it again tonight? I am sorry, I missed that. I did not hear him tonight.

To the very patronizing and supercilious approach taken by the hon. Minister tonight, to let them sup at the table of opportunity.

I just do not understand. Here is a Minister, and I know this gentleman well, I have great personal respect for him, I have known him for a great number of years, who comes from what he chooses to describe on occasions as the third force. If that definition has any—

Hon. Mr. Yaremko: On a point of order, Mr. Chairman, I have never used that expression. I have used the honoured expression of "the third element", and I say further, Mr. Chairman, I am one of those, I have supped at the table of opportunity.

Mr. Singer: If I have misquoted the hon. Minister, Mr. Chairman, let me assure you it was not done deliberately. If he would rather use the phrase "the third element" I will accept that. I was going to say I join him in this.

I too come from whatever elusive phrase or group that he chooses to describe, but I do not like to describe it like that. I like to call myself a Canadian who was born here, who likes this country, who wants to be a part of what is going on. I do not want to dissociate myself from the stream of Canadianism. I want to be a part of what is going on.

Now, I do not want the Minister to interrupt me. Just let me finish.

I say the Indian people of this country have a right to everything that is going. They are born here and they do not have to be treated in a patronizing manner.

I suggest, sir, that this hon. Minister being charged with this responsibility should not be patronizing in his approach, should not try to slough off his responsibility onto another level of government. There is a big job for him to do here in Ontario and he is not doing it, and in his abuse of this position of trust then he must face the recriminations that are levelled at him from this assembly.

Whatever logic he applies to the approach of Chief Nadjiwon, all I know is what I read in the paper today where the Chief says on page 44 of the Toronto *Telegram*, similarly in the Toronto *Daily Star* and similarly in the Toronto *Globe and Mail*, "Chief quits over inaction", and you read the story and it goes on to say he has no confidence in the Minister.

Now, how can the Minister in seriousness tell us that he is going to enter into further dialogue with this gentleman? Obviously the gentleman does not want to talk to him any more, he is unhappy with him, he does not think he is doing a job. We share the Chief's views, sir.

For those reasons and without further recrimination I am not particularly interested in trading insults back and forth across the floor. We do not believe the hon. Minister is doing the job and we are going to support this motion because we think he should get out of the job and let someone else who can do it get into it.

Mr. Lewis: Mr. Chairman, we put this motion because we feel it is rather more critical than that. We not only believe that the hon. Minister is not doing his job, but we believe that he has betrayed the entire confidence of the Indian people in the province of Ontario and has no right to any responsibility in this area hereafter.

We will find some way in his estimates of demonstrating that, including cutting down the travelling expenses of the apparently inconsequential efforts—and I do not demean the members of the branch, I will come to that in a moment—the apparently inconsequential efforts at reaching the Indians and doing something in those communities because of the way people are hamstrung by this Minister.

Mr. Chairman, I do not know whether the hon. Minister fully realizes the subconscious or unconscious flavour that is communicated in the phrase "sup at the table of opportunity" or the use of the word "godfather".

I do not know whether he realizes that that is the phraseology of every benighted colonial and every white southerner in the last 20 years, and that there is no distinction. And a man who, with all the best intentions in the world posits that kind of language when discussing this kind of problem cannot possibly grasp the problem.

In fact, Mr. Chairman, if I may be so bold, and I do not wish to intrude on the rights of hon. members of this House, but there is such a striking anomaly about this whole debate from our point of view, as well as the hon. Minister's. There probably is not a person in this House who can appropriately discuss this estimate because there is not an Indian in this chamber, and because it is very difficult indeed to begin to fathom the context of what we are dealing with. All we can do is sense it. All we can do is try to articulate it as effectively as possible, but we will never understand it until the Minister himself recognizes that he has to get out of the department and that he has to use his money in alternative methods and that he is participating in a crime, he is participating in the continuing carnage of Indian people in this province.

Mr. Chairman, nothing can indict that policy vigorously enough. I remind you, sir, and I come back to the inter-departmental committee, that this is characteristic of the Tory government. One is sorry to have to say it, but it is characteristic, because it was not so long ago in this House when the member for Downsview was speaking in the Legislature on the Indian affairs estimates.

I want to quote him in the House so that, once and for all, it is on the record to those who entered the House in 1967. The member for Downsview—no, I am sorry, it was the then leader of the Opposition, Mr. Andy Thompson. He said:

> What about housing? My hon. friend from Downsview asked about housing. No matter what the hon. Minister says, the statisics show here are large numbers of Indians who are living in inadequate housing.
>
> *Hon. J. R. Simonett* (Minister of Energy and Resources Management): Wigwams!
>
> *Mr. Thompson:* In wigwams. Probably. Is the hon. Minister satisfied with that in the north at 40 degrees below or something?
>
> *Hon. Mr. Simonett:* It is the way they were brought up. They love it.
>
> *Mr. Thompson:* Thank you. I want that on the record. The hon. Minister of Energy and Resources Management speaks for the government and this is the government's point of view, they are living in wigwams and they love it.
>
> *Hon. Mr. Simonett:* Sure they do.
>
> *Mr. Thompson:* Is that a way of life?
>
> *Hon. Mr. Simonett:* Sure.

Mr. MacDonald: Callous ignorance.

Mr. Lewis: Now we invite the interjections of the hon. Minister of Energy and Resources Management, or let him be silent for the rest of this debate, Mr. Chairman.

And I say to the Minister that he has inherited that particular mental attitude which amounts to pathology. And it is no surprise that he cannot mobilize within his inter-departmental committee any kind of action whatsoever. I want to move, in answer to the Minister, to some of the specifics, so that he is not able to find refuge in so-called allegations of generality.

The Indian advisory council met four times in the year, that is eight days. That is what the Minister thinks of the advice of the Indian community in the province of Ontario, eight days of advice in an entire fiscal year. That pretty well puts on the record the extent of the Minister's concept of the table of opportunity.

Mr. MacDonald: And he cannot remember a single example.

Mr. Lewis: Mr. Chairman, there is no secretariat to that committee, no continuing secretariat. He affords no substance to the committee whatsoever; no wonder that the Chief Nadjiwon resigned. We asked the Minister to tell us what the context of the meetings of the committee was and the Minister said they were conducted in confidence because that is the way he likes to conduct business in the province. That is revealing.

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. The hon. member has a wonderful knack of twisting words. That is not

what I said. I said that is the way that a confidential advisory committee does business. The hon. member knows the meaning of many words but there is one word he has no understanding of and that is confidentiality.

Mr. Lewis: Confidentiality. Well, Mr. Chairman, we on this side of the House charge that the confidentiality imposed on the Minister's advisory committee was to turn the committee into a front for the Minister, and that the committee was meant to be a façade behind which the Minister could hide a policy so barren that it was embarrassing to bring it before this Legislature. It was the most denigrating act that that Minister could have perpetrated in the context of the needs of the Indian today—bringing them into a confidential committee.

When the member for York South asked what the nature of the committee meetings was, the Minister knows full well what the nature of the committee meetings was. And when the member for York South asked the Minister what the recommendations were, the Minister knows full well what the recommendations were. And when the member for York South asked what the recommendations would cost, the Minister knows full well what the recommendations would cost.

I challenge the Minister to table the minutes of the meetings. There are minutes of the meetings and I daresay the advisory committee would be delighted to have them tabled in this House, and I challenge him to table them. And he will hide behind confidentiality, Mr. Chairman. Do you know why? Because, I assert with confidence, that the minutes of the meetings show the following:

1. That in each successive meeting of the four in the last year, the same items were discussed, because each time they were frustrated by the department;

2. That in the course of those meetings, members of the committee expressed serious discontent about the committee's role. If you go back 18 months to one of those meetings, you will find that the whole advisory committee was questioned;

3. That specific recommendations were made to the Minister which would have involved the expenditure of exactly the required sum in the estimates, and he turned down every recommendation. He had nothing but contempt for the recommendations which came from the Minister's advisory committee;

4. That the Minister's advisory committee was on the verge of a mass resignation yesterday, because it is fed to the teeth with the Minister and his whole fatuous department.

It is to the everlasting credit of Chief Nadjiwon that he finally brought it to light with the explosiveness of the frustration that a man must feel when dealing with this kind of government.

Mr. Chairman, may I say that if anything I have said is incorrect about the meetings of that committee, the Minister need only table the minutes and I will stand corrected, because they are all there and it is all documented. Every member of this House can see what that committee discussed each time. Every member of this House will know how every single project was mutilated by this department and then discarded; that the Indian advisory committee made a Herculean effort to co-operate and the Minister showed them nothing but disdain and arrogance.

And the fact that certain members of the committee will continue to work with him is simply a measure of the desperation which the Indian community feels. Because it knows not to what lengths or extremities the Minister will go to sever the Indian from any participation in the life of Ontario.

Mr. Chairman, can I ask the Minister in a different vein—does he believe the conditions which were described by Mr. Dawson, the director of the children's aid society at the Lakehead reporting to the Minister, the conditions in the various Indian reserves which were visited by him? Does the Minister believe the report?

Hon. Mr. Yaremko: Mr. Chairman, I have an answer to that. This report is being released with the authority of the children's aid society of the district of Thunder Bay and is authorized by Mr. W. J. Griffis, president, Mr. E. McClaid, chairman of the *ad hoc* committee and Mr. N. J. Pustina, secretary, I received it this evening.

The report in question was a report of Mr. J. H. Dawson, formerly local director of our society on a routine trip to the district. Copies of this report were sent to each board member as a normal procedure in November, since Mr. Dawson was arranging to go on a vacation. The report mentioned persons and personalities and was obviously of an extremely confidential nature.

We believe that Mr. Dawson issued the report while preparing for his vacation and did not anticipate that his report would go beyond our board. The board recognized that the report required immediate action. The board did not attempt to hide the report

at that time but obviously would not issue it publicly merely as a report and leave it at that, recognizing that the report required action.

An *ad hoc* committee from the board of six members was immediately appointed and we instructed the director to provide us with as comprehensive as possible a survey of the area and of the problems there as set out in the report. It is important to remember that the district of Thunder Bay is about 70,000 square miles in area and its boundaries run from the American border on the south, north to the Albany River, west to the English River, east to the Rice White River.

Also, the area in question of Gull Bay, Collins and Armstrong are at least 200 miles from the Lakehead, north of Lake Nipigon, and are generally inaccessible by road in winter. A survey team was finally able to fly into the area in early March and spent the better part of the week making a detailed survey. The above mentioned areas were used as sample areas to reflect overall conditions in other areas throughout the district.

The *ad hoc* committee immediately considered the survey and called a meeting of all agencies and departments it felt were in any way connected with the problems. The meeting was held at Port Arthur on March 31, 1969. The following were invited and appeared:

Mr. Farrow, Indian Affairs; Father Maurice, Indian Development Officer; Mr. W. Doherty, Department of Social and Family Services, Ontario; Dr. R. Walker, district health unit; Mrs. K. Louman, Department of Health and Welfare nurse; Dr. E. R. Young, Officer of Health, northern Ontario; Mr. A. Moss, Alcohol and Drug Addiction Research Foundation; Judge Creighton, provincial judge, family court; Mr. A. Angus, probation services; Superintendent H. T. Garry, Ontario Provincial Police; Mr. J. Dolph, Port Arthur welfare department; Mr. D. McLeod, Fort William welfare department; Mr. G. Piper, Ontario Human Rights Commission; Mr. D. Linton, Ontario Human Rights Commission; Mr. Hecter King, Indian Eskimo Association, Armstrong; Mr. W. J. Griffis, president, Children's Aid Society, and also superintendent of business and plant, Lakehead Board of Education; Mr. H. Lang, local director, Children's Aid Society, Thunder Bay; Mr. L. Devereux, supervisor of protection services, Children's Aid Society, Thunder Bay. The Company of Young Canadians were invited and did not attend.

The copy of the original report of the survey and the minutes of the above meeting were sent to Miss Betty G. Graham, director of child welfare, Department of Social and Family Services to keep the department advised of the situation.

The format of the meeting was to bring together agencies involved in the district to seek ways of providing more rapid and improved services to all areas in the district.

The first action taken was an agreement by all persons present to provide a summation of their agencies' respective roles and problems in the district to each other so that they might review, analyze and be prepared to suggest possible plans of action at the next meeting scheduled for May 28, 1969. At the present time these summations are being circulated.

It is the aim of the children's aid society of the district of Thunder Bay to be a catalyst in order to bring all agencies and departments together to obtain maximum results for our district.

At all times all agencies involved at the meeting have fully co-operated and have indicated their future co-operation. The province of Ontario has also at all times provided its full co-operation.

The propagation of Mr. Dawson's report was without the consent and permission of either the board or Mr. Dawson, and we can only consider that it was released at this time with the intention of causing embarrassment to the persons, agencies and departments involved with this issue. We have no knowledge of how the report was released publicly since we have always considered it as a private report to this board only, upon which we have acted.

Hon. Mr. Yaremko: That Mr. Chairman, outlines what has been brought to bear on this action. The hon. member was very careful to read the report, of which I do not know the date, but it got into his hands and it must have been a considerable time ago. He either did not know, or did not seek to find out what had happened in the interval. This is the kind of community action in which I think the global approach will have to be taken to bring this about.

Interjections by hon. members.

Mr. Lewis: You are surely not silly. We will get back to that in a moment, Mr. Chairman, I will simply say to you, sir, that if the board of the society or the chairman of the society feel that their confidentiality has been violated in a description of a visit, then it is their problem to hide a grievous social situ-

ation in northern Ontario. That is not the problem of the members of the Opposition..

Hon. Mr. Yaremko: That was not the case.

Mr. Lewis: When I read the report into the record, Mr. Chairman, I very carefully excised names and I very carefully chose those parts which were relevant. Indeed, the Toronto *Telegram* today reprinted the whole copy of the report. They obviously have their copy as well, quite independent of mine, so it is not that the report has somehow had a very modest circulation. I did not receive it until the last 72 hours, but it is not a modest circulation.

But, Mr. Chairman, what has happened? The report was made at the end of November, 1968, and on March 31, 1969, four months later, a group of community agencies got together to contemplate social action on a global scale. Now there is something that really boggles the mind.

Hon. Mr. Yaremko: Do not laugh at your leader's words.

Mr. Lewis: Yes. Yes, four months later they find out—

Hon. Mr. Yaremko: Is it a good word or a bad word?

Mr. Lewis: —and they hold a meeting where holy writ is issued about some social action. One of the reasons for the delay, Mr. Chairman, and I could read rather more fully into the report, but I guess it is not—

Well, I will read it. I will explain one of the delays. One of the paragraphs that was not quoted anyway,

> "I am concerned about service to the area," said Mr. Dawson. Mr. Smith—

that is one of the workers.

> Mr. Smith and I agreed this should be given on a regular basis, but it is a real problem how to work this in with other responsibilities, even with an additional worker in this area, as demands for service in Nipigon, Red Rock, and McDermott are increasing and in the immediate future, at least this office is assisting with work in the Lakeshore area.
>
> I am concerned that Marathon Office must have office staff soon, as the work in this area is not receiving adequate attention, and the extension of work from Geraldton and Nipigon is affecting efficiency in these areas.

And then the head of the Children's Aid Society in that mournful way of his says, "Are we achieving anything at all, what can be done?" The fact of the matter is Mr. Chairman, that the children's aid society in northern Ontario has been so starved by this Minister in respect of its services to Indians that the Minister has largely precipitated the crisis. That is the problem.

And the fact that they have to meet four months later to try to plan some community action is just an extension of the desperation which they feel, because the department cuts them off at every level. It does not only sever its budget to the Indian affairs branch by $1 million it impedes the amounts that would go to the children's aid society for service to the Indian community. I am glad the Minister disgorged that vital letter, and we can get on to some other factors.

I want to come back to the question which he refused to answer, Mr. Chairman. I want to ask the Minister two questions.

First, does he doubt the content of the report which was read in the House and printed in the papers?

Second, was that report news to him? Were the conditions described therein something that was new to the Minister in the two and a half years that he has looked after this branch and this portfolio?

Hon. Mr. Yaremko: I have no reason to doubt that report, I accept it because it was being dealt with within the department as I have read, and I for one, hope that through this approach of our community programme, community resources action will be the answer to the problem. Because if this kind of community action is not good then the hon. member must retract every position he has ever taken in this House and elsewhere. I think today is the first time I saw this report of community action.

An hon. member: Oh, indeed.

Mr. Stokes: Was one member of your Indian development branch at that meeting?

Mr. L. C. Henderson (Lambton): Stand up and show a little respect.

Hon. Mr. Yaremko: The head of the department, Mr. Doherty, was present.

Mr. Stokes: But not one person from the Indian development branch was there.

Mr. Lewis: Fine, would you answer the second question? Were these conditions novel to you?

Hon. Mr. Yaremko: The conditions?

Mr. Lewis: The conditions described.

Hon. Mr. Yaremko: I do not think that these conditions described are novel in respect to Northern Ontario.

Mr. Lewis: All right.

Hon. Mr. Yaremko: The statistics which have been read by hon. members in the opposite side are known on this side. The death rate, the illiteracy, the handicapped—they are common knowledge. That is the very basis for—

Mr. Lewis: The living conditions?

Hon. Mr. Yaremko: The living conditions.

Mr. Lewis: The housing?

Hon. Mr. Yaremko: The housing conditions, the health conditions—

Mr. Lewis: Right.

Hon. Mr. Yaremko: Housing, health, education and training and economic development.

Mr. Lewis: Right. The death rate?

Hon. Mr. Yaremko: Well, the death rate—

Mr. Lewis: The infant mortality rate?

Hon. Mr. Yaremko: These are all related to health—

Mr. Lewis: The number of years of life the Indians live?

Hon. Mr. Yaremko: All related to health conditions.

Mr. Lewis: Right, right. Well, Mr. Chairman, does—

Hon. Mr. Yaremko: And one of the intents and purposes of my visit to the north is not only to meet but in that visit, time being available, I expect to actually go and see—although the figures speak for themselves.

Mr. T. P. Reid (Rainy River): Right.

Mr. Lewis: Then you really do not have to visit, do you?

Hon. Mr. Yaremko: No. Mr. Speaker—

Mr. Lewis: Are you appalled by the conditions?

Hon. Mr. Yaremko: Yes.

Mr. Lewis: Are you concerned about the conditions?

Hon. Mr. Yaremko: Yes.

Mr. Lewis: Right, then will you tell me why you did not use one solitary cent of that million dollars. Explain it to the members of this House?

Hon. Mr. Yaremko: Mr. Chairman, I am concerned about every old person; I am concerned about every handicapped person; I am concerned about every single person that needs help—

Mr. Lewis: That is not what I am asking you.

Hon. Mr. Yaremko: —and I have a constitutional responsibility to discharge and I will discharge that. I am not going to take over anybody else's job when last week you were critical of this department for certain areas in which we have almost total responsibility and then to assume that—this we will do. We have been doing, within the limits of our constitution, we have begun to move in where really we could have taken the position that was taken here 15 years ago and in all the years prior to that that the province had nothing to do—

Mr. Lewis: That is a perfidious argument.

Hon. Mr. Yaremko: It was this government's attitude that brought us into the position that we are having this discussion today. It was the Progressive Conservative administration of the province of Ontario—

Mr. Lewis: I asked a question, Mr. Chairman, and I am going to keep at it. What is the Minister saying? I do not know. It is beyond me what all the applause is about.

An hon. member: It always is.

Mr. Lewis: After 25 years you have brought the Indian community to a position of total bankruptcy and deprivation and you are proud that it can now be debated in the House. That is what you are talking about, is it?

Interjections by hon. members.

Mr. Chairman: The member for Scarborough West has the floor I believe.

Mr. Lewis: Thank you, Mr. Chairman. I am not really interested in the Minister's discharge—if I can put it that way, Mr. Chairman—I am rather more interested in the answer to the question. I asked you since you understand the infant mortality rate; since you know that the Indian community is literally—

not figuratively—but literally dying in northern Ontario; since you know that the conditions described are an assault to the emotional psyche of every member of this House and every sensitive person who witnesses it; since you know that health conditions are intolerable and that the economic conditions are non-existent; and that the destitution for families and for children cannot be countenanced; and that men die at the age of 31 on the average as compared with 65 or thereabouts for the rest of the country; and you are appalled and you are concerned: When one asks you why did you not spend a penny of the million dollars why is your answer to express a gratuitous concern for other elements in the society? And when finally you are pinioned and it is necessary to explain, you once again construct the most invidious argument of all, the constitutional argument. *Hansard* records that in this House throughout Tuesday, the Minister said there were no constitutional difficulties; he had all the legality he required. Am I wrong, Mr. Chairman?

Hon. Mr. Yaremko: Mr. Chairman, the members of the NDP keep twisting it. There are no constitutional barriers in this field.

Mr. Lewis: Right. Exactly.

Hon. Mr. Yaremko: But there is the question of the fiscal responsibility.

Mr. Lewis: Right. Okay, now we have got it nicely neat and clean. There are no constitutional problems; the Minister admits the legality of his government to move into the field of health, welfare, education and economic development. Now, let us square it off so we understand what we are talking about, Mr. Chairman.

What you are then saying is that unless and until the federal government gives you 50 cents on every dollar, the Indians of northern Ontario can rot—that is what you are saying. That is exactly what happens; that is exactly and explicitly what you are saying.

Interjections by hon. members.

Mr. Lewis: Mr. Chairman, the Minister is perfectly willing to allow the death of a society. That is what you are engaged in, the death of a culture. That is what you are involved in, and you are prepared to do it even though you have the money. That is the incredible factor that emerges during the course of this estimate. It is not as though there is some kind of fiscal austerity operating by way of restraint, not at all. Budgeted there, in dollars and cents, is $1 million in the estimates. You are not taking from any other department, you are not adding to the provincial debt. You are not putting on new taxes; you are not raiding another scheme. You have got one million crisp dollars sitting in your department, and you refuse to use a one until you have a million back.

Well, we now understand what it means, Mr. Chairman. We now know exactly what it means. You have opted out entirely. As far as you are concerned, the entire problem can evaporate. It would not bother you for a moment, not for a moment.

Hon. J. H. White (Minister of Revenue): The Minister has more compassion in his little finger than your whole group put together.

Mr. MacDonald: I can understand you getting disturbed because it is intolerable and shameful, but there it is.

Mr. Lewis: It is very good to have it on the record, and I do not have to belabour that aspect of it, Mr. Chairman. I am glad, that from the Minister himself, in that moment of painful honesty that emerges from time to time—

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, I have repeated in this House time and time again last year and this year, over and over again, let us not play reverse upmanship or something like that. You have—

Mr. Lewis: I do not have reverse upmanship.

Hon. Mr. Yaremko: *Hansard* will make it clear when and where I first uttered it when the Prime Minister and this government stated that as a policy.

Mr. R. M. Johnston (St. Catharines): Teepee town.

Mr. Lewis: Teepee town, wigwam, let us get it on the record. Where is the member from?

An hon. member: St. Catharines.

Mr. Lewis: All right, all right. The interjections of enlightenment. The Tory party ravages an entire society and then talks about wigwams when the debate comes before the House.

Mr. R. M. Johnston: You do not know what ravaged means.

Mr. Henderson: He does not know what a wigwam is.

Mr. Lewis: If I may say to the Minister opposite and to those members who have any use for the words of the Opposition during the course of the debate, the white man will never be able to redeem what he has done to the Indian in North America. Never.

Mr. W. Hodgson (York North): Those are wonderful words.

Mr. Lewis: All right, if you accept that as the premise, and I think it is the premise which even the Minister would accept—

Mr. MacDonald: The Prime Minister has already enunciated it.

Mr. Lewis: —and which the Prime Minister accepts, and which supposedly is embodied in the Ontario Human Rights Code, though a more obvious sham has seldom been legislated in this House in terms of Indians—if the Minister accepts that as a premise, then all other things follow. You make an effort—pitiful though it may be, you make an effort. And you do not only spend $1 million, I want to suggest to the Minister, Mr. Chairman, you spend $20 or $30 million in the first year, and you do all the things that legally have a right to be done.

Then you challenge the federal government to participate, or you humiliate the federal government into participation, or you lacerate them publicly, but you do not let an entire society go down the drain while you sit on $1 million. That is what what we are engaged in and it would not be the first time that you have done things independent of the federal government.

It is all right for the citizenry of Ontario or for the monoliths that we build out of structural steel, but it is not all right for thousands of people who live in the north.

Mr. Chairman, I have only one other observation I want to make. I want to come back to the argument that we have been putting to the Minister right through this piece—that it is not only relinquishing the incredible antedeluvialism which has characterized the policy in the past, but is a matter of so dramatically radicalizing your approach that it will not be distinguishable again.

That means: (1) that you have to give the Indian people some sort of electoral representation in this chamber, in municipal council and on regional councils. Whether they choose to join political parties or to present a certain view is something which is the decision of the Indian community—but they must have that voice. They are, Mr. Chairman, as a people, qualitatively different from every other part of the Western heritage which can be successfully integrated into society. If the Minister believes in choices, then he does not dictate the exclusion, he offers the chance.

The second meaning, Mr. Chairman, is that one must guarantee to that community land ownership in perpetuity on a family basis. Also, that a land commission is set up composed of Indians themselves for that purpose, and that it is worked both individually and collectively in order to preserve those aspects of the cultural tradition. Nothing less will do, because what we have done to the Indian under treaty parallels everything that was done to tribes in Africa, in southeast Asia or in Latin America. There are no differences.

Third, Mr. Chairman, the money which the department has—and vastly greater sums—must be turned over to the Indian community itself, operating as an independent agency through the Indian advisory council—or indeed as a separate agency of government. It will have accountability and will make the decisions based on their own priority and judgments, and that never again will white politicians and white bureaucrats impose predetermined value interests on those decisions, with all the wreckage that we see and with the impasse for the last two and half years. The Minister stood in his place at the beginning of the estimates and said—and he was right to say—"I see no great progress in my two and a half years." Surely, then, a case for change is made.

Finally, Mr. Chairman, by some method one creates the vehicle through which the cultural inheritance is preserved intact, whether it is by education in the vernacular language before education, or whether before education in English, or whether it is through another vehicle. I am setting the similar things, Mr. Chairman, but trying to impose more detail on them, because I see no other way out of the impasse—no other way at all.

It can be done under the Prime Minister, all of this, more effectively, but it can never be done through this Legislature acting via the Minister of Social and Family Services. Mr. Chairman, as they have said of others, nothing became his life so much as the departing of it. Nothing would so become this Minister than to voluntarily resign his responsibility for the Indian community. It would be the single greatest contribution he could make to that community.

Mr. G. Ben (Humber): Mr. Chairman, I do not know if I should start off where the member left off, but I was under the impression the hon. Minister has resigned his responsibility for this Indian community. This is the reason we are saying so many words.

Mr. Chairman, I am prepared to accept the Minister's plea that perhaps a lot of the difficulty the Indians are experiencing may arise from a health problem which would put the matter into another jurisdiction. I am prepared to accept, if the Minister wants that perhaps the Indians are, to a certain degree, the responsibiltiy of another jurisdiction.

But, Mr. Chairman, it has been pointed out, time and time again, that 30 per cent of Canadian Indians are so underweight at birth there is a grave risk they will not survive to be weaned. Seventeen per cent of Indians are born to mothers who have had eight or more pregnancies. Sixty per cent of the homes on Canadian Indian reservations have three rooms or less. Eighty-five per cent of homes are without running water and only fifty per cent have electricity. The article has pointed out that there may be eight or more children living in one or two bedrooms, sleeping on bare floors, or on beds that have no springs.

If white parents were to allow their children to live in homes which had no electricity, no sanitary facilities, and keep five, six or seven children in a three-room house, the children's aid would be in there faster than you could wink an eye.

Mr. Chairman, the Minister may not be responsible for the lack of action of the Minister of Health, but one thing is certain: children's aid societies are this Minister's responsibility! Therefore, if for no other reason than the fact that this Minister is responsible for the conduct and the activities of the children's aid societies, and the children's aid societies have not intervened to prevent these situations because of (a) lack of personnel, or (b) lack of money, or (c) lack of direction from the Minister, this Minister must be reprimanded. He has been absolutely negligent and remiss in his responsibility to a segment of society.

The thing that hurt, listening to the Minister when he was answering the previous speaker, was when he suggested that he had responsibilities in his own field for the aged and the young, and so on, and so on. He made the implication — the unmistakeable implication or innuendo—that Indians did not fall in the class of either the aged or the infirm or the young—that, in fact, they did not fall within the class of human beings for which the Minister was supposed to exercise some responsibility.

This statement cannot be forgiven. He can make all kinds of excuses, but in that one aspect he has failed utterly. These are children. Neglected children are the responsibility of children's aid societies. Children's aid societies are the responsibility of this government. The Minister is the one who has been designated by this government to look after the children's aid societies.

All I can say is, the Minister has long ago resigned his responsibility for looking after Indian children. In fact, that he has in essence denied that Indian children belong to the human race. And with that, all we can do is ask, as the hon. member has asked, that the Minister do the decent thing and give his portfolio to someone else.

Mr. T. P. Reid: Mr. Chairman, I would like to ask the Minister, through you, whether his department was contacted for a grant by the Amik association in northwestern Ontario—a grant of $25,000 to match part of a Ford foundation grant—and how much, if any, the Minister provided for the Amik association.

Hon. Mr. Yaremko: On January 16, a grant of $24,000 was authorized for payment to the Amik association. I may say, Mr. Chairman—

Mr. T. P. Reid: Is that in regard to the Ford foundation?

Hon. Mr. Yaremko: This is our grant to the Amik association—$24,000.

I may say, Mr. Chairman, that the Amik association is one of the outstanding examples of community development within this province. I think that history will mark the activities of the Amik association as having set a pattern—something new that will bring, we all hope, the brighter horizons to the community.

Mr. T. P. Reid: Mr. Chairman, I rise to speak in this part of the debate with a great feeling of futility, and a feeling of disgust. I come from a riding in northwestern Ontario, which contains some 12 Indian reserves. I was raised in northwestern Ontario, in the riding of Rainy River, amongst Indian people and I attended school with them.

I do not pretend to be any kind of authority on Indian affairs or Indians in this province. I might say that it disgusts me, to some extent, to hear some of the members in this Chamber get up and speak with the authority

of the person who sits on the left hand of God.

I have heard of Bay street lawyers, I have heard of Bay street miners—the Minister of Mines—and now we have a new category—a Bay street Indian.

Mr. L. Bernier (Kenora): Hear, hear!

Mr. T. P. Reid: That came, Mr. Chairman, from the member for Kenora, who also has lived and lives, in an area where there are a great many Indian people. I believe he and I, and maybe some others, have felt, in the debate on this Indian question, the feeling that the Indians themselves surely feel—one of frustration and one of disgust.

I would say to you, Mr. Chairman, most respectfully, that the debate that has raged with vituperation and charges of one kind and another, has added absolutely nothing to the understanding of the Indian problem in this province. The oral perambulations and obfuscations of some of the members of this Chamber, and, I say, of members in every party, including this one, has added little or nothing to the solution of any of the problems facing the Indian people in this province today. If anything, it has done nothing but to smear the issues and cloud the solution.

I would suggest to you that the problem of the Indians in Ontario today is a problem that is not one of any easy solution. This problem has existed for many years and it is not going to be solved overnight. It is not going to be solved by a 12-point programme as suggested by one hon. member.

Basically what we have to have before we can deal with the Indian situation in this province is a basic change of attitude on the part of the white people in this province. I suggest a good place to start would be in this Legislature.

Mr. R. Gisborn (Hamilton East): That is what we have been saying for the last hour.

Mr. T. P. Reid: I would suggest, Mr. Chairman, that some of those members have suggested that this Conservative government is presiding over the decimation of a culture. This debate on the problem of the Indians in Ontario has been obscured by the fact that we in this Legislature have been presiding over the decimation of a Minister. The affairs of the problems of the Indians have been forgotten and have been placed in second position, if at all, by the lust for blood of some members of this Legislature for the head of the Minister of Social and Family Services.

Mr. J. Renwick (Riverdale): That is a lot of nonsense.

Mr. T. P. Reid: We have been engaged in this debate on Indian affairs or this department, rather, for some 40 hours. Time and again, members of this party and that of the left, have pointed up the incompetence and incapability of this Minister. But for some hours tonight we have heard nothing but the attempt of some people, both in this party and in the one to the left, to have the blood of this Minister before we leave here tonight.

I think it is obvious that this Minister is incapable of handling this portfolio, this has been stated. I suggest it is now an issue that should be laid to rest. The Minister is clearly incompetent, let us leave it at that. The responsibility is now with himself to either resign or for the Prime Minister to demand his resignation. I suggest that we do nothing towards solving the problems of the Indians in this province by pursuing the Minister like hounds after a fox.

I would like to state, Mr. Chairman, that I do not pretend to be an expert on Indians. It has never been explained to my satisfaction just what the Indian problem is, but there are certain factors that are apparent to all. They do not enjoy a standard of living that will allow them to grow in a healthy, honourable and dignified manner. That, therefore, is our first problem. To provide the Indian people with those material and physical benefits to ensure that they will be able to grow and enjoy good health so that they will be in a position where they can dictate and enjoy the choices that are open to the rest of us in this province.

The basic problem facing us in this province, and here tonight is an attitude that we have towards Indians. I think it has been obvious in the statements by the hon. members here tonight—and previously in this debate—that there is a most arrogant and patronizing manner, towards the Indians. The Minister opposite has been charged with being patronizing. I say all of us have been patronizing in our attitude that we think that we have a solution, to whatever we imagine the problem to be.

There are certain things that, are clearly, are needed to be done—such as good health, good housing, good medical facilities. For any of us to stand in our places and to suggest with that righteous wrath that has been so obviously expressed here, that they have the word from on high as to how to solve

this problem, I say this is sheer hypocrisy and political posturing. I accuse no one specifically, I accuse this House as a whole.

Mr. M. Makarchuk (Brantford): Obviously you were not listening to what was going on.

Mr. MacDonald: That is shirking responsibility almost as much a the Minister.

Mr. T. P. Reid: Well, Mr. Chairman, I said that I do not pretend to be an expert on the Indian problems. I do not purport to have any solutions other than that we must improve the material and physical well-being of these people, so that they are in a position to make the choice as to whether they will join our society or remain in a pluralistic society as Indians with their own native culture.

Mr. Lewis: Surely, that is what we have been saying.

Mr. T. P. Reid: I would suggest, Mr. Chairman, once again, that all hon. members think for a moment how they would feel if they were an Indian person who had lived with this sort of thing all their lives. How they would feel if they sat here in this chamber tonight and listened to various members of all parties, and the kind of debate—if one can call it that—that has taken place in this chamber tonight. I suggest that all of us examine our consciences carefully. I think that we will do no more for the Indian people by pursuing this kind of debate any further.

Mr. Stokes: Mr. Chairman, I suggest to you that the last thing we need in this Legislature, and indeed, in this debate, is pontificating.

Mr. MacDonald: Hear, hear.

Mr. Stokes: The last thing we need is for someone to stand up and tell us that there are no easy solutions to the problems facing the Indian community in this province. I need go no further than to quote the hon. member for Kenora on February 17 in this Legislature during a private members' hour when he himself introduced a resolution. I would assume it was his hope and his wish that his colleagues on the government benches and indeed this Minister would heed his words and his warning.

Resolution No. 12 standing in the name of the hon. member for Kenora says:

> That the government of Ontario should assume full responsibility for the Indians and Eskimos resident in this province with financial assistance from the federal government and, as a first step, an advisory committee should be established to counsel the government on problems and policies affecting our Indians and Eskimos.

Mr. Ben: So?

Mr. Stokes: So he says:

> I admit they are different from you and me and all of the hon. members sitting in this chamber. They are a small minority group which make up only one per cent of our population, but regardless of that fact, these people are such a minority, they have a special place among the minority groups in Canada.
>
> Firstly, they are governed by special laws known as The Indian Act. Secondly, they are the first inhabitants and the only true natives of our great country. It is because of these facts that I feel that the Canadian Indian is entitled to special consideration above all other minority groups.

Mr. Ben: So?

Mr. Stokes: He goes on to say:

> The consensus in northwestern Ontario is that too often policies and programmes are based on ideas originating in the administrative centres of Toronto and Ottawa—

Mr. Ben: So?

Mr. Stokes: To continue:

> —and lack the resident's insight into the problem. The difficulties encountered and the failure rate of such policies and programmes would attest to the validity of these views.

Mr. Ben: So? He said the same thing tonight.

Mr. Stokes: I quote:

> Under the existing agreement very little authority has been transferred from the federal to the provincial governments.

Mr. Ben: He said the same thing again.

Mr. Stokes: For the edification of the member for Humber, that man represents the riding of Rainy River. I am quoting the hon. member for Kenora. You have made that error once before. Your colleague from Rainy River corrected you. I wish you would pay heed to what he has told you.

Mr. Ben: He said the same thing tonight.

Mr. Stokes: He did not say any such thing. He said there were no easy solutions—

Mr. Chairman: Order! Order!

Mr. Stokes: The member for Kenora provided us with some solutions and some guidelines.

Mr. MacDonald: Which the government has ignored.

Mr. Stokes: To continue:

> Under the existing agreement very little authority has been transferred from the federal to provincial governments. The transition is difficult but one may question if there is enough effort being made at the provincial level to speed up this process.

He goes on further:

> As a suggestion, since the provincial government has instituted the Indian development branch, why not use this vehicle more extensively and centralize the maids of all government services through one agency?

Another quotation:

> How can a start be made to correct some of these shortcomings? I would say to transfer the obligations of looking after the Indian people from the federal to the provincial government. There have been some transfers already in the field of education and welfare, but a complete transfer of all obligations and, of course, federal moneys should be made to the province.

It has been asked on several occasions what specific recommendations have been made by the Indian advisory committee to the government and, in particular, to this Minister and, through him, to the interdepartmental committee. I would like to suggest that possibly one of the recommendations that has been made and that escapes the memory of the Minister was one which was quoted in an article in the *Globe and Mail* on April 30, 1968. It said:

> INDIAN INCOME MAY GROW FROM STUDY
>
> "A study of one Ojibway Band is expected to indicate the means for solving money problems common to Indians in northwestern Ontario," Agriculture Minister W. A. Stewart, said yesterday. The Ojibway Band is centred at Round Lake, a community of 50 families in the bush 260 miles north of Sioux Lookout. Mr. Stewart told the Legislature that The Department of Lands and Forests will survey the natural resources of the area. In addition, an ethnological study will aim for an understanding of the Indian's social and economic structure.
>
> "The economy traditionally has been based on forests, fisheries and wildlife," Mr. Stewart said. "It is expected that more diversified use of these resources can improve the standard of living." The study is part of an overall economic survey of the Lakehead region, in co-operation with the federal government and financed under The Agricultural and Rehabilitation Act. "The result hopefully will be a massive programme of opportunity for those living in northwestern Ontario," Mr. Stewart said.

Now that is about one year and one week ago.

The Minister has stated that he has taken all of the recommendations placed before him by the Indian advisory board under consideration. He has said that they are under active study, but when he was questioned here earlier this evening, he could not recall any of them that had been acted upon or any of them that struck him as being meaningful or had stayed in his memory so that he was able to relate some of them here to us tonight.

I suggest to him, and to the member for Rainy River, that, in spite of their claims that there are no easy solutions, the Indian community and, in particular, the Ontario Union of Indians, have agreed to, and would dearly love to, accept that responsibility. They would like to send their own workers into the field —whether it be on the reserve, or whether it be in unorganized territory where communities of Indian people are living in an off-reserve setting—where they could go in, assess the need, and come up with recommendations and programmes that the Indian development branch could enact.

I suggest to the Minister that all he has to say and all we are asking him to do, is make the necessary funds available. The Indians are not coming to you and asking you to solve all of their problems. They are asking you to provide the resources to help them to solve their problems. That is all they ask.

We do not need to be too concerned about going in and extending the paternalism that we have had for so long from the federal government. They want to solve their own problems, but they need the resources with which to do it.

You have the resources. It has been pointed out on this side of the House on so many occasions since we have been involved in this particular estimate. You have already indicated that you have the resources, but for some constitutional hang-up you refuse

to make them available unless you are fully compensated by another jurisdiction.

I suggest to this Minister that the time for delay, the time for procastination, has long since passed. I think that the Minister is well aware of the militancy that has become so apparent among the Indian communities in northwestern Ontario; this will dictate that he acts immediately.

You have the resources. You have the people who are willing to go out into the field to carry out these studies and come back with specific recommendations. I suggest to the Minister that he delay no further. Make those funds available to the Indian people to give them an opportunity to solve their own problems.

Mr. MacDonald: Hear! Hear!

Mr. Chairman: Order, please! Order! I should like to suggest to the committee that this debate has been continuing for many, many hours on this particular topic. It seems to the chair that the debate is now becoming superfluous, to say the least. The debate is approaching what, in my opinion, might constitute obstruction of the business of this House.

I just put this forward to the committee for their consideration. We do have a motion before us. The hon. member for Scarborough West.

Mr. Lewis: I would say to you, sir, that this is an exceedingly important subject. We would not wish to obstruct. I respect what the Chairman has said and I will be brief.

It may give the member for Rainy River some succour to know that he has sparked me to my feet momentarily to make an observation, Mr. Chairman, about the nature of the position of this party, and perhaps, members of his party in the debate.

While it may be, Mr. Chairman—and I want to say these things carefully—while it may be that heat and animus in this debate are not in themselves solutions, nor I submit to you, is unction. And there is nothing more patronizing than to patronize the patronizers.

I may say, Mr. Chairman, that to try to intrude the sweet reasonableness of forthright right-thinking men into the the subject is simply to consign the problems of the Indian community to precisely the same debate which has characterized discussions of their future for the last 100 years and more in this country.

Until very recently, I say to the Minister and to my colleague, the member for Rainy River — whom I know obviously feels as deeply as anyone in this House about it— the nature of the discussions and the sweetness which has characterized them is, perhaps, what has done most destruction to the cause of the Indian community. There comes a point in time, Mr. Chairman, when the nature of debates is one to evoke the most impassioned response, not simply from the Opposition, but from the government, because then and then alone, will we break through.

I suppose it all depends on the point in time when the decision is made that that is the path which is followed. I would think that 100 years after Confederation is a sufficient length of time, and I recall the remarks which the member has made on other occasions which support that.

I may also say, Mr. Chairman, we are not so much after the Minister—that is, in fact, a discarded issue. We are after the money. And we are perhaps above all after the allocation of the money to those who make the decisions on how it is spent in the interest of those for whom it is spent, namely, the Indian community itself. That, we think, at this point in time justifies some considerable feeling in debates.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, there are one of two items specifically I want to put to the Minister. Last year I enquired about the process of developing some sort of a booklet or informative piece which would put in the hands of the Indians, particularly their elected councils or those who give leadership on the reserves and in the Indian communities, information pertaining to all of the provincial programmes that might be available, depending upon the decision of the Minister and the Cabinet committee.

It has been said by this Minister and others that all provincial programmes are available to the Indian community. I think one of the serious shortcomings is that the elected councils and others are unaware of the ramifications of their rights in this regard. And where some of the piety and perhaps unction that the hon. member has just been speaking of shows in the statements from the Minister and others about the availability of these programmes.

The Indians cannot make use of them if they are not familiar not only with what the programmes are but how they can acquire access to them. I feel that the time-honoured procedure of having a joint federal-provincial

committee to assist in the presentation of these programmes is too time-consuming. I know the Minister at one time undertook a project to make information available in a concise, orderly form to the Indian community and others, a list of all the provincial programmes, the ramifications of the programmes, what the contact would be, either at Queen's Park or elsewhere across Ontario.

Personally, I very much regret that the Minister has not decided to go forward with such a publication or such a programme. I would be glad to hear him report to the House just the status it finds itself in at the present time.

Hon. Mr. Yaremko: Actually, that type of review was undertaken some time ago and it became a summation of all of the province of Ontario programmes, the whole lot. It turned out not to be the type of thing that I think anyone would have in mind in order to put into the hands of the individual Indian or group a concise summary in simple language of the particular programme that the Indian community would want to resort to, because all our provincial programmes are available in their totality, really.

Mr. Nixon: Did the advisory committee not suggest that in fact it was becoming too large to be useful?

Hon. Mr. Yaremko: I have seen it. It is just completely unworkable. But one of the economic councils of Ontario is making an inventory of that and I look forward to developing a type of booklet specifically designed for that type of thing. We will have concluded by this session, I think, the implementation of all the legislation which will put on the statutes of the province all of the programmes that are available to our department and we will put that in pamphlet form so they will be—

Mr. Nixon: Well, if a compendium of all the provincial programmes would be unwieldy, there is no sense in giving that to the Indians for their use. But I would suggest to the Minister that he might, through his advisory committee and through discussions with other organizations, arrive at a list of those programmes like those put forward by the community programmes branch of The Department of Education, some of the programmes under ARDA, particularly for community pastures and the development of the farming interests in those areas where it is viable, their rights under the grant system for highways and for roads, so that some of these relatively inaccessible areas—

Hon. Mr. Yaremko: Community centres.

Mr. Nixon: Right. I do not think you need a compendium of all the programmes of the province. I am not so sure that it would be that stupendously large anyway, but there is no sense in putting all of these programmes forward. I would say to the Minister that the Indian councils would very much benefit from this sort of leadership. I do not think it is enough to stand in the House and say everything is available to them, because—

Hon. Mr. Yaremko: I agree with the hon. leader of the Opposition.

Mr. Nixon: Well, is this one of the programmes that perhaps we can move forward on?

Hon. Mr. Yaremko: Yes.

Mr. R. H. Knight (Port Arthur): Mr. Chairman, I rise to sound out again, the expression of frustration and concern of my colleague, the member for Rainy River, over some aspects of this debate, especially the tremendous number of arrows that have flown from our left over at the Minister.

Mr. Lewis: And from the member's party.

Mr. Knight: That does cause frustration, but from the point of view of one who comes from the north, you can see although you may not understand the full purport of the Indian problem. At least you can see its effects in very concrete ways, and one becomes concerned just how much of this is politicking and how much of it is sincere. But far be it from me to question the sincerity of anybody else because I feel I am on my feet now because I am sincere, so I will give them the benefit of that doubt.

I would like to add to this, though, that I welcome this debate. I welcome its length, its intensity, because I really believe that it has given a new hope to the Indian people of this province, when the word goes out from Toronto across the north that in this important Legislature we are spending valuable and important time discussing the Indian people.

I know they are passing the word from one to the other. The word came back to me today from an Indian citizen of the north because of the words I had spoken about him in this House a couple of nights ago. And while speaking to him, I could detect the new hope, the new confidence. However, there is a very important warning to be made at this time, Mr. Chairman. You know what

happens to people whose hopes you build up and then without any follow-through what happens? You are worse off than you were before.

And what with the Indian task force from the federal government going back and forth across this country expressing all kinds of good-will and interest, what with this debate, what with the efforts of many individual members of this Legislature to try and do something positive and concrete for the Indian people, if there is not the right kind of follow through, there is going to be a fantastic let-down and I fear very much that the danger of militancy will then come.

And I want to point out that in speaking to a gentleman I feel has been very, very influential in programmes to assist his Indian people in the north, Mr. Xavier Michon, he said something to me on the telephone this evening that worries me a great deal, Mr. Chairman. He said: "The militants have been asking me to help them. I would like to go on trying to resolve these problems in a peaceful way but I am afraid that if we are let down by governments at both levels I will have to join the militants."

I am talking about a fellow here who has set up the Indian Youth Friendship Centre which now assists and brings together some 125 young Indian people in the Port Arthur-Fort William area, a centre which has greatly improved the image of Indian young people, that has brought a great deal of dignity and respect back to the Indian people. This has been accomplished through the young and through the efforts of Mr. Michon.

And if it is important I point out that the board of directors of that friendship centre has such people as the deputy chief of police of the city of Port Arthur on it, Magistrate Cunningham sits on that, along with other people of the community, including certainly Indian people, and they turn the centre over to Mr. Michon to run it as he sees fit.

Why does Mr. Michon at this point in time, in the knowledge that I will have the opportunity to speak here this evening, tell me: "You may quote me, I too will become a militant. First I will place my faith and my confidence in you people down there in that government, in that Minister, but if nothing happens I will have to turn to the militants because it will become a matter of economics. The man has dug into his own pockets so deep to try to help his Indian friends that there is no more in there, but he still wants to help them some way because it is becoming a matter of frustration for him.

More than that, it has become a matter of dedication, for the man cannot say no, even though he has spent considerable time in the last few years in hospital himself because of his efforts.

So I say perhaps that is not important to some members of this House, Mr. Chairman, but it is a sign of how all this is coming to a head and this is where the members to the left are right in the urgency that they attach to this whole problem when they try to bring this debate to a head.

So I say Mr. Chairman, that I appeal to the good will of this Minister, I appeal to this education that he says he has undergone, I appeal to all of that. I appeal to whatever virtues have caused him to sit there patiently for most of the time and try to listen and try to hear. I would not want to be sitting in his shoes, I would imagine it would be very difficult to take that kind of a bombardment. So I say to him, some time in the near future would he please sit down and talk to Mr. Xavier Michon again? We do not want to lose him on the peaceful side, Mr. Chairman. I would not want to see him become a militant after all of the efforts, all of the work, all of the dedication this gentleman has put into trying to solve some of the Indian problems up there. He has worked for three years on an arts and craft programme to be centred in the friendship centre, a centre from which the young people can go back into their reserve and teach the people on the reserves the arts and crafts. He has even gone to the point of suggesting that each reserve specialize in a given product.

What is wrong with this idea that this department cannot support this project financially? Can it not even bring some influence to bear on the federal Department of Indian Affairs to support Mr. Michon's programme?

The young people of that centre have worked so hard to set up this programme. They are all set to go and they have been told: "No, we cannot support you." So the tourists coming into northwestern Ontario and the people who leave there have to be content to go on buying little canoes and other objects, so-called Indian objects that are sold to tourists, that are made in Japan, or made in some other part of Canada.

This is a worthwhile industry that could be supported, something positive that can be done, a positive programme, and I cannot understand why the Minister cannot find some way to help them directly or to appeal with the higher level of government in order to help these people out.

Now Mr. Michon tells me that he understands not only last year did the youth centre not receive a grant from this department that matches the grant of the federal department but now he understands there is some question as to whether that grant will be cut back, that the contribution to Friendship Centre may well be reduced and I wonder if the Minister could clarify that point this evening when he gets the opportunity.

Mr. Chairman, I understand that this Minister spoke with Mr. Michon less than two weeks ago and he spoke with some of the Indians who are considered to be militants at the Lakehead. So he has a knowledge of what I am speaking about and he knows about the person to whom I am referring, Mr. Chairman. I just wonder if he could not explore the background, the good intentions and the qualifications as such of such people as Mr. Michon to indeed consider establishing a programme of ombudsman here in Ontario. Perhaps he could do it through the Indian-Eskimo Association, the Ontario Union of Indians, and through these friendship centres.

Mr. Michon tells me that in the last six months he has placed 20 Indian families. That means he has found them homes, he has found them jobs, he has had to get the children into the schools. He has had to assist them in whatever way families have to be assisted when they are newly starting out in a community.

Surely a man like this must be of some value when so many of the rest of us are frustrated when we approach this Indian problem? Surely a man who is willing to give freely of his time should not to spend his own money to do these things? Surely this is one of the responsibilities of society, one of the responsibilities of this government, and this department?

So I say, Mr. Chairman, that there are great dangers obvious here and one of the biggest is that so much concern is demonstrated in political circles such as this one and then nothing happens after, there is no follow through. The Indian people are made to expect great things and then nothing happens.

I am trying to indicate to the Minister, Mr. Chairman, ways that something can happen. We are fortunate in Port Arthur that the Indian people have gotten together with the help of people who believe in helping Indian people to help themselves to build their pride and to have been able to establish this Indian youth friendship centre.

The community has not turned around and built them a great lavish building. The community would prefer to see the Indian people do that themselves in whatever way they want to do it, choose to do it, and the Indian people are gradually doing it. But I think that there could be greater assistance for that centre from this department and this is the point that I want to put across at this time —great encouragement for Mr. Xavier Michon, he is Mr. X., and he is the missing link between those of us who can do so little and who have so little confidence from the Indian community and the Indian community itself.

Mr. Michon is established as a white man in the community but at the same time he is believed in, he has credibility with most Indian people. Surely we should not lose this kind of person. We should not allow these people to become frustrated, to become ill, to become no longer interested because then we really lose something, because then there is no longer any hope.

As a final word, Mr. Chairman, let us again seek out those who want to settle this in a peaceful way and subsidize those people as a counter wave of those who are getting ready to force their point through with violence or any other way. While there is still time let us do it the right way, let us not wait for violence.

Hon. Mr. Yaremko: Mr. Chairman, the hon. member will be interested in knowing, because of the remarks that he has made, that earlier today I announced the making of a grant to the Thunderbird Friendship Centre through Mrs. Monica Turner in relationship to a request they made with respect to holding a convention in Port Arthur, Ontario, at the beginning of next month. It so happened that Mr. Xavier Michon, whom I did have the opportunity of meeting, was mentioned in the letter and that was one of the factors which enabled me to come to a conclusion. I look forward to meeting with Mr. Michon and I will also be meeting again with the others that I had met at the Lakehead.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman—

Hon. Mr. Yaremko: Well, may I just for a moment—the hon. member will be interested that we are increasing the grant for the Indian friendship centre, that is the centre itself, for its continuing programme to $5,000.

Mrs. M. Renwick: Mr. Chairman, when I asked the hon. Minister in the last year's estimates how many centres we have, the answer was seven—that they had grown from two to begin with and then there were three more and three more, two that year, and that as each year goes by there are more and more friendship centres being added. I would like to ask the Minister if any new friendship centres have been added since last May 1968?

Hon. Mr. Yaremko: Kenora and Sudbury are being activated in this regard.

Mrs. M. Renwick: I would like to ask the Minister how many day nurseries there are in reservations in Ontario?

Hon. Mr. Yaremko: I do not have that figure. But I will have that figure when we come to the day nurseries. I think there was one opened in Walpole Island—the one in Walpole Island was the initial one. It received quite a write-up in one of the newspapers and it is the beginning, I hope.

Mrs. M. Renwick: I would like to ask the Minister if there are any homes for the aged on Indian reservations?

Hon. Mr. Yaremko: No, there is no formal one yet.

Mrs. M. Renwick: Are there any applications, Mr. Chairman, for homes for the aged in the reservation areas?

Hon. Mr. Yaremko: No, there are not.

Mrs. M. Renwick: The Minister, in answer to various members last year, answered to the member for Algoma-Manitoulin (Mr. Farquhar) that the member had touched on a very difficult problem with the cost sharing formula inasmuch as the municipalities were not able to provide the 20 per cent, of any 80 per cent-20 per cent cost sharing formula. What I would like to ask the Minister is, has the Minister ever considered or will he consider that if a municipality does not have the 20 per cent for any cost sharing programme, that the Minister would see that from his department there could be assumed the 100 per cent?

Hon. Mr. Yaremko: I think the hon. member is referring to the 20 per cent that Indian bands are required to make up the same as municipalities are.

Mr. Singer: That is in the new legislation.

Hon. Mr. Yaremko: No, no. That is the federal government which has, as a matter of policy, begun to pick up that 20 per cent where the Indian band is not able to do so.

Mrs. M. Renwick: Thank you, Mr. Chairman. Then, I would like to ask—the Minister said that with regard to the $1 million that was budgeted for two years running and not used, that the Minister expressed his personal disappointment that Ottawa picked up, only eight per cent of the share of that money which was used. Now how much would Ottawa have picked up then, Mr. Chairman, of the money that was used last year out of the $1 million?

Hon. Mr. Yaremko: I would say it would be approximately the same. There has been no change, no fundamental change, that would change those figures, in any signficant amount.

Mrs. M. Renwick: No change in the initial federal—

Hon. Mr. Yaremko: No. No significant change.

Mrs. M. Renwick: The Minister said during the last estimates, "In fairness to the Ottawa people, we have not yet had the opportunity at the Prime Ministerial and Ministerial level of discussing this and of really threshing this out or re-negotiating this."

I wonder if I could ask if that threshing out at that level has taken place?

Hon. Mr. Yaremko: I indicated earlier in this debate, Mr. Chairman, that I had requested in February of this year, at the health and welfare Ministers' conference, that a full fledged federal-provincial discussion take place related simply to the question of Indian matters. I think I was supported at that time by all of the provinces that concurred in this proposition which I put forward.

Mrs. M. Renwick: When the Minister went into this $1 million figure he seemed very proud that we were the only province entering into that agreement. Did the Minister enter into it believing that a larger share would be picked up by the federal government of that particular development branch?

Hon. Mr. Yaremko: Yes.

Mrs. M. Renwick: Could I ask the Minister what sort of dental care is given to children on the reservations, what sort of dental treatment is available?

Hon. Mr. Yaremko: That would be completely a federal matter.

Mrs. M. Renwick: Could I ask the hon. Minister if I may, how many days in the last year or how many nights he has spent on or in, any of the reservation areas in Ontario?

Hon. Mr. Yaremko: The occasion was the members' trip to northwestern Ontario and, of course, I have plans—as soon as these estimates are through early in June, to pay a visit to northwestern Ontario. Certain specific things I have lined up and also, to make whatever survey I can at that time.

Mr. Chairman: There is an amendment to be voted on.

Mr. Pitman: Just for a moment, Mr. Chairman, I do not really apologize for taking another moment or two on this particular topic because I think it is extremely important. I think it is one of the most disconcerting, one of the most shameful problems that we face as legislators in this province. It is one which I think a debate of which has been most enlightening. We have ranged far and wide. There has been very little repetition and we have not been dealing with specific Indian problems.

We have been dealing with it on a broad scale, on the full spectrum of this problem and we have reached, after several hours, the conclusion that there has been no progress, over the past number of years and we also have reached the conclusion that there is no hope of progress in the coming years.

It seems, as we get right down to the kernel of the problem, that we do not need to talk about money because the money is already there. It was granted last year. It was passed by this House last year and then was turned to the general revenues when it was unspent. We are not talking about constitutional matters essentially.

What we are really talking about is the inability of we, as white people, to solve the difficulty of who is going to pay for it. This is what it really comes down to and what the Ontario government has said is this, "We realize that there are Indians starving; we realize there are Indians who are living in hovels which would be shameful if they were in the jungles of Viet Nam; we realize that the health problems of these people are a monument to the callousness of we, as Ontarians, but we will not spend this money unless the federal government is willing to put in their money as well.

That is what it really has come down to. The fact that we are willing to allow these conditions to continue to exist, because for some reason or other, we cannot solve this federal-provincial conflict. And how long is it going to take before this conflict is solved? It was not solved last year. It was not solved the year before. It may be solved next year, I doubt it. I do not see any likelihood of this happening, two years from now, four years from now, what is going to happen to the estimate when it is passed?

Mr. MacDonald: The Indian issue was not even raised by the Prime Minister at the conference in February.

Mr. Pitman: What is going to happen when this estimate is passed? Is the Minister going to come back into this House, 12 months from now and tell us that he is not going to spend that money either, because the Prime Minister and Cabinet at Ottawa have decided that they are not going to carry out their responsibilities? Are we going to go through this debate year, after year after year?

This debate could have ended hours ago, Mr. Chairman. It could have ended very much as it ended two o'clock at night, after two o'clock on Monday evening when the Premier leaned across and said, okay, okay, we will tell those who are general welfare recipients that they can know what their rights are and so, the notice did go out to all those after we had spent many, many hours in this Chamber. I think that is one thing which can give us some hope, that what happens here does give us some relevance to the day by day life in the communities in our province. It can happen here tonight. This can be withdrawn. This motion, this amendment can be withdrawn, the Minister can simply stand at his place and admit what is already so obvious, both to those on this side of the House and to those on that side of the House.

It is true that the advisory Indian committee has lost all faith in this department and in this Minister. They have nearly all resigned—one has resigned and the rest are ready to resign. They have done nothing over the four meetings and the eight hours of dissertation that has gone on in that advisory committee. Not one single thing which has been discussed, has taken place, has gone on, has alleviated the problem of Indians that deals with the advisory committee. In other words, it has accomplished nothing.

The inter-departmental committee. What hope do we have of that? How many meetings has that held? Do we have any feelings —and I have asked those to your right, Mr.

Chairman. Does any one over there have any feeling of confidence in anything that has taken place in that committee which was called to solve the problems of the Indians in northwestern Ontario? I certainly have not.

These problems can be solved but they will only be solved by a massive infusion of capital. Mr. Chairman, there are a few Indians in my particular riding and I have seen with my eyes what happens to an Indian community when they see some hope, when they see that there can be decent housing; when they see that their kids can receive decent education. In other words, it is not an insoluble problem if we will just have the will.

I suggest, therefore, Mr. Chairman—and I complete my remarks and the Legislature can do as it will with this amendment—but I say this, that it is time that the Minister stands in his place, admits what is so obvious that both the advisory committee, and what my leader, the member for York South (Mr. MacDonald) has indicated with clarity and precision, that the inter-departmental committee does nothing, does nothing effectively and has done nothing effectively in the past.

If he would simply say to us here this evening that he realizes he does not understand the problems, that he does not have control of the machinery to deal with the problem and that it is insoluble within the limitations of his frame of reference. Admit this, it is so obvious to everybody in this House. Admit it and say I will go to the Prime Minister in the morning. I will tell him to take this responsibility out of my department, to take it into his department. I will suggest to him that he takes the money which we returned to the general revenue last fall and place this money in the hands of the Indians to carry out the suggestions that the member for Scarborough West has already stated in this House. I will suggest that this money be given to the Indian people, that they do have the machinery to carry this out. They do know what they want, they do know what their problems are and we can get something done. This debate can end, this amendment can be withdrawn and we can get on with the business of this department.

Mr. MacDonald: Hear, hear.

Mr. Chairman: Mr. MacDonald has moved that the item relating to travelling expenses in the amount of $46,000 within the Indian community development services branch vote 2003 be reduced to $1.

All those in favour of Mr. MacDonald's motion please say "aye".

All those contrary please say "nay".

In my opinion the "nays" have it.

Call in the members.

Clerk of the House: Mr. Chairman, the "ayes" 26, the "nays" 41.

Mr. Chairman: I declare the motion lost. Shall this programme carry? Carried. This completes vote 2003.

On vote 2004: Child care. The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, the main cry that I hear from the children's aid workers is: no supportive programmes in the community, and non-adequate facilities in day care, in nursery schools, and in homemaking.

The children's aid workers are asked to meet the list of regulations under The Child Welfare Act and are asked to meet them without the resources. They are asked to meet them without expanding school programmes to rescue the youngest of the unfortunate. It is the workers that have been in the field for a number of years, dedicated and devoted people, who tell me they are dealing with generation after generation of the same family in many cases.

Mr. Chairman: I wonder if the hon. member would permit the chairman a slight interruption to discuss the matter of how we will deal with this particular programme.

Mr. Nixon: We would permit the Premier a slight interruption.

Mr. Chairman: This is divided into two—

Mr. B. Newman (Windsor-Walkerville): Time to adjourn.

Mr. Chairman: Order. This vote is divided into two programmes of activity—the day nursery service and the care, maintenance and protection of doctors' services. However, the items within the vote seem to be a little more representative. I wonder if the hon. Minister would like to deal with this on the basis of the programme or the items within the vote.

Hon. Mr. Yaremko: I would think, Mr. Chairman, the item procedure would be better if we discuss 4, 5, 6, 7 and 8. That will provide a very orderly discussion: That is children's aid societies, then the subsidies to institutions for children, grants to agencies,

other payments, and grants to day nursery services.

Mr. Chairman: Would the committee concur that it would be more expedient to deal with items 1, 2 and 3 together and then the remaining items within the vote, item by item? Do I have that concurrence?

Agreed.

The hon. member for Scarborough Centre: Items 1, 2 and 3, do they carry?

Mrs. M. Renwick: No, Mr. Chairman.

Mr. Chairman: Anything within items 1, 2 and 3?

Mrs. M. Renwick: Item 1: What numbers of people and for what positions does this salary item cover?

Hon. Mr. Yaremko: In the child welfare branch, there is a total complement of 72. In the day nurseries there is a total complement for the coming year of 22.

Mr. B. Newman: I wonder if the Minister could tell us if you have child welfare workers working in the Thistletown project in Rexdale?

Mr. Chairman: We are dealing with salaries, travelling expenses and maintenance as one grouping.

Mr. B. Newman: That is salaries.

Mr. Chairman: Perhaps I did not hear the hon. member.

Hon. Mr. Yaremko: The answer, Mr. Chairman, in any event, is none.

Mr. B. Newman: Does the Minister have any plans for workers for that particular project?

Hon. Mr. Yaremko: Not at the present time.

Mr. B. Newman: Has the Minister received any representation?

Hon. Mr. Yaremko: From whom?

Mr. B. Newman: Social workers and other interested people in the area of north Rexdale, asking for help with child workers for the Thistletown, Bergemont and other OHC projects where they have 5,000-6,000 people with all sorts of child problems?

Hon. Mr. Yaremko: Not that I can recall at the moment.

Mr. B. Newman: You have heard nothing?

Mr. Chairman: Anything further under items 1, 2 and 3?

Mr. Lewis: Mr. Chairman, does the Minister have working in the department in this branch any of the people who are trained in the various social service worker courses or child care courses in the Community College system?

Hon. Mr. Yaremko: Yes, in the day nurseries.

Mr. Lewis: Day nursery part of the branch?

Hon. Mr. Yaremko: Yes.

Mrs. M. Renwick: The only course in the colleges that is working properly.

Mr. Lewis: Do you have any idea of the number?

Hon. Mr. Yaremko: There are 12 day nursery supervisors, all trained.

Mr. Lewis: All trained? Is there any reason why they would not be working in the other part of child care to do with children's aid societies, children's institutions and related agencies?

Hon. Mr. Yaremko: This is a specialized course of training especially for day care.

Mr. Lewis: Especially for day care. What about all those who go through the two-year course at Ryerson which was established in conjunction with the department? What about those who are doing the two-year courses at the various—I think it is now 16 out of the 20 community colleges—social service worker courses. Are they not fit for employment by the department in this branch?

Hon. Mr. Yaremko: They are trained and being utilized in the day nurseries.

Mr. Lewis: In the day nursery part of this branch?

Hon. Mr. Yaremko: Not the day nursery part of this branch, in the day nursery programme throughout the province.

Mr. Lewis: I see, the day nursery programme. Well, I am not sure I am getting through. These people come out with a degree or a certificate after two years, and they are eligible for hiring by all kinds of agencies in the field of services to people right across the province, so I can well believe that they would be working in some day nurseries. But I am wondering whether the department, as a department, has hired any of them.

Hon. Mr. Yaremko: I believe we have. My understanding is that all of those who were trained in this field have been placed.

Mr. Lewis: Well, I do not want to particularly disagree. I think the problem in the field now—I can assert it with a little confidence—is that the graduates do not have placement, Mr. Chairman. Their most serious problem is placement. They had a convention no more than one week ago of all the workers from the social service worker courses in the community colleges.

It was attended by Russell Joliffe at the Ryerson Institute who sat at the head table and a number of people like Al Kutcher, who heads the course at Seneca. Others from Centennial and from Humber colleges were all at the convention, including representatives of the social service course at the community colleges in Ryerson. They came from all over the province and they had one consistent cry: They were not able to find placement anywhere in the province. In all the proliferation of agencies involving services to people. It seems to me a rather strange proposition. This was a new line of social welfare work, a new category, and I thought that at least the department might set the pace here for integrating these people into the work force, because after all, this was viewed as a way in which we could fill the gap of the desperate needs in personnel in this particular field, and I was surprised to hear that very few of them could find job guarantees.

As a matter of fact, only the Ryerson course is having any consistent success in finding placement for these people. All the others are coming on to the labour market and they are having serious difficulty in all the private agencies, whether they are Ontario hospitals or Children's Aid Society.

One had hoped that the Minister's department was the one which could absorb them, particularly this kind of branch, because as the Minister knows, many of them are in their early twenties, or mid-twenties. To work with children, or even in the supervision of those who work with children or learning from those who work with children, one would hope that they would have an appropriate place in the branch.

I do not want to belabour it. I just say to him that they feel a sense of great frustration. They are a pretty committed people and they would like to get involved and they do not know why the doors are being closed on them at the moment.

Hon. Mr. Yaremko: I am aware of that particular problem.

Mrs. M. Renwick: Mr. Chairman, when I asked the Minister the original question of the numbers of people in the salary item, I also asked in what position.

Hon. Mr. Yaremko: Mr. Chairman, there are, in the child welfare branch, the director, six child welfare supervisors, one child welfare supervisor, one executive officer, four field workers, four departmental accountants, and the balance would be supporting staff. There are presently a number of vacancies within the welfare supervisors and the supportive staff.

Mr. Chairman: Anything further under items 1, 2 and 3?

Items 1, 2 and 3 agreed to.

Hon. Mr. Welch moves that the committee of supply rise and report it has come to a certain resolution and asks for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will go to the order paper doing work in the committee of the whole House, and, if time permits, some second readings.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:20 o'clock, p.m.

No. 112



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Friday, May 9, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Friday, May 9, 1969

Age Discrimination Act, 1966, bill to amend, Mr. Bales, first reading 4193

Farm Products Marketing Act, bill to amend, Mr. Stewart, first reading 4193

Hiring of Teachers' college graduates, statement by Mr. Davis 4193

Commission on post-secondary education, statement by Mr. Davis 4194

Municipal taxation, question to Mr. Robarts, Mr. Nixon 4195

Taxes for educational purposes, questions to Mr. Davis, Mr. Nixon 4197

Grey county-Owen Sound board of health, question to Mr. Dymond, Mr. MacDonald 4198

Sunnybrook Markets, questions to Mr. Wishart, Mr. Shulman 4198

ETV staff, question to Mr. Davis, Mr. T. Reid 4199

School inspectors, questions to Mr. Davis, Mr. T. Reid 4199

ERCO plant at Port Maitland, questions to Mr. Dymond, Mr. Burr 4199

Student protesters, question to Mr. Davis, Mr. Lawlor 4200

Preparing people to deal with mentally retarded, questions to Mr. Davis, Mrs. M. Renwick 4200

Cutback in junior kindergartens, question to Mr. Davis, Mrs. M. Renwick 4200

Students leaving classrooms, question to Mr. Davis, Mr. Sargent 4201

Legal definition of death, questions to Mr. Wishart, Mr. Ben 4201

Mr. Iverson Handke, question to Mr. Wishart, Mr. Shulman 4201

Third readings 4201

Ontario Heritage Foundation Act, 1967, bill to amend, reported 4202

St Lawrence Parks Commission Act, bill to amend, in committee 4202

Highway Traffic Act, bill to amend, in committee 4203

Separate Schools Act, bill to amend, Mr. Lawlor, Mr. Bernier, Mr. T. Reid, Mr. Ferrier, Mr. R. S. Smith, Mr. J. Renwick, Mr. Deacon, Mr. T. P. Reid 4208

Motion to adjourn, Mr. Robarts, agreed to 4217

LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 9, 1969

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: This morning in the galleries we have as guests, in the east gallery, students from D'Arcy McGee Separate School, Toronto and Prince Charles public school in Brantford; in the west gallery, students from St. Lucy's Separate School in Toronto; later this morning we shall be joined by students from Smithfield Public School in Rexdale, from Sturgeon Falls High School, in Sturgeon Falls, from Chedoke Public School in Hamilton, and from Lambton-Kingsway Public School in Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE AGE DISCRIMINATION ACT, 1966

Hon. D. A. Bales (Minister of Labour) moves first reading of bill intituled, An Act to amend The Age Discrimination Act, 1966.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, this bill makes The Age Discrimination Act applicable to the Crown and all its agencies. The introduction of the bill at this time does not mean that there is a problem. It does signify, however, that the government feels it must make it unmistakably clear that it is opposed to discrimination in employment based on age. This message must be clear to all those in the government service who are involved in the hiring, promotion and supervision of staff.

We know from experience there is no direct relationship between chronological age and ability to contribute to our economy and our society and therefore, there should be no age barriers erected against persons seeking employment.

So, Mr. Speaker, I repeat the bill is simply a further reflection of the government's convictions on this matter and it reinforces what we are already doing to cope with the problem of age discrimination.

THE FARM PRODUCTS MARKETING ACT

Hon. W. A. Stewart (Minister of Agriculture and Food) moves first reading of bill intituled, An Act to amend The Farm Products Marketing Act.

Motion agreed to; first reading of the bill.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, are we going to have any explanation of that bill?

Hon. Mr. Stewart: Mr. Speaker, this is simply a housekeeping bill for The Farm Products Marketing Act. There are no new principles inculcated in the bill. It simply brings up-to-date certain items in The Farm Products Marketing Act.

Mr. V. M. Singer (Downsview): Housekeeping bills are the most suspicious.

Hon. Mr. Stewart: Well, of course, one with a suspicious mind might be so inclined.

Let me say that the hon. member's suspicions would be quite unfounded here. This is a housekeeping bill.

Mr. Speaker: The hon. Minister of Education has a statement.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I have two relatively brief statements. One is in the form of information which I told the member for Peterborough (Mr. Pitman) we would provide just as soon as we had any more up-to-date information relative to the hiring of our teachers' college graduates. These figures are not 100 per cent accurate. These are the results of a survey as of yesterday.

I should point out that the hiring goes on, of course, for some time yet, but related to the information we presently have, from the Lakeshore Teachers' College—and these are just general observations—the picture appears to be more competitive than in other years with 65 per cent hired; in London, 67 per cent hired, and this is a more competitive situation; Ottawa 68 per cent, which is more competitive than in 1968; Hamilton Teachers' College is 82 per cent hired, which is the same as 1968; Lakehead is 80 per cent hired,

which is the same as 1968; North Bay 88 per cent hired, which is the same as 1968; Peterborough 81 per cent, comparable to 1968; St. Catharines 66 per cent, once again comparable to 1968; Stratford 75 per cent, same as 1968; Sudbury is 60 per cent, which is the same as 1968—and the information there is that all should obtain jobs.

At Toronto, which is the same as Lakeshore, between 59 and 60 per cent are hired, which is more competitive. We cannot get the information yet from the University of Ottawa Teachers' College because they are in the practice session, but the information there is that the students should all get jobs. This is a bilingual teachers' college. Windsor is 74 per cent, which is the same as 1968, and as a total percentage of student teachers, we are roughly at the 70 per cent hired as of yesterday.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I could ask a question to clarify. I wonder if the Minister has heard any rumours or indications that teachers on green contracts are being relieved at a very high rate this year because of the existence of this overflow? Is he making any efforts to discover whether some justice can be given to some teachers on green contracts who may very well be relieved just in order to get a teacher at a lower price?

Hon. Mr. Davis: Mr. Speaker, one hears a number of rumours. I had not heard that particular one. I shall check into it.

The second statement, Mr. Speaker, relates to the commission on post-secondary education. I wish to announce today the appointment of a special commission to advise the Minister and the government on the longterm plans for post-secondary education in Ontario.

The commission has been charged with the responsibility of studying current anticipated provision for all post-secondary educational institutions in the province, and outlining the patterns required for the future to ensure appropriate and orderly development to meet the needs of the province over the next few decades.

The commission will act under the chairmanship of Dr. Douglas D. Wright, chairman of the committee on university affairs. In addition to the chairman, the commission is composed of ten persons who will be associated with Dr. Wright in the study of post-secondary education. These people include Professor J. M. Careless, professor of history at the University of Toronto and biographer of George Brown; Mr. D. O. Davis—I should point out that he is not related to me in any way—vice-president of engineering at the Dominion Foundries and Steel Company of Hamilton and member of the council of regents of the colleges of applied arts and technology; Dr. John Deutsch, principal of Queen's University and former chairman of the Economic Council of Canada; Dr. Reva Gerstein, member of the committee on university affairs, also a former member of the committee on aims and objectives of education in the schools of Ontario; Mr. John V. O. Kelly, legal counsel, whose continuing interest in student affairs developed as former president of the SAC of the University of Toronto, and who, as the members opposite will recall, has acted on behalf of a number of student organizations and faculty groups in the field of education; Professor John S. Kirkaldy, who occupies the Steel Company of Canada chair of metallurgical engineering at McMaster and is currently ending his term as chairman of the Ontario Confederation of University Faculty Associations; Mr. William Ladyman, international vice-president of the International Brotherhood of Electrical Workers and a member of the council of regents; Mr. Hugh L. Macaulay, president of York Mills Motors Limited, Toronto, and a member of the board of governors of Ryerson Polytechnical Institute; Mr. William Newnham, president of Seneca College of applied arts and technology; Mrs. Edna Tietze, instructor in history at Conestoga College of applied arts and technology.

Given the important strides that have been made in Ontario in recent years in the development of post-secondary education and the continuing rapid growth in this field, it is imperative that the preparation of longer term plans be related as closely as possible to the decision-making processes that are currently established. The composition of the commission as announced is intended to ensure that this is the case.

I have asked the commission to hold its initial meeting immediately and commence this assignment in what it determines to be the most expeditious fashion possible. To facilitate the effective pursuit of the study, I have encouraged the commission to engage suitably qualified individuals and organizations to assist it in the execution of its work. The commission has also been requested to issue public reports and recommendations from time to time as it may see fit, especially in respect to matters in which early action is appropriate.

In announcing the appointment of this commission on post-secondary education in Ontario, Mr. Speaker, I wish to express my gratitude for the assistance and counsel offered by the several individuals and bodies with whom I have consulted over a period of time on this matter. It is anticipated that these organizations will continue to co-operate with the commission so that it can carry out its important assignment with the greatest degree of efficiency and on the basis of the best knowledge and advice available.

Mr. T. Reid (Scarborough East): Mr. Speaker, I was wondering if I could ask the Minister a point of clarification. First of all, in saying how pleased we are that this commission—

Mr. Speaker: Order! The hon. member is asking a question of clarification.

Mr. T. Reid: Could the Minister clarify whether or not a representative from the Ontario Union of Students or a university student, a student from a college of applied arts and technology or a student from the college of art has been appointed to this commission?

Hon. Mr. Davis: Mr. Speaker, I think the hon. member perhaps heard the list of those appointed. As I suggested, in the list of appointments, Mr. John Kelly has acted as counsel to a number of these organizations in his professional capacity.

Mr. T. Reid: Could I ask the Minister what age Mr. Kelly is?

Hon. Mr. Davis: I have not the foggiest idea.

Mr. T. Reid: When was he president of the student council?

Mr. Speaker: Order! The hon. member is now not asking a proper question of clarification. The hon. member for Peterborough.

Mr. Pitman: Just one question, Mr. Speaker. I wonder if the Minister has heard about the concern of a number of people about Dr. Wright's chairmanship in view of the fact that he will be really looking at his own creation, since he is also chairman of the Minister's advisory committee on university affairs. There seems to be a degree of duality here which makes one wonder whether, as chairman—

Mr. Speaker: Order! The hon. member has asked a question and now he is entitled to receive an answer; he is not entitled to make a statement.

Hon. Mr. Davis: Mr. Speaker, this matter was discussed with one or two groups which had some specific suggestions to offer.

Mr. Nixon: Mr. Speaker, I have a question for the Premier which I know he will welcome because he will surely want an opportunity to clarify and expand the statement he made to the press yesterday that he intends to eliminate municipal grants, and plans to replace them with a tax-sharing programme.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the remarks I made in this regard were made at a press conference yesterday which really was called to deal with the statements I had made in the House dealing with GO Transit. Inevitably the question came up as to the notice of publication to be made by the city of Toronto concerning taxes. This led us into some discussion of municipal taxation.

I did not say that we, of course, would eliminate municipal grants, because I do not think that is practical or possible, but I did say that in our examination of the financial position of the municipalities we were investigating the possibility of the allocation of additional revenue sources to the municipalities so that they would be in a position to levy their own taxes and establish within their own areas the priorities that they think are necessary, and also relieve the burden of taxation on real estate in the municipalities.

I also made it very clear at that press conference that I was not saying we were immediately going to allocate the sales tax, or any portion thereof, to the municipalities, but I think the point really is this that—

Mr. Singer: And the Premier asked them not to write headlines about—

Hon. Mr. Robarts: Well, yes I did, of course, because—

Mr. D. C. MacDonald: (York South): That is a sure way to get a headline.

Hon. Mr. Robarts: Perhaps I am a little naive. I did not think I was when I made the statement but—

Mr. J. E. Bullbrook (Sarnia): That is the last thing he is—naive.

Hon. Mr. Robarts: One must take care that one does not leave a false impression with the press, and through the press with the public.

On the other hand, it is my opinion that as the government studies these matters we have not come to conclusions, but they are under study. They stem from the Smith committee report and it is my opinion that what we are doing should be mentioned because they are matters of public interest and they should be brought to the attention of the public. No doubt I shall receive certain opinions from various people as a result of this and I think that is sound and proper.

I would just simply say as far as the elimination of municipal grants is concerned that this of course is not possible. As I said in answer to a series of supplementary questions from the hon. member for Grey-Bruce (Mr. Sargent) yesterday, we practise a form of equalization within the province which will always be necessary. Of course the easy way, and I think the only way, to deal with equalization among the disparate regions of the province would be through a system of grants, so that system will always be with us. On the other hand, that does not mean that we cannot work out some method whereby perhaps some proportion or percentage of the sources of taxes would go back to the municipalities, perhaps with some relationship to the municipality itself, and the tax raised there.

These are matters that are being considered. We do not have hard and fast answers. I must say that I have had telephone calls from various parts of the province already this morning asking me what this means, if it means that the grant system is going to be destroyed, and I think it is quite proper that I should say that it is not.

On the other hand there is no reason why it cannot be modified. We are looking for similar changes in the relationship between the federal government and the provincial governments and we are prepared to look at similar changes that we might effect between this government and the municipalities.

Mr. Nixon: I would like to ask further, Mr. Speaker, if—

Hon. Mr. Robarts: It is all very interesting, I think, to the members and to the general public.

Hon. A. Grossman (Minister of Correctional Services): Participatory democracy!

Hon. Mr. Robarts: Participatory—it came about through a press conference and it is probably the way these matters should be raised.

Mr. Nixon: It is almost as if by mistake the Premier decided the province had a right to know. When the Premier indicates that we are studying it, that is pretty broad.

As a matter of fact, I have a question of the Minister of Municipal Affairs (Mr. McKeough), asking him how closely he was consulted in the statement of policy as it was reported in the morning paper. What is the programme of study? Is this in the Treasurer's (Mr. MacNaughton) Department? Is it part of a special task force to improve the efficiency of government?

When the Premier says it is an extension of the Smith committee report, this is a very thin thread indeed. That group has been out of commission for some time. I think that is the proper way to describe them. Their recommendation was surely not that we should set up another level of taxation associated with sales tax.

Hon. Mr. Robarts: What does the member mean, other level?

Mr. Nixon: Precisely what I say. The Premier has already indicated it with government's policy, Mr. Speaker, to have our own tax in the province of Ontario. Maybe he has in mind to distribute this fairly, right to the municipal level. There are those jurisdictions which have municipal income tax, and I would like to know if this is the sort of thing he has in mind.

Hon. Mr. Robarts: Mr. Speaker, I would only refer the hon. leader of the Opposition to the white paper that was published in conjunction with the Budget. It was one of the Budget papers. It sets out areas in which we are going. You cannot do everything at once. We have task forces made up of those parts of the administration of government that are interested which are looking at the feasibility. I think the member is quite wrong when he says it is a thin thread back to the Smith committee.

Mr. MacDonald: Well, the Smith committee recommended it.

Hon. Mr. Robarts: Of course it did, and it is not a thin thread, it is a matter of taking those recommendations and seeing how they can be applied.

It is one thing for an independent body to say this is what you should do. It is another thing for a government to work out the administrative arrangements and to examine all these side effects from various recommendations.

This is being done by task forces within the government, and these are the areas in which the study is being made. I realize that the hon. member thinks it is part of his function to misinterpret what we say on the government side.

Mr. Nixon: Oh, come on, this is what the Premier said. We heard his voice on the radio.

Mr. Singer: Please do not write headlines about it.

Hon. Mr. Robarts: We are just trying to keep the record clear and keep the members informed and keep the people of the province informed.

Hon. Mr. Grossman: It must have been the right thing to say; it got the members all mad.

Mr. Speaker: The hon. leader has a further question.

Mr. Nixon: I have a question of the Minister of Education. As a matter of fact there are a couple of them.

Will the Minister comment on the legality of resolutions refusing to collect school taxes passed by the townships of Mono and Melancthon and endorsed by the council of the county of Dufferin? And perhaps he would like the other question as well; they are related.

Can the Minister now inform the House how many of the municipalities under 60,000 population will require assistance to the normal grant structure, in order that their increased taxes for educational purposes will not exceed two mills on the adjusted basis; and how many boards have asked for special assistance from the department in reducing their costs, so that they will not exceed 115 per cent of the costs of 1968, or 1967, whichever is higher?

Hon. Mr. Davis: Mr. Speaker, in answer to the first question, which is related, of course, to the second: I would think that sections 85 and 88 of The Secondary Schools and Boards of Education Act would indicate that the township shall levy these figures.

I should point out, also, that in the discussion related to Mono and Melancthon, I think part of the problem is related to the board passing on to both those municipalities a levy which was not accurate in the first instance. The board is in the process of recalculating to see what amount of subsidy would be available to the various townships in the county of Dufferin.

While we do not have the specific information yet, it would appear to us that both Mono and Melancthon would be eligible for some subsidy, but I cannot at this stage indicate the extent of it, because we do not have the final information yet, and the board has not finished its calculations.

Mr. Nixon: If I might just ask a supplementary before he gets into the rest of his answer.

We suppose that in the general order of things the Minister's responsibility will be to adjust the grant structure, as he already has, so that these townships still feel that they can carry on with the responsibility. What happens, if in fact, they carry out their threat and refuse to pass the tax bills on to their ratepayers?

Who has the responsibility to act in this regard? In fact, can they simply pass this responsibility to The Department of Education or The Department of Municipal Affairs?

Hon. Mr. Davis: Mr. Speaker, the hon. member is really asking me for a legal opinion. My own interpretation of this would be that it would be the responsibility of the board, probably, to act under the legislation.

Relating to the second question, Mr. Speaker. I cannot tell the hon. member how many municipalities yet, because the boards are still in the process—the majority of them—of calculating the altered grant regulations. Obviously there will be a large number of them.

With respect to the question of how many boards have required special assistance. I, myself, have met with many in the past ten days to two weeks. We had many phone calls —we have not kept track of the total number of phone calls—and, on some occasions, we have had personnel leave our department and go and visit with the boards and sit down with their officials to assist them in reducing their budgets to the 115 per cent. But I cannot tell the hon. member these figures yet, and it will be some days yet before we know.

Mr. Nixon: I am sure that the hon. Minister would agree that, in the minds of school boards and municipal officials who are waiting to strike their tax rates, they find themselves enmeshed in chaos and confusion. Many of them, I would submit, are simply putting the responsibilities off on their non-elected officials, who are trying to wade through the Minister's statements in this matter.

Now, is he going to set a deadline? Is he going to put out some sort of a special directive to assist them? I, personally, as a member of a constituency, have had calls asking for assistance which I am not prepared to give, of course. I do not believe the Minister is either. But things are in a mess and there are a good many of these boards and councils who do not know how to proceed. If the Minister is waiting for them to come up with their definite positions, he will wait a long time. Some of them, I believe, are not prepared to go through the complex calculations, based on the Minister's statement, that will even permit them to achieve what the Minister is waiting for. I think he is going to have to be more definite.

Hon. Mr. Davis: Mr. Speaker, our information is that not only are the boards in the process, but they are doing it with enthusiasm, because I think almost without exception with every board that is doing this calculation there will be some municipalities within the board area that will receive some relief, so that obviously the boards are in the process. It is moving ahead in an orderly fashion, and while it is creating some delay with respect to the establishment of the mill rate levies in some municipalities, it is moving ahead at this point in a very orderly way.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: Mr. Speaker, I have a question of the Minister of Health.

Has the Grey County council applied to the Minister to dissolve the Grey County-Owen Sound board of health?

Will the Minister intervene to ensure the salary dispute between the board of health and its nurses is settled?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, the answer to number one is no, and we will intervene if we are invited. We have let the board know that the resources of our office are available to them if, as, and when they are needed.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I have a question of the Minister of Education.

Does the Minister consider it proper for consultants of The Department of Education to become involved in public controversy to the extent of writing rude letters to the editor as appeared in the Thursday, April 24 edition of the Dryden *Observer*?

Hon. Mr. Davis: Mr. Speaker, I am in the process of endeavouring to obtain the April 24 edition of the Dryden *Observer*. When I have this, then I shall be in a position to have the matter investigated.

Mr. T. P. Reid: I have—I am sorry, I would—

Hon. Mr. Davis: I shall take a look at this over the weekend and give some comment on Monday.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, I have a question of the Attorney General.

Did the Minister approve the prosecution of Sunnybrook Markets under The Lord's Day Act for remaining open on Sunday?

Why was Sunnybrook Markets singled out for this persecution when numerous other food chains are afforded immunity from the law?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I do not know that I approved the prosecution; I consented to that prosecution, yes.

On the second part of the question—why was Sunnybrook Markets singled out? These things are generally decided, to some extent, on the local attitude about the observance of Sunday, and if there is a very strong feeling locally that some industry or some activity on Sunday is disturbing the local people, then we take that into account.

Mr. Singer: It is a very good way to look after the law.

Hon. Mr. Wishart: But I would say that no place in Ontario is afforded immunity from the law. This case was tested, as the hon. member knows, and the charge dismissed.

Mr. Shulman: Would the Minister accept a supplementary?

Is the Minister suggesting that laws are applied in certain parts of the province and not in others, that we have some laws that apply to one area and not to another?

Hon. Mr. Wishart: No, not at all. But there are attitudes that are different, in different parts of the province.

Mr. Singer: You can do the same thing in the resort areas for what reason—

Hon. Mr. Wishart: That is a discretionary matter. The federal law, The Lord's Day Act, gives the discretion to the Attorney General of the province.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: Mr. Speaker, I have a question for the Minister of Education, in two parts.

Is any full-time member of the production staff of ETV branch also working part-time in the production or direction of commercials or sports programmes for a commercial station, co-operative, group, network or private production house?

Secondly, if so, what checks and balances apply against the granting of reciprocal favours which might operate against the public interest?

Hon. Mr. Davis: Mr. Speaker, no civil servant employed in the branch is, to my knowledge, also working part-time in the production or directing of commercials and sports programmes for commercial stations, co-operative groups, network or private production house. Producers who are engaged on contract to the branch sign a contract which contains the following clause, and I quote:

> You will faithfully, honestly and diligently serve the Crown exclusively during the term of your employment and you will devote your labour and skill to said exclusive service, and you shall not directly or indirectly accept payment, bonus, gratuity or salary from any person other than the Crown; and it is further agreed, unless expressly authorized in writing on behalf of the Crown, that you will not engage in any business, occupation, employment or service with or without remuneration or gain outside of the service of the Crown.

This applies to those people working on contract. There have been occasions in the past when permission pursuant to the above clause has been granted for specific undertakings of a temporary and short-term nature. At such times, the production staff supervisors and senior reporting staff of the branch have been fully aware of the demands of the undertaking, and have ensured that the provisions of the above clause have been adhered to.

The checks and balances, if we may use this term, are inherent in the normal procedures of the branch regarding the procurement and use of services, facilities and goods. Of course, in addition, these undertakings and business arrangements entered into by the ETV branch are subject to the scrutiny of the Provincial Auditor.

Mr. T. Reid: A second question, Mr. Speaker.

Has the position of Department of Education school inspector been abolished? If so, why are there still such inspectors on the payroll of The Department of Education and why are they still visiting schools in the jurisdiction of the Northumberland and Durham county school board?

Hon. Mr. Davis: Yes, Mr. Speaker, the position *per se* still exists although we are not using the term "inspector". It is "superintendent", "supervisor" or "programme consultant". During the transitional period from provincial supervision to that of the local boards, the county boards have been offered the services, until July 31, 1969, of those inspectors who are still in the employ of the department. It is anticipated that the three inspectors who are assisting in the supervisory capacity in Northumberland and Durham will be transferred to other duties as of July 31, 1969.

Mr. T. Reid: Would the Minister accept a supplementary?

Would those men become employees of the county school boards or would they remain employees of The Department of Education?

Hon. Mr. Davis: Mr. Speaker, I cannot state at this point whether or not any will find employment with any of the county boards. At the present moment the three who are involved come from the regional office—one in Don Mills, one in Kingston, and I believe, the third one is due to retire in the next two or three months. I anticipate the other two will probably remain with the department.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question for the Minister of Health.

Are any authorities monitoring the ERCO plant near Port Maitland for phosphorus compound emissions?

Hon. Mr. Dymond: Mr. Speaker, the question I have is, "Are any authorities monitoring the ERCO plant near Port Maitland for phosphorus emissions?"

The answer is predicated upon that question. The ERCO plant at Port Maitland produces phosphate fertilizers and the danger of elemental phosphorus being emitted is non-existent.

Mr. Burr: A supplementary question. Since the suspected pollutant at the ERCO plant in Newfoundland is elemental phosphorus, would it not be wise to monitor the Port Maitland plant for any kind of phosphorus emissions?

Hon. Mr. Dymond: No, Mr. Speaker, the plant in Newfoundland is serving an entirely different function. It is producing elemental phosphorus, whereas the plant at Port Maitland, again I repeat, is producing phosphate fertilizer.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Question for the Minister of Education.

Would the Minister tell the House whether the remarks of the hon. George Drew, former Premier of Ontario and federal leader of the Progressive Conservative Party, regarding student protesters reflect departmental policy?

Hon. Mr. Davis: Mr. Speaker, in that I anticipated the hon. member already expects what the answer will be to this particular question, I can only say that the Minister enunciates the policies for The Department of University Affairs, and if he wishes to get my views at some length on that subject, I can refer him to two or three addresses I have made over the past couple of years. I would like to send these to him, then he can make his decision as to whether or not they are in accord with what Mr. Drew says.

Mr. Speaker: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): A question from two days ago, Mr. Speaker, to the Minister of Education.

Where in Ontario, in 1968-69, are courses being taught to prepare people to deal with the mentally retarded? How many students are in each course? How many of them graduated and are seeking employment with the Ontario Hospitals? Mr. Speaker, that last part may not apply to this Minister.

Hon. Mr. Davis: Mr. Speaker, I must confess I only have the first part of this question.

There are two programmes available in the colleges of applied arts and technology which embrace social problems associated with mental retardation. These are the social service technician programme and the child care worker programme. Students in these programmes take courses in behavioural patterns which include some consideration of the effects of mental retardation.

In addition, a co-operative one-year course with The Department of Health is given at Humber College of applied arts and technology. Humber provides the academic part of the programme while the practical part is handled by the staff of the Ontario Hospitals at Thistletown and Orillia. Second year is spent at one of the hospitals, after which the students receive their certificates. There are some 14 students enrolled in this particular year.

In connection with the preparation of teachers of mentally retarded children, a summer course was conducted in 1968 at the Ontario Hospital School in Orillia. There was an enrolment of 125 teachers in the first summer course, that is the elementary section, and 68 in the second summer course, the intermediate section. In 1969 the elementary and the intermediate courses will be conducted at the Beverley Street School for Retarded Children, Toronto, from July 7 to August 8 inclusive. It is expected that the enrolment will be approximately the same as in 1968.

Mr. Speaker, while I am on my feet, the hon. member for Scarborough Centre asked a question the other day. I must confess that the information we received from her own office was that it was at Ryerson Polytechnical Institute, not Ryerson Public School, where she asked whether or not there is a cut-back in junior kindergarten.

I have just received the information from the Toronto board. It must be pointed out that kindergartens are not obligatory in Ontario and this applies, of course—as the hon. member is well aware—to junior kindergartens. Most boards are attempting to introduce kindergarten classes, and we believe in September 1969, 90 to 95 per cent of the children eligible for kindergarten will receive this opportunity right across the province.

In Ryerson Public School, I am informed that the enrolment is currently 1,608 pupils. The Toronto board is striving to keep up with the increased number of pupils in this area by providing portables. There are six on the site. The school for years has operated one junior kindergarten room and the enrolment for that class has been kept at the maximum of 40.

Mrs. M. Renwick: It is very difficult for me to hear the Minister this morning; the mike is facing the other way. Could I ask if those answers could be passed across the floor. Would that be possible?

Hon. Mr. Davis: I will endeavour to get this information in even fuller form to the hon. member.

Mr. Speaker: The hon. Minister has promised the information in an even fuller form direct to the hon. member.

Mrs. M. Renwick: Thank you.

Mr. E. Sargent (Grey-Bruce): I had a question from a long time ago to the Minister of Education in regard to a very hot issue. He probably could handle this one all right.

In view of the fact that the Dennis report states that making pupils put up their hands to leave the room was very punitive and dictatorial, will the Minister advise why we cannot forego this formality so that the students can be permitted to leave the classroom without raising their hands to ask for permission?

Hon. Mr. Davis: I would suggest to the hon. member that if he would visit some of the classrooms in the province, he would find that there are many ways for students to indicate their necessity to leave the room. They do not all put up their hands. Mr. Speaker, perhaps he is suggesting that the same freedom be allowed in classrooms that he enjoys here in that he does not always notify you when he—

Hon. Mr. Wishart: Mr. Speaker, before the orders of the day, I have two questions which were asked a little time ago. I would like to give the answers.

One, asked on April 15 by the hon. member for Humber (Mr. Ben) was question number 172:

> Does the Attorney General agree with Ontario supervising coroner, Dr. H. B. Cotnam, that Ontario legislation should not contain a legal definition of death—

Mr. Shulman: The member is not here.

Hon. Mr. Wishart: Continuing the question:

> —since death is a medical matter as reported in the Toronto *Star* on April 1, 1969?

Mr. Speaker: Perhaps the hon. leader of the Opposition would advise whether he wishes this answer given in view of the absence of the member.

Mr. Nixon: Yes, Mr. Speaker, I would like to hear it.

Hon. Mr. Wishart: At the present time, death is not defined. It is a question of medical fact determined from the knowledge and technology of medical science. Dr. Cotnam, in the article referred to, stated his belief that legislation should not contain a definition of the moment of death but that it should remain subject to the advancing knowledge and technology. This subject has come under intensive review but I do not believe there has been sufficient experience yet to determine what, if any, legislative changes are required.

Hon. Mr. Grossman: It is a divine matter, not a legal one.

Hon. Mr. Wishart: Agreed. I think the hon. member can understand that to try to define the moment of death in legislation would be a quite difficult thing.

There is another question, Mr. Speaker, asked on May 7 by the hon. member for High Park. It is question number 1427 and I took notice at that time.

> When may I expect a reply to my letter of February 10 concerning the plight of Mr. Iverson Handke?

The answer, Mr. Speaker, is that my officials have been conducting a full investigation into the matter. The investigation is near completion and I would expect it by perhaps Friday, May 16.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 101, An Act to amend The Motor Vehicle Claims Act, 1961-1962.

Bill 102, An Act to amend The Registry Act.

Bill 103, An Act to amend The Land Titles Act.

Bill 106, An Act to amend The Public Vehicles Act.

Bill 116, An Act to regulate The Marketing of Fresh Water Fish.

Bill 117, An Act to amend The Fish Inspection Act.

Bill 121, An Act to amend The Medical Services Insurance Act, 1965.

Bill 123, An Act to amend The Division Courts Act.

Clerk of the House: The 10th order, committee of the whole House, Mr. R. D. Rowe in the Chair.

THE ONTARIO HERITAGE FOUNDATION ACT, 1967

House in committee on Bill 91, An Act to amend The Ontario Heritage Act, 1967.

Sections 1 to 3, inclusive, agreed to.

Bill 91 reported.

THE ST. LAWRENCE PARKS COMMISSION ACT

House in committee on Bill 99, An Act to amend The St. Lawrence Parks Commission Act.

On section 1:

Mr. J. Renwick (Riverdale): Mr. Chairman, on section 1 of the bill, would the Minister perhaps explain succinctly just why this transfer of jurisdiction is taking place?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Chairman, this will permit a transfer of a King's Highway to the commission directly rather than back to a municipality which may have had jurisdiction over all or part of it.

The primary purpose of this bill at the moment is to turn over to the parks commission the jurisdiction of what is called highway 2S from Gananoque to west of Brockville. This highway was originally constructed in 1938 as a scenic highway. Over the years it became part of highway 401 until the new section of 401 from Gananoque to Brockville was completed and the parks commission presently operates Browns Bay park, and Ivy Lea park on the highway. The federal government operates the Thousand Islands parks system from a shore base on this highway. And The Department of Highways, since the construction of the highway, have owned a great deal of waterfront or shore line property in the area.

The purpose of the bill is to allow the parks commission to develop that area as a scenic drive, to develop the other DHO surplus properties, and working with The Department of Lands and Forests, to set up a game preserve and sanctuary in the area. Is that the information the hon. member wanted?

Sections 1 to 3, inclusive, agreed to.

On section 4:

Mr. J. Renwick: On section 4, would the Minister comment as to why the traditional right of action for non-repair of the highway is either eliminated or continued by this section?

Hon. Mr. Auld: My understanding, Mr. Chairman, is that the right of action is continued, but not against the parks commission. The plan is, that, while the commission will have jurisdiction over the road, The Department of Highways will continue to do the maintenance.

The same rights would apply against The Department of Highways, but not against the parks commission. This is for the reason that the parks commission is not directly involved in the daily maintenance. So that if, for instance, there is a hole in the road and there is damage to a vehicle, it is not really within the parks commission's immediate power to repair that hole, where it would have been in the power of The Department of Highways. But my understanding is, from our legal officers, that the same right of action still applies, but not against the commission. I suppose in the final analysis it is the same thing, it is just a different pocket.

Mr. Chairman: Shall section 4 stand as part of the bill?

Mr. J. Renwick: Mr. Chairman, just before it passes. In fact, the language of the bill, as I read it, does include the Crown in all its aspects and including the Minister of the Crown, as well as the commission. It is, in fact, a severe restriction on the right of any person who may possibly be injured, or suffer damage, by reason of the construction, maintenance, repair, or closing of such a road.

Mr. V. M. Singer (Downsview): Mr. Chairman, I find myself in complete agreement with what the hon. member for Riverdale has said. This is about as restrictive a section related to protecting the Crown and all its emanations as I have ever seen. It says:

> No civil action shall be brought against the Crown—

Surely that is Her Majesty the Queen in the right of the province of Ontario—

> —the commission—

And they are the people who are going to have the power to deal with this road—

> —or any of the servants or agents of the Crown—

I suppose that is anybody who gets money from the Crown in relation to these roads—

> —including a Minister of the Crown, or any member, officer or employee of the commission, in respect of misfeasance, nonfeasance or negligence in connection with the construction, maintenance, repair or closing, under the jurisdiction of the commission of other than a highway designated on subsection 1.

What do you need that for? It seems to me you are surrounding these people with a fantastic umbrella of protection and taking away private citizens' rights in connection with misfeasance, nonfeasance, negligence and so on.

Hon. Mr. Auld: I am afraid, Mr. Chairman, I am at a bit of a disadvantage in discussing this with my learned friends opposite. My understanding is, as I explained a moment ago, I do not know whether the last part of this proposed new section 11(a) starting at—

> But this section does not apply to an action based on contracts between the parties to the action for the construction, maintenance or use of such road.

—sets out the situation, as I understand it.

It is my understanding presently that an action can be taken against the Crown for certain things that may happen on a highway due to the unusual lack of maintenance, although I know that it does not apply to every situation. If there is a hole in the road and there is a sign marking it and there is damage to a vehicle, I presume that you cannot take a successful action.

But I say, my understanding is that the same liability, or lack thereof, that presently applies on King's Highways against The Department of Highways, will continue as a result of this section, or the various sections in the bill. But that action would have to be taken against the Minister of Highways (Mr. Gomme), rather than the Minister of Tourism and Information or the chairman of the St. Lawrence Parks Commission.

Mr. Singer: With great respect, Mr. Chairman, the section does not say that. This section seems to deal with internal roads as distinct from provincial highways.

The saving phrase, "other than a highway," I suppose preserves the right as against the Minister of Highways, or whoever is responsible for something on the highway. But suppose you have an internal road that the commission has taken over and they have a big hole in it. Along comes our friendly tourist and drives his car into the hole and all you look at is section 4 and say, "That is too bad. We welcome friendly tourists, but if you have fallen into a hole and the commission has dug the hole and they were negligent and did not put up barriers, tough luck, we have section 4."

It is my suggestion, Mr. Chairman—and I recognize the Minister is under a disadvantage—that we withdraw this bill temporarily until the Minister can get himself properly briefed from his officials. Because certainly—the way it is, I think is a serious infringement on the rights of people who might be affected by his negligence.

Hon. Mr. Auld: Mr. Chairman, I would be delighted to agree to that because I do not want there to be any misunderstanding. If I am under a misapprehension then I would like to have it cleared up, too. So I would agree to that.

Mr. J. Renwick: Mr. Chairman, I have just a brief comment.

I think it is in contradiction to what the Minister has said, particularly when you look at the language of the explanatory note in the bill. This says that the new provision permits the commission to close roads and then goes on and removes its liability for non-repair of roads in its jurisdiction. I do think that it would be wise to have it clarified.

Mr. Chairman: We will just hold this bill down for clarification.

THE HIGHWAY TRAFFIC ACT

House in committee on Bill 105, An Act to amend The Highway Traffic Act.

Sections 1 to 7, inclusive, agreed to.

On section 8:

Mr. Singer: On section 8, Mr. Chairman—

Hon. I. Haskett (Minister of Transport): Mr. Chairman, on section 8—

Mr. Singer: I think I had the floor first.

Mr. Chairman: There is going to be an amendment.

Mr. Singer: Oh, is there going to be an amendment? Well, maybe we had better hear what the amendment is.

Mr. J. B. Trotter (Parkdale): It had better be a good one.

Hon. Mr. Haskett: You can be sure it is.

Mr. Chairman, on section 8, I move that subsection 2 of section 14 of the Act as re-enacted by section 8 of the bill, be struck out and the following substituted therefor:

2. Every person who is unable or refuses to produce his licence in accordance with subsection 1 shall, when requested by a constable, give reasonable identification of himself and for the purposes of this section the correct name and address of such person shall be deemed to be a reasonable identification.

Mr. Chairman, when I introduced this bill, I pointed out the very real need for the enforcing officer being given more power than he now has in the public interest and in drafting this particular section, I made it abundantly clear that we were endeavouring to carry out the suggestion and intent of the McRuer report. In reading it over and in consideration of some of the thoughts that were expressed, I have endeavoured to clarify the section to remove any possibility of misunderstanding–

Mr. Singer: Possibility of misunderstanding? The Minister has reversed himself in the face of criticism.

Hon. Mr. Haskett: –and to keep within the limits of what the McRuer report had spelled out was a necessary and proper power to give a police officer.

As I have gone over that McRuer report again in detail, I think the clarifying language which is now presented in my amendment will do exactly what I said we wanted to do and yet will give no offence to those who will agree with the purpose and the language of the specific proposal in the McRuer report.

Mr. Singer: Mr. Chairman, it is very interesting to hear the Minister try to weasel his way out of a complete change in principle. There is no qualification or explanation or clarification at all, in fact he has completely reversed the very obnoxious principle that he introduced in the original section of the Act.

The original section in the Act, Mr. Chairman, dealt with the power of arrest on the basis of the refusal of an individual to identify himself to the satisfaction of a police constable, of all people, to the satisfaction of a police constable–thus giving to the police probably more power than any other provincial section has, and certainly more power than a police officer is given by any section in the Canadian Criminal Code. And now the Minister comes in with a section which is still objectionable–and I will tell him why shortly–and he says he is clarifying a principle.

He has completely changed the principle, and I just do not understand, Mr. Chairman, why, when a government agency has made a mistake, when a Minister of the Crown has made a mistake and when he recognizes it, he is not a big enough man to get up in the House and say, "We were misguided, we were wrongfully advised and we misinterpreted McRuer".

What he has done in fact–and I say he is not going to get away with this glib phrase about clarification–he has completely changed the principle that he brought in, and he knows that. We know that and I hope the public is going to know, that the only time this government retreats from a position where they seriously invade the civil rights of the citizens of Ontario, is in the face of good criticism emanating from this Legislature which is repeated in the press, so that the people of the province can really see what his government has in mind.

Hon. A. Grossman (Minister of Correctional Services): That is good government.

Mr. Singer: I do not know who it is over there, Mr. Chairman, who every now and then tries to sneak in some obscure clause to a multi-part statute which nibbles away or grabs away at our civil rights, who wants to give to the police unusual, unorthodox and unfair powers for which there is no demand at all.

Mr. J. Renwick: Is the member in favour of the amendment?

Mr. Singer: No, I am not in favour of the amendment either. I do not think this section is needed and I am going to come to that very shortly.

I listened very carefully to the Minister on second reading when he said, "What we are doing is in accordance with the recommendations of Mr. Justice McRuer". He read selectively–and I accuse him again–he read selectively a part of one paragraph and said, "This justifies what we are doing". Why, Mr. Chairman, when a Minister wants to rely on this book, even if it was the Bible, even if everything that the eminent gentleman said, had to be done by it; why do they attempt to mislead the members of this House and the members of the public and say this is what McRuer said?

It is not what McRuer said and the Minister must know, if he read the whole of what McRuer said on this particular subject, that

is not what McRuer said at all. I am going to read it, because it goes on for a page and a half or two pages, but I think it is important enough to catch the Minister up in the misinformation that he laid before this House, to put on the record in full what McRuer said on this particular subject.

It starts on page 728 and it talks about power to arrest without a warrant under provincial statutes. The sub-head is, "The Highway Traffic Act," and this is what McRuer says and listen well, Mr. Minister, because you missed the point, or if you caught the point then you deliberately misled the House:

> Under this Act, and certain other statutes which we shall discuss, powers of arrest without a warrant have been conferred with abandoned liberality—

Catch that phrase, "with abandoned liberality, without regard for historic principles—" The Minister should pay attention to that one, "without regard for historic principles, necessity or elementary safeguards of civil rights or human dignity."

Mr. Chairman, I am sure you will make sure that the Minister is listening to these phrases that I am reading from what Mr. McRuer said. I always want to be in order as the Minister well knows.

> Under The Highway Traffic Act not only are these powers conferred on constables who may have some training in the execution of their duties, but on every officer "appointed" by the Minister for carrying out the provisions of the Act.

Now, that is the first point on which Mr. McRuer makes his specific criticism, and look as I may through the original Act, I had not seen the amendments until this morning. Look as I may through the provisions of the Act I do not see that the Minister is taking away any of those powers that Mr. McRuer talks about. I wonder why. If the Minister is applying the principles of McRuer, does he just apply them restrictively and incorrectly, does he just pick one out that appeals to him, one out that gives the police an additional and arbitrary and unusual power that they are not given? I am going to be quite a while yet, I am going to be quite a while, and I am going to talk the next time this section comes up, because I do not think I can possibly finish before 12 o'clock, Mr. Chairman.

> Under The Highway Traffic Act not only are these powers conferred on constables who may have some training in the execution of their duties, but on every officer appointed by the Minister for carrying out the provisions of the Act.

Section 159(1), and that is the section Mr. McRuer refers to—and just to make sure that the Minister has that, this is what section 159(1) says, Mr. Chairman:

> The Minister may appoint one or more persons on the staff of the department as an officer or officers for the purpose of carrying out all or any of the provisions of this Act, and any person so appointed has authority to act as a constable throughout Ontario for such purpose.

So, let us go back to the original section that he was clarifying. Anybody whom the Minister wanted to appoint could ask for identification—he did not have to be a policeman—and if he, the person the Minister appointed, was not satisfied with the kind of identification produced, off the man goes to jail—arrested without a warrant. And he says this is just a clarification?

Mr. Chairman, we are not so stupid, nor are the people of Ontario so stupid as to believe that really what lies in the mind of so many people on the government side, time after time, is a complete lack of concern about civil rights. It is a desire to clothe the police with arbitrary powers, without any resort to the courts, without any methods of appeal; and I think this is just shameful. I cannot think of anything more autocratic, more dictatorial than is being attempted here from time to time. Bill 99 was the same sort of thing, paraded into the House under the guise of a housekeeping bill. The bill comes in—oh, it is a few sections where it is stiffening the penalties, and so on. The Minister gets up and reads a selected phrase from McRuer and says, "We are in favour of the sentiments put forth by Mr. McRuer, and so we are adopting them." He is not adopting them at all and he knows it. Let me continue with my reading here on page 729.

Hon. Mr. Haskett: I think that the hon. member is misleading the House.

Mr. Singer: Mr. Chairman, I still have the floor.

Mr. Chairman: The Minister has a point of order.

Hon. Mr. Haskett: Mr. Chairman, on a point of order, the hon. member is missing certain points in the bill.

Mr. Singer: I am in the midst of a speech and I am not going to yield the floor to the hon. Minister.

Hon. Mr. Haskett: Well, if he does not want to know, that is his business.

Mr. Singer: In due course the Minister will have a chance to reply. But I do not think he is going to have a chance this morning.

> It will be observed when section 156 to the Act is read with section 71, the power of arrest without a warrant extends to a failure to comply with regulations passed by the Lieutenant-Governor-in-Council. In no case should the Lieutenant-Governor-in-Council be given statutory power to confer on anyone the power to arrest an individual without a warrant. However, the provisions of this Act go further in giving powers to arrest without a warrant. For example, a constable who, on reasonable and probable grounds, believes that someone has knowingly made a false statement of fact in filling in papers required—

And that still stays in, Mr. Chairman, that still stays in. When you look at the Act as revised and look at section 74, that still stays in, and here is McRuer again saying that you are wrong.

> —required by the department may arrest the person without a warrant. These sections, in substance, give a departmental clerk the power to create an offence for which a person may be arrested without a warrant.

Now that is the principle, Mr. Chairman, that this Minister is espousing. We will come in a moment or two to the one sentence he picked out of McRuer which he says justifies his unusual action, which he has clarified this morning. At least if he had sufficient integrity to tell us that in face of the criticism: "We have changed, we realize we made a mistake", the remarks from this side of the House would be tempered. But he did not do that. He tries again to pull the wool over our eyes: "We are clarifying the situation."

Let me go on in McRuer:

> Little concern for the civil rights of the individual was shown when police officers were given the power to arrest without a warrant for the following offences—which are only illustrations—

And most of them are still in, most of them are still there, Mr. Chairman.

> Failure to notify the department of a change of address. Making a false statement in an application or paper writing. Failure to have licence plates attached. Licence plate improperly placed. Failure to notify department within six days of sale of purchase of a motor vehicle. Exposing a number on a motor vehicle so as to confuse the identity of the number plates. Interference with a notice placed on the highway.

All of those offences, Mr. Chairman, allow arrest without a warrant, and now he is creating a couple more that are going to allow arrest without a warrant. Surely, if McRuer says anything, he says that this is an abuse of civil rights. Surely this is the principle that emerges from McRuer.

The Minister can clarify until he is blue in the face, Mr. Chairman, but he is not clarifying the fact that his approach to running this province is as a police state and giving these police officers power to arrest without a warrant for the most minor kind of offence. And the fun will come in a little while, Mr. Chairman, with the provisions of The Criminal Code in this regard. Also with what Mr. Justice Dalton Wells, the chief justice of the high court had to say in the investigation concerning the arrest, without a warrant, of Rabbi Norbert Leiner. I think the Minister needs a lecture on civil rights, and I am going to attempt to give it to him before this section gets through.

> The more serious offences, racing and careless driving, carry fines up to $100 and $500 respectively, together with penalties of imprisonment up to six months and three months respectively.

The penalties indicated are those for first offenders.

> In few of the offences under The Highway Traffic Act can the power of immediate arrest be justified on the ground that the offences are so serious that it would be dangerous to allow the offenders to be at large.

Can there be anything more clear than that? It is a specific statement, Mr. Chairman. Let me repeat it.

> In few of the offences under The Highway Traffic Act can the power of immediate arrest be justified on the ground that the offences are so serious that it would be dangerous to allow the offenders to be at large.

Do we see the Minister clarifying that statement? Do we see the Minister standing up as the defender of civil rights and saying: "I

have really paid attention to what McRuer said; and I am cleaning up my Act in line with those principles." No, we do not. We heard him read a sentence—and I still have not come to it—that he apparently justified in the introduction of the previous section. Under these new sections he still was going to allow arrest without a warrant. Let me go on, again quoting McRuer:

> These excessive powers may be useful in assisting the police in the investigation of crime, but the investigation of crime does not justify the conferment of powers of arrest and detention for trivial offences.

Could anything be more clear than that, Mr. Chairman? Where is the principle, and what kind of clarification does the Minister purport to give us this morning? It is utter nonsense to believe that he can pull the wool over our eyes in this way.

> If the police require such powers, the problem should be faced with legislative honesty—

That is what McRuer says.

> —with legislative honesty, and power ought to be given for the purpose for which it is intended to be used.

Mr. Chairman, if we have ever had an example of legislative dishonesty in this House we have it here this morning when the Minister stands in his place and talks about changing the law for the purposes of clarification. I suggest to you, sir, that he has been dishonest in introducing this legislation in this way and giving this phony explanation as to the basis on which he introduced it.

McRuer goes on to say:

> It might be well that the police should have greater powers to control and investigate the use of motor vehicles on the highway. A motor vehicle is a dangerous machine. If it is not carefully used, it is a lethal one. It is a convenient vehicle for the commission of crimes of all sorts. Those who take motor vehicles on the highway have no civil right to do so. They may do so only if they hold a licence for that purpose. That requirement is no invasion of civil rights.

And to that point we agree and we are getting close now to the little bit the Minister drew out of McRuer to justify his unusual, arbitrary and dictatorial action.

> There is no reason why anyone driving a motor vehicle while on the highway should not be required to show an officer of the law enforcement agencies that he has a licence to do so.

And I agree with that. That is no new principle. I would refer the Minister to section 141 of the present Act, which he is now purporting to amend, which says:

> Every operator of a motor vehicle shall carry his licence with him at all times while he is in charge of the vehicle and shall produce it when demanded by a constable or an officer appointed for carrying out the provisions of this Act.

The balance of the section deals with penalties for failure to comply with this. What more do you need? You have already complied with what McRuer says. So you have it there, what do you need a new section for? What really are you clarifying?

If the police have the power to question the driver of a vehicle for the purpose of verifying his right to drive it and discovering the owner of the vehicle, and the name and address of the owner and the driver, there would appear to be little or no need for all the drastic powers of arrest that we have been discussing.

Somewhere along there, Mr. Chairman, is obviously where the Minister has not understood what he has read, or has not understood what his advisors have told him.

Let me read the last paragraph:

> The necessities of the cases would appear to be met if the power of arrest without a warrant were restricted to those cases in which the driver of a motor vehicle, without showing reasonable cause, does not identify himself and the owner of the vehicle, and those cases in which the driver does not appear to have any legal right to have the vehicle on the highway.

Now that is the one sentence that the Minister used, and with that sentence—with great respect—I disagree with McRuer, because it leads to the very kind of conclusion we are faced with in this House. What does the Minister want the people of Ontario to do? Does he want them all to be fingerprinted? All to carry pictures around when they get into automobiles? Does he want them to wear name tags around their necks? Better still, maybe we should have tattoo marks on our forearm. Is that what the Minister wants? Well, if that is what the Minister wants, certainly we in this party, are not going to go along with it.

It is 12 o'clock, Mr. Chairman, and I will move the adjournment of the debate.

Mr. Singer moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Grossman moves that the committee of the whole House rise and report certain bills without amendments and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain bills without amendments and asks for leave to sit again.

Report agreed to.

THE SEPARATE SCHOOLS ACT

Mr. P. D. Lawlor (Lakeshore), in the absence of Mr. E. W. Martel (Sudbury East), moves second reading of Bill 75, An Act to amend The Separate Schools Act.

Mr. Lawlor: Thank you, Mr. Speaker. The matter before us today in private members' hour concern a venal hangover in our assessment procedures and in our allowances to the separate school. It is a very narrow issue, nor will I attempt even to begin a review of certain, not mortal but venal, hangovers within the granting system and within the whole ambit of the treatment of separate schools in this province.

On this particular matter, I think every member of good will in this House, or even if he had no will at all, would have to agreed, and I have little doubt that the members of the Conservative Party would agree in due course, that this is an inequity written right into the statute.

As things presently stand, section 47 of The Separate Schools Act was amended in 1962-63, and reads as follows:

> Every person paying rates in a separate school zone on property that he occupies as owner or tenant, or an unoccupied property that he owns, why by himself or his agent on or before September 30 in any year, gives to the clerk of the municipality notice in writing that he is a Roman Catholic and that he wishes to be a separate school supporter, is exempt from the payment of all rates imposed on such property in the separate school zone for the support of public schools or for the purchase of lands or the erection of buildings for public school purposes, and so on.

The bill drawn up by my colleague, the member for Sudbury East, proposes to amend that section as follows:

> 3(b) Any person paying rates in a separate school zone who is not a Roman Catholic but whose spouse is a Roman Catholic may elect, by notice in writing, given to the clerk of the municipality—

And the wording then is pretty much the same as in the Act.

There are a number of things to be considered here, one of them having to do with the morality and justice of the legislation, and the second thing having to do with human rights.

As to the first point, in cases of mixed marriages, these marriages, you know, are hard enough—unmixed ones we all know about, and mixed ones have their own peculiar vexations. A vexation has been written into the law in these cases, where a father who within his own conscience and with full aversion, does not wish to be a Roman Catholic, and quite legitimately, who has a faith of his own or no faith at all, which is his business, happens to be married to a woman who is a Roman Catholic. They send their children, the father with full consent and being so desirous, to the separate schools. They may have four or five children in these schools, yet he cannot pay a dime towards the support and maintenance of his children in those schools under the existing legislation, simply because he is not a Roman Catholic.

The Catholics are not at all as backward as that and they found numerous ways around it. The particular way that is being utilized at the present time and advised on a slip of paper that is being disseminated through the Catholic schools and to the Catholic population at large from Sunday to Sunday at the present time, is "Catholic School—Money Talks", and it says:

> If the father of a Catholic child attending a separate school is non-Catholic, which school system receives the residential tax money?

The answer is:

> The public school receives the tax money. However, the father can rent the house or property to the Catholic mother who, as tenant, has the right to direct the school taxes to the separate school board.

Must the law encourage deviousness? What is the point in this kind of legislation? Is the heritage in this province so dark as to

require that sort of vexatious thing, setting up antinomies between husband and wife on the one side of the fence and forcing them to sleight of hand on the other? What have we come to at this time in our history? Whatever members may think about the extension and enlargement of the role of separate schools in the province, surely on this narrow issue the justice rankles. The Catholics have long inveighed against it but without apparent success, nor is there any indication that the government, at this time, intends to alter this basic inequity.

May I refer, Mr. Speaker, to a rather good little pamphlet that has come into my mind, and is concerned with the alliance of Christian schools, just to try and be as partisan on an issue of this kind as possible. They do not advert to this very point in question but they do make mention of the superseding right of parents with respect to the direction or the control of the education of their children as against the right of the state. This is written indelibly into Catholic social philosophy. They really do see written right into the texture of any civilization that would remain free, this paramount right on the part of parents.

There are many reasons why a non-Catholic father sends his children to a Catholic school. I can remember at St. Mike's that quite a number of non-Catholic parents, both fathers and mothers, would send their children to that school, because rightly or wrongly, under an illusion of being quite aware of the context to which they are sending their children, they felt that a better education was available. That is, they were looking for some kind of scope and kind of value, perhaps for some spiritual dimension, which they really did not feel would be inculcated in their children through the system in any other place. This, then, is the argument, which is strengthened in the case of the non-Catholic father who desires to send his children to a separate school. I think if he desires, he should be able to allocate his money as he sees fit, at the very least, in this particular regard.

As far as human rights are concerned, the United Nations Universal Declaration of Human Rights expresses the rights of the parents under section 26, subsection 3:

> Parents have a prior right to choose the kind of education that should be given to their children.

With that in mind—following from the declaration which has been given universal validity from San Francisco and elsewhere, as a guiding principle upon which we should base our whole education structure—in effect, to surreptitiously deny that right by the back door, by saying that, "Sure, you can do what you like but you are going to be penalized for it, or moneys are not going to be allocated," is one of those devious ways in which you can undermine a right. Rights without the monetary wherewithal to make those rights effective are empty mouthings. Too often, governments throughout the world and in this province are forever extending the glad hand of right without voting the equivalent in money. I think of Indians, of which we hear rather a little these days. Without the monetary equivalent, the rights are empty. It is a piece of blandishment to talk on one side of your mouth and not to give the support from the monetary point from the other side.

There are a number of areas, Mr. Speaker, in which down through the ages, and of more recent vintage, the government has moved towards equity in these matters. The educational tax foundation, while not having achieved parity, is beginning to approach somewhat close thereto. I notice that in a paper handed to me and written up by Father Carroll J. Matthews, SJ, he speaks of the differentials that exist. He says that these differentials are seriously and gratifyingly disappearing as the years go on. In 1963, the separate school per-pupil revenue was 70.2 per cent of the public school revenue; in 1967 this had risen to 88.2 and it is now, as he says, revised upward to the extent that last year per-pupil revenue in separate schools was probably about 90.6 per cent of the public school revenue. It still continues to fall short.

Another area in which it continues to fall short and where the device of the foundation plan seeks to make some redress to an otherwise inequitable situation is through the corporation structure. As you probably know, Mr. Speaker, corporations which are of a public kind cannot and do not allocate their taxes to the separate schools of the province. It is only closely-held corporations where the majority of shareholders designate themselves as Roman Catholics where the municipal taxes, the business taxes of the corporation, may be so allocated.

Therefore, the great bulk of public corporations of this province contribute not a dime irrespective of what contribution the Catholic population may even make to the internal workings of those corporations, or to the maintenance on the market of those corporations, or even the role they play as

directors and people who are instrumental in the vital life of those corporations.

The government have again, through the corporation plan, sought to outskirt that piece of grossness and to take some measures, but again it has not wholly been able—or has not wholly perhaps, even tried—to bring this into complete parity on a per pupil grant basis. So there are a number of areas along with this present one which reinforce the argument that there is not sufficient attention paid to the needs of the separate schools and that their conditions can be alleviated by a simple instrumentality and without enormous expenditures of money, even within the confines of the existing legislation; and with the existing attitude and deportment of the government towards these schools.

I would ask therefore that the members of this House do give good consideration to voting for this measure should it ever come to that meritorious point, and would in any case give their consent in this reading to the request of the member for Sudbury East.

Mr. L. Bernier (Kenora): Mr. Speaker, before I get to the meat of my remarks as to Bill 75, which is an Act to amend The Separate Schools Act, I would like to point out that this bill merely makes provision which would permit a family where one member, let us say, is a Protestant and one a Catholic, to become separate school supporters without having to go into the involved procedure that is necessary at the present moment. As the Act now stands, there are certain inequities. Allow me to explain what it is all about as I know it.

The member for Lakeshore has made certain references to certain relevant Acts and I would like to place on the record a few observations in the same vein, of which I am aware. First of all, Mr. Speaker, subsection 3 of section 47 of The Separate Schools Act states, and I quote:

> Any person who is a Roman Catholic and resident on a parcel of land that is within a separate school zone may be a separate school supporter in that zone.

Please note, Mr. Speaker, that it states "may be". In other words, a Catholic in Ontario has the option of being a separate school supporter or a public school supporter, at least until such time as he is assessed as a separate school supporter.

Then along came what has, in legal circles, gained reputation as the township of Schreiber vs. Beno case. This is the home of my colleague from Thunder Bay (Mr. Stokes) and I am sure if he is speaking on this particular bill, he will be referring to this case. In this case, Mr. Speaker, in October, 1961, a notice of assessment was sent out indicating that Mrs. Beno, a Roman Catholic, would be assessed as owner, and her husband, a Protestant, would be assessed as tenant and, therefore, the taxes would go to the public schools.

From this point, the case went through a series of appeals until it finally came to the court of appeal, and a judgment was handed down which stated in part:

> There can be no doubt on the facts before us. Mrs. Beno is both owner and occupier and liable for the payment of school rates. The position of her husband as joint occupier or, as has been suggested, a licensee, does not create any liability upon him to pay the taxes upon his wife's property.

The judgment went on to state:

> He is not in possession of the property as a tenant under a lease nor as an occupier under any right that authorizes him to remain upon the property.

Mr. Speaker, this judgment was handed down in April, 1966. Realizing the importance of the part of the judgment which stipulated that Mr. Beno was not a tenant under lease, legal wheels began to go into motion. And this resulted in another case before the courts involving Mr. and Mrs. Lynch and the township of Nepean, which was argued in June, 1967.

Mr. and Mrs. Lynch are presented as joint owners in joint tenancy of certain property. By indenture of lease they leased to Mrs. Lynch for a term. Mrs. Lynch in law, therefore, became the tenant in occupation of the premises and, as a result, became the holder of a reversion in fee by way of joint tenancy. The effect of this, of course, is that as such tenant, she may designate the destination of school taxes.

The ruling went even one step further to strengthen its stand. It was pointed out that under The Assessment Act, section 1, it is stipulated that a tenant is an occupant and a person in possession other than the owner. Under subsection 3, it stipulates that land owned by a resident and occupied by any person other than the owner shall be assessed against the owner and the tenant.

Having regard to the sections of The Assessment Act and to sections of The Conveyancing and Law of Property Act, the appeals court ruled that Mrs. Lynch may and should be assessed as a tenant. Consequently, she is

free under section 57, subsection 1, of The Separate Schools Act, to designate the destination of the school taxes assessed against the property of which she is tenant.

Needless to say, Mr. Speaker, this opened up an entirely new avenue for families in Ontario who are of mixed marriage to designate their taxes for separate school use if they so agree. And until this date, great numbers of such families have taken advantage of this.

However, I must admit that it is a cumbersome and tiring procedure on those families wishing to do so. They must take upon themselves to go through a lot of effort to exercise their right of choosing to direct their tax money to separate school support. The Catholic member must undertake to become a tenant and be assessed as such and then indicate the desire to designate the destination of the taxes to separate school support.

A great many people have taken advantage of this, Mr. Speaker, despite the tedious involvement. I cannot begin to give you the figures for all of Ontario, but, as an example, the St. Catharines Separate School Board had 27 such cases in 1967. One of the separate school boards that existed in Scarborough had 30 cases in 1967. Consequently, it would be logical to assume that there was an average of 25 cases per separate school board during that year.

In 1967, there were 365 separate school boards in Ontario. This, of course, is before the changeover to the larger units of administration. Using the figures available, Mr. Speaker, I arrive at a total of more than 9,000 cases in this province in that year. This is only an estimated number, but it does give us some idea of how many people of mixed marriage are ready to go to a great deal of trouble to become separate school supporters.

Private Bill 75, as submitted by the hon. member for Sudbury East, merely makes it much simpler for these types of families, of which they are many in our province, to exercise their given right if they choose to do so. Under this amendment, the only requirement would be that there be one Roman Catholic, either husband or wife.

It would make no matter who was property owner. If the both agreed, they could designate the taxes to separate school support by merely giving written notification to the clerk of a municipality. In my opinion, it is an excellent amendment. The member for Sudbury East is to be congratulated on his initiative.

I am in support of this bill, Mr. Speaker—and I support it because we already have this right in our province. I see no reason why our citizens need go through embarrassment and unnecessary trouble to exercise it. This bill eliminates both the trouble and the embarrassment.

Mr. T. Reid (Scarborough East): Mr. Speaker, I would like to speak in support of Bill 75, and I would like to do so as the official Opposition critic for education.

We have, sir, in this province two branches of the public school system—the public school branch of the public school system and the separate school branch of the public school system. It should be noted also both these branches are large, both in terms of the criterion of number of pupils and in terms of the dollars spent in both the branches.

For example, Mr. Speaker, in 1968 the public school branch of the public school system had 1,021,000 young people in it. The separate school branch of the public education system had 408,914 young people in it. In both systems, sir, this is a great many people. Also in 1967, since the 1968 figures are not available, the public school branch expended over $455 million. The separate school branch expended over $159 million.

So these are the facts, Mr. Speaker. We have this system of education in the province created by law. There are a lot of children in both branches, and both branches expend a great deal of money.

The issue as I see it in this debate is that since the people of this province through the Legislature have decided to have two branches of the public school system, the Legislature—which means the government—must ensure that the children receiving education in the two branches receive equal learning opportunities. So it is the position of our party, sir, that it is the responsibility of the government to accept the consequences of its laws.

A government that creates two branches in its education system has the moral obligation to maintain equality of educational quality in each of those branches. And has this government accepted this moral responsibility? The answer is clearly no.

What this government, sir, has done is to create separate, but not equal, branches of education and here are the facts of that gross inequality against the separate school branch of the education system in this province. In 1967, sir, the per-pupil revenue of the public school branch was $484. It was only $427 for

the separate school branch. The public school branch received over 13 per cent more per pupil than the separate school branch.

To put this inequality of financing another way, Mr. Speaker, I would like to deal with 1967 figures again.

The separate school branch per-pupil revenue was only 88.2 per cent of the per-pupil revenue of the public school branch, and what is particularly obnoxious, Mr. Speaker, is that this percentage declined between 1966 and 1967. What we witnessed between 1966 and 1967 is the fact that the amount of money spent per pupil in the separate school system as a proportion of the amount of money spent per pupil in the public school branch, was less. That is to say, the gap of inequality as judged by financing widened instead of narrowing. The conclusion that we have on this side, in this party, Mr. Speaker, is that the foundation tax plan simply has failed to bring about separate and equal educational opportunities for the children of the separate school branch of the public education system in this province.

Let us look at other facts about the inequality that the children in the separate school branch of the public education system experience. I would like to repeat that if you are a child in the separate school branch of the Ontario educational system you are having only 88 per cent of the funds being spent on the child in the public school branch and that, sir, is reflected in all sorts of things. I believe it is reflected in the dropout rate which is still higher, persistently higher, than is the dropout rate in the public school branch. One can look at that telling index, the number of pupils per class, in the separate school branch, compared with the public school branch. It is higher, and anyone who has done any teaching knows that the higher the number of pupils in your class the more difficult it is to maintain educational quality.

Well, what this bill does, Mr. Speaker, is to say two things: that the foundation tax plan has not brought about educational equality as judged in terms of financial support, and that either that plan must be revised to ensure that the same amount of money is available to each child, so to speak, in the separate school branch as is available to a child in the public school branch, or other steps must be taken. Bill 75 does say that in those marriages which are mixed in terms of the husband being a non-Roman Catholic and the mother a Roman Catholic, that the mother should be able to allocate the property tax revenue to the separate school system.

We are not dealing with peanuts here, Mr. Speaker. I asked Mr. Power of the Metropolitan Toronto Separate School Board, to give me an estimate of the loss of revenue to the metropolitan school system because of inadequate legislation as reflected in The Separate Schools Act. Mr. Power stated that his board's estimated loss in assessment in Metropolitan Toronto is from $10 million to $20 million a year.

Even if we simply take his minimum estimate of $10 million, we find that that is a very large sum of money when judged in terms of the funds that are available to the separate school grants from what is called "other revenue," that is from sources of revenue other than provincial grants.

So this bill is not simply a token bill. This bill is significant. It would not only help to bring about a separate and equal education system in this province by narrowing the gap of expenditures between the two branches—but it would also result in, I think, a somewhat fairer allocation of funds. It is certainly an allocation of funds which many people would like to have.

I would like to close my remarks, Mr. Speaker, by saying simply that we in this party support this amendment. We think it is long overdue, and we think it is significant. Nevertheless, we will not be satisfied until we have in this province in our education system equality of educational opportunities for the children in both the branches of that system to ensure against a very bad type of discrimination.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I rise to support this Bill 75 of my colleague, the member for Sudbury East.

Obviously it affects a great number of the citizens of this province, judging by the endorsation of the bill my colleagues have received on this subject. The hon. member for Kenora said over 9,000 couples were affected last year by this bill not being enacted. It is a simple yet important amendment which will remove an obvious and glaring case of injustice.

As you know, Mr. Speaker, the amendment will permit the non-Catholic ratepayer in a mixed marriage to designate if he or she wishes his or her school tax money to go to the separate school, if his or her children are attending the separate school. Simple justice and common sense both dictate that the school system in which his children are

being educated is entitled to the taxation revenue, since it is bearing the cost of the education of the children. Yet, under the present legislation, this is not the case. A non-Catholic partner in a mixed marriage, if he is a homeowner, must pay his taxes to the public school. This is not just.

There is a way out—as has been mentioned by my colleague, the member for Lakeshore —whereby the non-Catholic may rent the house to the spouse, so the Roman Catholic tenant may direct his or her support to the separate school system. To drive a family to use this kind of technicality to get around bad or unfair legislation is unreasonable, to say the least. It forces honest people with principles to practice a kind of deviousness in order to achieve what is right and fair.

To require such behaviour by poor legislation is to undermine, in a small yet sure way, the very fabric of our democratic society.

We must not forget that separate schools are guaranteed as a right to the Roman Catholic citizens of this province by The BNA Act. The Legislature must be prepared to see that their rights are granted and protected so that justice is done to their school system. We must get rid of this piece of legislation by enacting the amendment in the bill before us, so that the present discriminatory and harassing practice against a large minority of the population is removed.

I must say that the present legislation is an embarrassment to me as a public school supporter and a United Church minister. It smacks of bigotry and intolerance on the part of the majority non-Catholics of this province. It disturbs me to hear the WASP—the White Anglo-Saxon Protestant — criticized for his bigotry and narrow-mindedness, because, as a member of this group, I do not feel it is always warranted. Yet when legislation is on the books that we are trying to amend by this bill today, reinforcement is given to those who seek to point out our intolerance and prejudice.

Of course, I want to make the point that no group of people or no individual is without prejudice and bigotry. The question to be faced is: do we yield to these unworthy temptations, or do we resist them and act as fair and magnanimous people? Surely the latter must be the goal we seek to achieve in our behaviour.

There is another aspect of this question that bears comment. Mixed marriages between Roman Catholics and Protestants in our pluralistic society are increasing. While clergymen of all faiths discourage mixed marriages, if possible, nevertheless young people are mixing more freely in society today. There are more young people of marriageable age today than in past generations. Thus, more mixed marriages are inevitable, even though research statistics point out that there are often more difficult adjustments to make in them than when one marries a partner of his or her own faith.

However, today there is a growing tolerance by church leaders of mixed marriages. Just before my election, I blessed a marriage between a United Church young man and a Roman Catholic girl in a Roman Catholic church in Timmins. Such practices are becoming more prevalent. Of course, the matter of religion in a mixed marriage can cause friction, if the couple have not faced the problem ahead of time and resolved, as mature adults, on what course they are to follow in matters of religious practice and in regard to the faith of the other. I suppose the choice of schools can become a matter of friction if there is not a good understanding and sense of fair play in the couple's marriage.

The present legislation confronts a couple in a mixed marriage with a dilemma in their choice of schools for their children. Shall we send our children to a school which, by law, we are not permitted to support financially? Or shall we send our children to a school which we do support financially by law, but which will put one partner into a conflict with his or her church, especially since at marriage a commitment was made to raise the children in that faith?

It appears to me that the present legislation places an unnecessary and uncalled-for burden and strain on parents in a mixed marriage. It makes it more difficult for a mixed marriage to survive than would be the case if the amendment in Bill 75 were enacted.

There has been a much better relationship between Catholics and Protestants in this province in recent years. While we do not accept one another's doctrines any more than we did before, we understand each other better and we respect the honesty, sincerity and Christian truth embodied in the other's faith in a much more open and fair-minded way. We are only at the beginning of the ecumenical age but we have made progress in even reaching this point.

Surely the time dictates that on this matter before us, we act to correct the obvious wrong that points to in our legislation. I can guess why this Conservative

government has kept the present statute on the law books of this province for so long. But, surely, Mr. Speaker, to be fair and just to a number of citizens of this province, the government must act in good faith to redress the wrong and not be guided by prejudice.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I also rise to support the amendment put forward by the member for Sudbury East. I would like to point out to you, Mr. Speaker, that up until now all the different party representatives in this debate have indicated their support for the amendment. They all support the facts brought out by the member for Scarborough East that equal opportunity is the goal of the members on this side of the House, as well as those in the government benches.

But I would like to point out to you, too, Mr. Speaker, that we are all aware that the private members' hour is only a method by which we present to the government the feelings of the backbenchers in the Tory party and at times the official positions of the two Opposition parties. We are all aware that this is not going to come to a vote. What we are trying to do is to impress upon the Minister concerned, and the Cabinet of that party across there, that there is a necessity for change in this legislation, so that equality of opportunity can be provided to those within the separate school system.

There is no doubt that the present legislation is both unfair and discriminatory, not only against those people who are concerned in this type of marriage, where the father is of the non-Catholic faith and they must pay their taxes to the public system, but against the other separate school supporters, who must pick up the added costs, because of the separate school system—educating those 40 or 50 students in my home town, whose parents are paying the taxes to the other system. So you see, it is unfair and discriminatory, both against the parents particularly concerned, as well as all the supporters of the separate school system.

I would get back to my first point, however, that the person we have to impress with the urgency of this matter is the Minister of Education (Mr. Davis), and of course, he is not here today. I would like to read into the record an answer that he gave to a question from the member for Wellington South (Mr. Worton), in 1966. The member asked:

> Would the Minister inform the House if his department has taken any further steps for consideration of a resolution put forward to him by the Ontario separate schools last February 28, regarding the assessment of municipal taxes, which does not allow a male parent of the mixed marriage, who is non-Catholic and who is usually the owner of the property, to have his taxes given in support of separate schools, and yet wishes that his children be educated in them?

I think the answer of the Minister of Education is indicative of the position he takes, and this is where we have to impress upon him the necessity for a change in his stand. His answer was this:

> In answer to a question asked by the hon. member for Wellington South:
>
> In order that a person may be a supporter of separate schools in Ontario, he must be a person of the Roman Catholic faith. Where a non-Roman Catholic is the owner of the property, he may not direct that his taxes go to the support of the Roman Catholic separate school, even though his wife may be a Roman Catholic and he may wish his children to attend the Roman Catholic separate school.

What he did there was just repeat the question.

Mr. Lawlor: This is usually what he does.

Mr. R. S. Smith: This is usually what he does, yes. This is a further part of his answer:

> As I indicated earlier, this relates back to the historical development of the separate schools whereby the formation of a separate school has been based on the action of the head of the family. It is understood that the male parent is considered to be the head, and there has been no alteration in this basic principle.

In other words, Mr. Speaker, the Minister of Education supports, as my friend from Scarborough East indicates, the inequality that has been placed upon the shoulders of the supporters of separate schools over the past century, and he indicated in 1966 that he had no intention of changing his considered opinion on this matter. I would indicate to you, Mr. Speaker, that it is up to the government and it is up to that Minister to face reality in the latter part of the 20th century, and to bring this legislation forward under the guidance of the Minister and as government policy.

Mr. J. Renwick (Riverdale): Mr. Speaker, I rise to support Bill 71, the bill introduced by my colleague the member for Sudbury East, for all the reasons which have been given. There is very little left to be said about the principle embodied in the bill. I would, however, simply confess that I was not aware, until the member for Sudbury East drew this particular anomaly to my attention, of the problem which was posed by the technical provisions of the Act relating to the support of one or other of the public school system in the province. I had naturally assumed, and I think most people in the province had assumed, that the taxes raised for school purposes on real property

would go to the support of that school that the children of the family that owned or occupied the property attended, and it was with that view that I first looked at this bill.

I assumed that if there were children of a Roman Catholic family attending the separate school system, that the taxes raised for school purposes on the property which they occupied and which was rateable for school purposes, would go toward the support of the Roman Catholic school system. I am inclined to believe that most people in the province would accept the removal of this anomaly from the statutes.

I think the compelling reason in my mind, in addition to all the explanatory matter which has been put before the assembly and all the reasons which have been given for it, is that as a matter of law the married parents of children have a joint responsibility for their care and their custody until such time as they reach the majority age. Having that joint responsibility, and having decided with whatever ease or difficulty that particular family may have in deciding a difficult question, that their children were to attend a Roman Catholic school, then I think the taxes should just simply follow that particular decision.

It is a joint responsibility, and so long as it is a joint responsibility then the mere accident of the way in which property arrangements are made by a husband and a wife—on whether or not they are the sole owner of the household property, whether they own the property jointly, whether they are tenants of the property, whether one of them is the owner and the other is a tenant—should be an irrelevant consideration on the question of the direction and designation of the funds which are raised for school purposes.

That, Mr. Speaker, is the compelling argument in my mind as to why this anomaly should be removed. We are all aware, and of course we are becoming more aware because of the interest which is expressed in this whole question of the two branches of the public school system, that it was a fundamental and basic part of the Confederation settlement.

The ramifications of that settlement are only now being forcibly brought to the attention of people throughout the province, in order that there will be a public debate and public consideration of where we now go, in terms of modern needs, in recognition of the fundamental nature of the settlement which was made on the public school system under Confederation.

The essential fact is that in our Confederation the public school system in the province of Ontario is made up of two branches. It would appear to me that the government could very well introduce legislation as a government bill to remove this particular anomaly, which has been brought before the assembly. I personally do not recall, in the short time that I have been here, that this particular matter has been debated before. I realize that there have been questions, but I have no recollection of an earlier debate about it.

The background of it was placed by the members who have spoken. I listened particularly to the instructive details that were included in the statement made by the one member of the party which supports the government, the member for Kenora. He spoke of the background of it and the intricacies and legal subterfuges which now have to be entered into in order that the direction and designation of school taxes can be made to the Roman Catholic separate school system. These will be situations where the parents are in agreement but title to their property or their relationship so far as their real property is concerned, is at variance with what the statute permits. I think that we are at a time when this kind of legal friction should be totally removed. I think that the government could very well consider introducing the bill, which the member for Sudbury East has brought before the assembly, as a public bill.

I may be conditioned in my thinking about it, but I think that the accurate statement of the principle on which legislation should follow is this: The joint custody of the children of a marriage, and the joint decision of the parents as to which of the school systems the children of that marriage are to be educated within, should determine the system to which their taxes go for the support of that education.

If that is, in fact, the embodying principle that this bill reflects, you will readily see that not even in the way in which the bill is framed is it an entirely accurate statement to reflect that principle. Our law provides a permissive right or, in other words, a privilege for the Roman Catholic parents of children to direct their taxes provided they are the owners or the occupiers.

I doubt very much, whether or not in an equal school system throughout the province, that one party or one group of the community should be endowed with privileges. It should be the right of both parties, whether they are

Roman Catholic, Protestant, or of a mixed marriage, to make their own decision and to direct their taxes to whichever of the two branches of the public school system their children are in attendance at.

This, to my mind, is the fundamental principle, the bill goes—

Mr. Speaker: The hon. member is now over his time, perhaps he would conclude his remarks as one further speaker—

Mr. J. Renwick: I will now conclude my remarks, Mr. Speaker.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I too rise to support this bill introduced by the hon. member for Sudbury East.

I do not think that the bill goes quite far enough but I am pleased to note that two previous speakers, the hon. member for Kenora, and the hon. member for Riverdale, have referred to the subterfuge which is now necessary for people to be able to select one of the two public systems of education available to them, if they want to send their child to a Roman Catholic school and the house is not owned by a Roman Catholic parent.

This lease subterfuge has been quite common in our area. It is several years ago this lease form was drafted. It has been made use of by the parents in the separate schools up there to quite an extent because, as has been mentioned, there is an increasing number of mixed marriages and an increasing number of problems arising as a result of this very inequitable drafting of the law as it now stands.

One of the points that has bothered me in reviewing this situation is this: Each year, the ratepayer must express in writing that he wants to have his taxes go to the separate school. If he does not happen to be at home at the time the assessor comes around, it is quite possible—and within the rights of the assessor—to strike out that person's name from the rolls of the separate school supporters and put it down without any ifs, ands or buts as a public school supporter. This is within the right of the assessor. The owner may be very surprised one time to find that he is now listed as a public school supporter, when he had wanted to continue to be a separate school supporter, but did not happen to be around when the assessor came to his home.

The assessor has this right, and I think it is an iniquitous power for him to have. What would we think if the assessor had the reverse power, that is to put our names on the separate school roll if we are public school supporters—and if we did not wish to do that. I think this bill should have this addition to eliminate the tendency to be weighted against the separate school supporters all the way down the line.

There is another provision that I think should be in this legislation. That is: Provide for those who are concerned about the changes and the trends in education which were recommended in the Mackay report to remove the teaching of religion within the public schools of the province—certainly in its present form. In the Richmond Hill area, there are a great many Jehovah's Witnesses who are already sufficiently concerned about the way their children are educated that they wish, Mr. Speaker, to have their children go to a Roman Catholic separate school. They cannot designate their taxes for Roman Catholic separate school support and therefore they pay an extra fee to this separate school board for the education of their children. Why is it that we cannot—regardless of our faith and the fact that we have two public school systems—designate which one we wish to have our children attend and where we therefore want our taxes to be allocated?

I very strongly support the bill that the hon. member has introduced but I am sorry that it does not also cover these two other inequities that I have mentioned; they still permit prejudice against a system which we have agreed to provide in this country, that is, two public systems of education.

I hope, therefore, that when the bill comes forward, the government will provide for the elimination of such inequities.

Mr. T. P. Reid (Rainy River): Mr. Speaker, in rising to support this resolution I am happy to see that all members of all three parties have supported this resolution. This, of course, has been pointed out by the member for Nipissing and was brought to the attention of the Minister of Education some two or three years ago. The Minister of Education refused—and that is all it can be called—to allow this kind of unsavoury legislation to exist because the legislation was based on the historical argument that the father, or the male member of the household, was the more equal, shall we say, of the two partners.

Mr. Lawlor: The Tories certainly are not out in force—

Mr. T. P. Reid: No, I would have thought that there would have been other members

from the Tory party who would have risen in support of this resolution—perhaps even the Minister of Education himself. In any case, there is someone else who would like to speak on this, Mr. Speaker. I would like to add my support to this resolution. The only thing standing in the way of this bad situation being cleared up is the Minister of Education's attitude towards this legislation. All he has to do is present this Legislature with a bill to amend the situation and I am sure it will receive the support, certainly of this party, and the New Democratic Party.

Mr. Speaker: This concludes the private members' hour.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, on Monday we will return to the order paper, there are several bills, and then I would like to go to second readings and then to committee of the whole House. I think there is enough there to keep us busy all day Monday.

Mr. R. F. Nixon (Leader of the Opposition): The Premier says order paper, then committee—

Hon. Mr. Robarts: No, I would say we will do second readings then committee of the whole House—that is, those bills in committee. We will start with second readings on Monday and then, when we have exhausted what can be done in that part of the order paper, we will go to committee of the whole House. This should occupy the afternoon and the evening.

Mr. Nixon: He is not prepared to tell us what can be done.

Hon. Mr. Robarts: I would say it depends really on which Ministers are here. Most of these bills have been on the order paper for a goodly number of weeks—

Mr. D. C. MacDonald (York South): Including 73 and 74?

Hon. Mr. Robarts: Those dogs and cats bills? No.

Hon. Mr. Robarts moves adjournment of the House.

Motion agreed to.

The House adjourned at 1.00 o'clock, p.m.

No. 113



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, May 12, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, May 12, 1969

St. Lawrence seaway, statement by Mr. Robarts 4221

Betting shops in Toronto area, questions to Mr. Wishart, Mr. Nixon 4222

Decision of Mr. Justice Charles Stewart, questions to Mr. Wishart, Mr. Nixon and Mr. MacDonald 4223

Shopping plaza in Belleville, question to Mr. Robarts, Mr. MacDonald 4225

Return of Hal Banks, questions to Mr. Wishart, Mr. Gaunt 4225

Canadian Central Holdings Ltd., questions to Mr Rowntree, Mr. Shulman 4226

Lord's Day Act, questions to Mr. Wishart, Mr. Shulman 4226

Jail facilities at Port Arthur, questions to Mr. Wishart, Mr. Knight 4227

City of Hamilton, bill respecting, Mrs. Pritchard, second reading 4227

Law Enforcement Compensation Act, 1967, bill to amend, Mr. Wishart, second reading 4228

Highway Traffic Act, bill to amend, in committee 4229

On notice of motion No. 30, Mr. R. G. Hodgson, Mr. Knight, Mr. Peacock, Mr. Boyer, Mr. T. P. Reid, Mr. Stokes, Mr. Bernier, Mr. R. S. Smith 4253

Recess, 6 o'clock 4263

LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 12, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: In the east gallery, as our guests this afternoon, we have students from Gravenhurst High School in Gravenhurst; and in the west gallery from Bracebridge Public School, hosting students from Moosonee Public School; and then in both galleries we have students from the A. K. Wigg Public School, Fonthill. Later this afternoon, students from Dennis Morris High School in St. Catharines will be with us.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

The Prime Minister has a statement.

Hon. J. P. Robarts (Prime Minister): Thank you, Mr. Speaker.

In response to a question on April 15, I made a partial statement of our plans to observe the tenth anniversary of the St. Lawrence Seaway. I indicated I would be making a full statement at a later date. I should like to do so today.

We in Ontario are extremely fortunate in that we have at our doorstep one of the greatest water transportation systems in the world. For both the Indians and the Europeans, the Great Lakes-St. Lawrence River system has historically been the highway leading into the heart of the North American continent. It was the route of exploration and commerce long before our province was created. Today it is our gateway and highway to world markets and a very important element in our economy.

On June 26 we shall observe the tenth anniversary of the St. Lawrence Seaway, one of the great engineering achievements of our time, much of which lies within the boundaries of Ontario. The government of Ontario will suitably recognize the valuable and substantial contribution made by the seaway to Ontario and Canada. Whether you live on the seaway itself or whether you live in a Great Lakes port city or in one of our manufacturing communities inland or in a northern mining community, this very unique deep water system has helped you in your day-to-day life in this province.

The tenth aniversary will be commemorated jointly by the governments of Canada, Ontario, Quebec and Manitoba; and of the eight states bordering the Great Lakes, namely New York, Pennsylvania, Ohio, Indiana, Michigan, Illinois, Wisconsin and Minnesota. In addition, many of the communities on both sides of the Great Lakes will observe this event with local programmes.

The actual anniversary of the official opening of the seaway on June 26, 1959, by Queen Elizabeth and President Dwight Eisenhower, will be commemorated by two major ceremonies. The government of Canada, through the St. Lawrence Seaway Authority, will hold ceremonies on June 26 in Montreal. The United States observance will be held the same day at Sault Ste. Marie, Mich., where the new Poe Lock—which is the largest lock in North America—will be officially opened. This government will be represented at both these ceremonies.

We believe that the commemoration of this anniversary merits the full support of our people, and for this reason we have asked the municipalities, the chambers of commerce and service clubs to examine ways in which they can bring to the attention of the people of Ontario the benefits of the seaway system.

We have taken steps, through our international advertising programme and overseas promotions at trade fairs, to bring to the attention of shippers around the world the benefits of using the seaway to reach Ontario. Included in our promotional material, which is an adaptation of existing government literature, is an international symbol which has been developed. Perhaps members might just have a look at it.

This symbol was developed by the committee of governors who have been working on the commemoration of this anniversary. Another example is the folder we have here,

in which has been incorporated this international symbol, and which we are using to promote the seaway abroad.

As part of the commemorative programme, an aerial inspection tour of the St. Lawrence Seaway by the Governors of our neighbouring states is planned, to precede the June 26 ceremonies by ten days. The government of Ontario has issued invitations to the state Governors, and the Prime Ministers of Quebec and Manitoba to be our guests at the conclusion of the tour on Monday, June 16, at Upper Canada Village. I might say the response has been enthusiastic and we anticipate a very stimulating day.

The governors' visit will include a visit to the Eisenhower Lock at Massena, New York, the Robert Saunders-Robert Moses power dams, a public ceremony at Crysler Farm Battlefield Park, a tour of Upper Canada Village, and a reception and dinner at the Upper Canada Village guest house overlooking the St. Lawrence River. The Governors will be accompanied by representatives of their Legislatures and local press.

As I have communicated to the leaders of both parties opposite and members of my own caucus, the Legislature will not sit on Monday, June 16. Plans are now being completed to transport by train those members of the Legislature wishing to participate in the events at Upper Canada Village. We anticipate that the train will leave Toronto on Sunday evening, June 15, with members having overnight accommodation on board and returning to Toronto on the Monday evening. We will require, as soon as possible, an indication of hon. members' interest in order that we may make the desired arrangements.

As we now see it, the visit of the members to Upper Canada Village would indicate a special tour of the village during the forenoon, luncheon as guests of the St. Lawrence Parks Commission, participation in the ceremonies at Crysler Farm Battlefield Park during the afternoon, a visit to the power dams and participation with Governors and our other guests in the reception in the evening. I can assure each hon. member that it will be an interesting and rewarding day and I would urge them to attend if they find it possible.

The major commemorative events will conclude in Detroit on July 7 with a dinner for government leaders and businessmen from the St. Lawrence River-Great Lakes basin, which will be hosted by the Governors of the eight states and at which we will be represented.

Mr. Speaker, this is the full programme, planned to commemorate the tenth anniversary of the St. Lawrence Seaway. I would ask the support of all the members in bringing this to the attention of the people they represent.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question for the Attorney General.

Is the Minister aware that at least seven operators of betting shops in the Toronto area have records that would make them unemployable under the regulations of the Ontario Racing Commission, according to information made public last night on the CTV programme *W5*?

Under the circumstances, is some supervision and scrutiny of these betting operations to be undertaken pending possible federal legislation?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I did not see the programme the hon. member refers to and I do not have the individual records of these particular people, but I am sure the police are aware of it.

As to the second part of the question, I think I made my position known very fully very recently in this House. In fact, in the statements I made to the House I pointed out we were aware of the criminal records of a number of the people involved in this activity. But our position was that we have asked the federal government through the Minister of Justice, to deal with this situation, which we think is a matter of federal legislation—betting, gaming, being all covered presently in The Criminal Code.

There is some very definite indication that the matter is being studied. Representations have been asked for by the federal Minister of Justice from all the Attorneys General; and all of them have replied. I understand that the matter is being considered with a view to taking action at the federal level.

As I said before, and I will say again, if no action transpires there, nothing is done, then certainly Ontario will have to move to govern this situation.

Mr. Nixon: Mr. Speaker, if I might ask the Attorney General: would it be correct to say, then, that it is a federal responsibility if it is going to be made illegal, but it is a provincial responsibility if it is going to be regulated and licensed?

Hon. Mr. Wishart: I think that is a fair way of putting it. If it is going to be illegal,

as betting and gaming offences now are in the code, it will be criminal jurisdiction and therefore federal jurisdiction. If it is not going to be so dealt with, then it becomes a legal activity and the licensing, supervision and control of it would be provincial.

Mr. Nixon: Since it is a legal activity at the present time, it would be true to say then that the Attorney General's responsibility would be clear unless he had some indication that it was going to be dealt with at the federal level. Is there some sort of a time limit in the Attorney General's mind in this connection? He must surely have a deadline beyond which he could not wait.

Hon. Mr. Wishart: Not exactly a time limit. I think I would wait for some indication from the Minister of Justice at Ottawa that he had abandoned any thought of doing anything—or that he was proceeding to drafting and implementing legislation. But I do not have a date in mind that I would hold him to. As I say, he asked each Attorney General of each of the provinces, when we were in Ottawa in February of this year, to let him have our views. Those views have all been received, as I have learned directly from him. The matter, I know, is indicated as receiving study by his department, and if he should inform me shortly that the legislation is under way, of course I would wait for it. If he should inform us that Ottawa plans no action, then—as I said last week, I think, in this House—I realize the responsibility will rest upon the province.

Mr. Nixon: Just one additional question, Mr. Speaker. This programme, *W5*, last night, appeared to be researched; it is a national programme, and as the Minister knows, besides the indication that I have already brought forward, there was an indication that the federal Justice Minister had said that he would have legislation by the fall. That seems to be a fairly distant time limit, if in fact the problems are growing as rapidly as they appear to be.

Mr. Speaker: The question of the hon. leader, if he would ask it.

Mr. D. C. MacDonald (York South): The Liberals are slow in Ottawa, that is true.

Mr. Nixon: The responsibility is here, surely, for some action.

I have a further question, Mr. Speaker. Is the Attorney General going to appeal the decision of Mr. Justice Charles Stewart pertaining to the civil rights hearing of Carl McKay?

Mr. Speaker: Perhaps the hon. member for York South would place his similar questions.

Mr. MacDonald: I have a number of questions related to this, Mr. Speaker.

1. Was last week's case heard by Mr. Justice Stewart the first time that the human rights code has been challenged in the courts?

2. If yes, why did the Minister, his deputy or some senior counsel not appear to defend this important legislation?

3. Has the Minister filed an appeal? If so, when will it be heard, and will the Minister appear to defend it?

4. Was a full stenographic record taken of the court deliberations in this instance? Would the Minister make it available for members of the Legislature?

5. Was it proper for a judge to grant an interview with a newspaper, in advance of preparing his written judgment, in which he presented himself as a defender of one side of the case?

Mr. E. W. Sopha (Sudbury): Which Minister is that directed to?

Mr. MacDonald: The Attorney General.

Mr. Sopha: He was not represented at the hearing.

Hon. Mr. Wishart: Mr. Speaker, in answering the series of questions presented by the hon. member for York South, I think we will include the question offered by the leader of the Opposition on the matter of appeal. So, taking the first part of the question of the member for York South: Was last week's case the first time that the human rights code has been challenged? To the best of our knowledge, yes. This is the first time that prohibition has been sought to prevent a board of inquiry to hold a hearing into an allegation of a discrimination against a citizen of this province.

As to the second part, asking why the Minister or his deputy or some senior counsel did not appear, I would say this. The counsel who appeared is a man who has worked for several years with the human rights commission. He is admirably qualified to deal with the case. He is as competent as any man in the department, I think, to argue the matter before the courts, or he would not have been given the brief. I think he is very capable and very eminent, and has had a lot

of experience in this work. He has been on panels, he has written articles, he has worked with the hon. Mr. McRuer for some two years in this field, and I think no more competent man could have been found. And, of course, we could not anticipate this sort of decision in the case.

Mr. Sopha: He said the Minister was going to lose.

Hon. Mr. Wishart: Well, this is only the first round.

Mr. Sopha: The Minister ought to anticipate that.

Hon. Mr. Wishart: On the third part of the question, asking if the Minister has filed a motion for appeal: Although the judge has not yet given his written reasons, it is our intention to appeal his order, if The Department of Labour agrees with our recommendation to do so, and I shall consult with my colleague, the Minister of Labour (Mr. Bales), and I trust we will be appealing. I do not intend to appear on the appeal and, of course, am not aware yet as to when the appeal will be heard.

As to the question of a stenographic record, there is no stenographic record of proceedings of this nature. The evidence is by affidavit. This is not a question of *viva voce* evidence. It is material filed by affidavit; the affidavits are, of course, all on record in the court office, and they are open for anyone who wishes to read them. When the justice's reasons for judgment are rendered they, I am sure, will be in writing and also available for study.

As to the question of whether it is proper for the judge to grant an interview with a newspaper in advance of preparing his written judgment, the question says, "in which he presented himself as a defender of one side of the case." I would say he no doubt came to his own conclusions as to the propriety of whatever interviews he gave, and I think perhaps I should not comment on them at this time. I think I would go so far as to say that if I were the judge, I would not have done so.

Mr. MacDonald: Mr. Speaker, I appreciate the Minister's last observation. I admit this is a matter of some delicacy, but by way of a supplementary question that relates to parts four and five, I am disturbed that there is no transcript available. What is obviously pertinent in this instance is the comments in the court by the judge, among others for example, at one point the comment of Mr. Justice Stewart that this law was a law to protect coloured people and the white man did not get any protection under this law.

That seems to suggest a lack of understanding, if not prejudice, with regard to the law. It seems to me that one should have something other than just newspaper reports in their inevitable piecemeal nature. Out of an ignorance of actual court procedures—because I am a layman in this field—may I ask the Attorney General: am I correct in my assumption that there is no record at all of what was said other than what is in the newspapers?

Hon. Mr. Wishart: That is right Mr. Speaker. I have answered before that there is no stenographic record, and I appreciate the point raised by the hon. member, that the comments from the bench are perhaps not recorded. But when the matter comes to be dealt with on appeal or in any further review, I should not think the comments are going to be relevant or play any part in any event.

The reasons for judgment are going to have to be the judge's logical reasons why he reached the decision he did. The argument is going to be on legal grounds. We will, no doubt, say in our appeal that prohibition does not lie here. This is a tribunal of enquiry assessing no penalties, making no judgments, furnishing a report from which the Minister of Labour actually would act.

Mr. Sopha: Well, he was not a party—

Hon. Mr. Wishart: No, this would be what I am—

Mr. Sopha: He was not a party to that proceeding.

Hon. Mr. Wishart: This inquiry, under the human rights code, reports to the Minister of Labour. This is all administered by the Minister of Labour.

Mr. Sopha: On a point of order, my understanding is that only Walter Tarnopolsky was served, and the Minister of Labour, who appointed this commission, was not a party to the proceedings. I am further informed that when the proceedings started, the justice was under the impression that Marshall Pollock appeared before the Attorney General and he thought the Attorney General was a party to the proceedings. Am I not right? Strangely enough I am also told that Walter Tarnopolsky was ordered to pay the costs.

Hon. Mr. Wishart: What is the point of order?

Mr. Sopha: That is it. Is it not a fact—

Mr. Nixon: He does not want the Minister to mislead the House.

Hon. Mr. Wishart: The human rights code has, in its proceedings, an inquiry procedure which this was.

Mr. Sopha: Appointed by the Minister of Labour.

Hon. Mr. Wishart: Right. The report is made to the Minister of Labour, as I was pointing out in my reply to the hon. member for York South. It is not a body which makes a judicial decision—it makes a report. We will argue on our appeal that prohibition does not lie here. What my answer was leading to, was that I think the comments of the judge made from the bench are really not going to be relevant. They may show an attitude of mind, but in the decision as to whether there is a rightness or a wrongness in his decision, whether he is right in law or not, they will be largely irrelevant I think.

To continue on that point, perhaps there may be some value in having a stenographic record kept in these proceedings and I shall give that consideration and discuss it with my colleague, the Minister of Labour.

Mr. MacDonald: I appreciate the Attorney General's assurance in the last instance because, as a layman, it looks as though the judge had made up his mind before the court dealt with the issue.

Mr. Speaker: Order! The hon. member is on his feet for a supplementary—

Mr. Nixon: I would like to ask a supplementary before the hon. member goes on, if he will permit.

One thing caught my attention in the Attorney General's answer. He said: "We have lost the first battle" and it appears he is going to appeal this situation as far as he has to go in order to win. I sincerely hope that he does and I would support him in this.

But as a supplementary question: Would he consider an amendment to our present statute if, in fact, he is not as successful as he hopes to be in this matter? Surely the intention of our legislation is there and perhaps this loophole—or perhaps it is not a loophole —but this vacancy in the legislation would be filled by this House if the Attorney General saw fit to take the initiative.

Hon. Mr. Wishart: Mr. Speaker, I hesitate to embark on a discussion at this point. I would certainly say that we would be glad to look at the legislation. The argument here will be, that—if I must explain it to the hon. member—the judge is wrong, that his decision is wrong, that prohibition does not lie—

Mr. G. Ben (Humber): Yes, but that does not touch on the justice of the decision.

Mr. Speaker: Order!

Hon. Mr. Wishart: That will be our position. It may be that something may be found to improve the legislation, but I think it is a question of law and not of defects in the legislation—a question of a judge making a decision with which we take issue and we shall appeal it.

Mr. Speaker: The hon. member for York South has a further question.

Mr. MacDonald: I have a question of the Prime Minister.

In view of the fact that Holiday Inn and an oil company have taken out options for development in Thurlow township, just north of Highway 401, instead of as part of the proposed shopping plaza in north Belleville, when can we expect a Cabinet decision on OMB review of its order forbidding this plaza development?

Hon. Mr. Robarts: Mr. Speaker, I have been unable to substantiate the fact that these options have been taken, but I do not think they are relevant in any event. The matter is being processed, as I pointed out in answer to a question last week or perhaps the week before. Just as soon as the procedures of appeal are followed, the decision will be made.

Mr. MacDonald: Mr. Speaker, I would be glad to send over a clipping from the Belleville *Intelligencer* of May 7 which will substantiate the first point on which the Prime Minister is not certain.

Hon. A. Grossman (Minister of Correctional Services): How would that substantiate—

Mr. MacDonald: I assume a front-page story is not going to misrepresent a basic fact.

I have a question of the Provincial Treasurer (Mr. MacNaughton), but since he is not here I assume I will have to hold it.

Mr. Speaker: I am afraid the hon. member's questions have been exhausted. The hon. member for Huron-Bruce has a question?

Mr. M. Gaunt (Huron-Bruce): My question, Mr. Speaker, is of the Attorney General.

In view of the new commitment of State Secretary William Rogers to pursue the matter of the extradition of Hal Banks, and in view of the fact that a request from Canada has to be received in order to reopen the case, is the Attorney General going to pursue this matter with the Minister of Justice in Ottawa?

Hon. Mr. Wishart: Mr. Speaker, we previously sought the return of Hal Banks at length and most thoroughly, I think. The question now of whether he is to be returned, or whether this matter is to be opened up, is one I believe which rests between the federal government at Ottawa and the federal government at Washington. We have made our position known to Ottawa, in that we sought to bring him back on extradition proceedings. If Ottawa will bring him back we will prosecute him.

Mr. Gaunt: Has the Attorney General made any representation to Ottawa within the last few days in view of this new development?

Hon. Mr. Wishart: Not within the last few days, but this development is not altogether new, either.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, before my questions I have a point of order which I would like to raise before the orders of the day. My point of order is that the Minister of Mines (Mr. A. F. Lawrence) has misled this House.

Interjections by hon. members.

Mr. Shulman: Two weeks ago tomorrow, during the debate on The Mining Tax Act, I presented certain figures to the House, after which the Minister of Mines spoke as follows —I am reading from *Hansard*, sir:

> When he [the member for High Park] indicated that Texas Gulf, in their pre-production expenses in relation to exploration here, is only $3 million, I can say to him that I know to a man of his wealth, a million here and a million there does not really matter very much, but he is out by approximately $3 million. It is not $3 million; our information is that it is double this.

The next morning I contacted Texas Gulf Sulphur Company, and met with Mr. Devon Smith of that company last Tuesday. I did not raise the matter in the House at that time because the Minister was not here. I wanted to wait until he was here so he could hear the matter.

Mr. Devon Smith of Texas Gulf informs me of the fact that I was correct. The actual figure was somewhat less than $3 million. He has confirmed that in a memo which he has sent to me.

Mr. Speaker, I am not suggesting the Minister deliberately misled the House, I am quite certain he would not do this, but I am suggesting, sir, that his knowledge of his own department is rather minimal.

Mr. R. Gisborn (Hamilton East): He is red-faced now.

Mr. Shulman: I have two questions. The first one is for the Minister of Financial and Commercial Affairs: Will the Minister supply me with a copy of the report of the investigation of Canadian Central Holdings Limited, which was made by the securities commission on March 9, 1967?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, I am instructed that it is not in the public interest to supply the information requested by the hon. member.

Mr. Shulman: Will the Minister accept a supplementary question? It is: Why?

Hon. Mr. Rowntree: Because all investigations and reports conducted by the commission are not made public. In this case, as I understand the situation, the matter has been the subject of several civil actions which have already been before the courts.

Mr. Shulman: Will the Minister inform me why the charges were not laid that were recommended in this secret report?

Hon. Mr. Rowntree: Certain information was submitted to the office of the Crown attorney and I am instructed that the Crown attorney's office recommended against criminal action.

Mr. Shulman: Mr. Speaker, I have a question for the Minister of Justice and Attorney General:

Is the Minister aware that a food market directly opposite Sunnybrook Farms remains open on Sunday and has not been prosecuted under The Lord's Day Act? Is this because "local attitudes" change in the middle of the street? And finally, how can the Minister justify spot prosecution of the law on a basis of local attitudes?

Hon. Mr. Wishart: Mr. Speaker, the answer to the first part of the question is, no. The answer to the second part is, no. The answer to the third part is, there is no spot prosecution, it is handled evenly across the board.

Mr. V. M. Singer (Downsview): Oh, rot!

Mr. Shulman: Will the Minister accept a supplementary question?

Hon. Mr. Wishart: Yes.

Mr. Shulman: How can the Minister justify a thing as evenly handled across the board when he has picked out one food market to prosecute when dozens of others are being left open?

Hon. Mr. Wishart: I will answer that, Mr. Speaker. The Minister of Justice does not pick them out at all. An application comes, information is laid against someone operating on Sunday. The Lord's Day Act, the federal Act, says the consent of the Attorney General of the province is required before any prosecution may commence. The Attorney General looks at the information, examines it to see if the information appears to be charging an offence and consents to the prosecution.

Mr. Singer: Or does not.

Hon. Mr. Wishart: Or does not. The point is, he does not pick them out, to use the language of the hon. member.

Mr. Singer: He picks out the ones he is going to approve, though.

Hon. Mr. Wishart: In this store business, only one came in—Sunnybrook. So there is no picking and choosing, nothing this side of the street or the other side—one only.

Mr. Singer: Is it not about time there was a plan?

Hon. Mr. Wishart: Perhaps. But bear in mind that the federal government, in leaving the matter to the discretion of provincial Attorneys General—

Mr. Singer: But the Attorney General can refuse to exercise his discretion.

Hon. Mr. Wishart: In leaving the matter to the discretion of the provincial Attorneys General, it indicated that there was a field for discretion and perhaps attitudes; local or provincial, whatever you call it.

Mr. Singer: But theatres are allowed to stay open.

Hon. Mr. Wishart: The Attorney General does not pick those; they are presented by the people who are concerned.

Mr. Shulman: Is there not some inequity in this situation?

Hon. Mr. Wishart: I do not think I can express any opinion on that at this time.

Hon. J. H. White (Minister of Revenue): What is the Liberal policy?

Mr. Singer: It has nothing to do with Liberal policy.

Mr. Speaker: Order! The hon. member for Port Arthur has a question.

Mr. R. H. Knight (Port Arthur): Thank you, Mr. Speaker. I have a question for the Attorney General.

In view of the recommendations on May 7 of the grand jury investigating the jail facilities of the Port Arthur police station, what responsibilities does the Attorney General have for providing minimum standards at the jail? And is the Attorney General prepared to provide financial assistance to raise the jail standards there?

Hon. Mr. Wishart: Mr. Speaker, lockups come under the jurisdiction of the Ontario Police Commission. This matter has been referred to the Ontario Police Commission.

The second part of the question; no, it is not my intention to furnish financial assistance.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, I have been asked several times about Judge Walter Little's report. I would just like to say that it was delivered to me on Friday and I am having it printed. It is at the printers now, and as soon as there is a sufficient number of copies to make it available for all members of the House, I will table it.

Mr. MacDonald: It is not the printers who are on strike, I hope.

Hon. Mr. Robarts: No, I do not think so.

Mr. Knight: Mr. Speaker, could I have an answer to my questions?

Mr. Speaker: The Minister is not in the House.

Orders of the day.

CITY OF HAMILTON

Mrs. A. Pritchard (Hamilton West) moves second reading of Bill Pr21, An Act respecting the city of Hamilton.

Mr. I. Deans (Wentworth): Mr. Speaker, I have just a few comments on this bill before it goes through. One that comes quickly to

mind is that it is dealing with matters in the Hamilton civic square which is due to go before the Ontario Municipal Board some time this month. There has been considerable controversy in the city of Hamilton over the last two months in regard to the entire civic square project, not only the manner in which it is being handled, but the financing of it. I cannot help wondering if the government has given sufficient consideration to the entire area of whether or not the city of Hamilton can afford the revised plans as have been put forward during the last week.

Since it comes within the scope of this bill, part of it anyway, I want to register my disapproval of the manner in which the government has handled the entire area of the Hamilton civic square; the lack of concern that they have shown; and their obvious lack of concern for the financing of this and the effect it will have on the people of the city of Hamilton.

Mrs. Pritchard: Mr. Speaker, I would like to make a comment on this bill. While the bill does have a relationship to the civic square, the farmers were represented—I particularly asked at the hearing that they speak—confirm that they are in full accord with the bill. It is the matter of releasing the city market square back to the city instead of being under an Act that gave it for the use of farm market only. It will have no direct bearing on what happens to the civic square.

Mr. J. R. Smith (Hamilton Mountain): I am rather interested to find that the hon. member for Wentworth is concerned about certain aspects of this bill in relation to the city of Hamilton, especially since I am aware that the members of the New Democratic Party who happen to be members of the Hamilton city council fully endorsed this at the municipal level, and did not oppose it in any way there or when the farmers' delegation and the urban renewal people appeared before the private bills committee of this Legislature.

Mr. S. Lewis (Scarborough West): What has that got to do with it?

Mr. Deans: What has that got to do with this?

Mr. Speaker: Do the members wish to engage in debate on this motion?

Motion agreed to; second reading of the bill.

Clerk of the House: The 17th order, resuming the adjourned debate on the motion for second reading of Bill 131, An Act to amend The Law Enforcement Compensation Act, 1967.

THE LAW ENFORCEMENT COMPENSATION ACT, 1967
(Continued)

Mr. V. M. Singer (Downsview): Mr. Speaker, as I recall it—I wonder if you would bear with me until I get a book; we have great difficulty in discerning what is going to come next in this grab-bag, and it takes a minute or two to find the spot. I think there are three or four pending debates at the moment.

Hon. J. P. Robarts (Prime Minister): We are patient!

Mr. Singer: Just bear with me for a moment until I find the right piece of paper and the right statute. Ah, there it is. Bill 125, am I right, Mr. Speaker? Is that the one, The Law Enforcement Compensation Act?

Mr. Speaker: Bill 131.

Mr. Singer: I am sorry, Mr. Speaker, I was wrong. I had finished my speech on that. It was my friend from Lakeshore who—

Hon. A. Grossman (Minister of Correctional Services): Well, give it all over again.

Mr. Speaker: I am sure we would be glad to have the hon. member for Lakeshore carry on. He has had two or three big ones already.

Mr. Singer: No, I made a very intelligent speech, I thought, about that; and I am sure that the Attorney General (Mr. Wishart) would have been convinced.

Mr. P. D. Lawlor (Lakeshore): I am sure I had the most acrimonious remarks to deliver with the greatest acumen imaginable, but as things stand at the moment, Mr. Speaker, with this plethora of bills, as my friend says, this is a picking out of the grab bag. I have strewn before me various Acts and books and notes to speak on a multitude of problems, but not on this one, thank you.

Mr. Lewis: This is the most contentious bill ever put before the House.

Mr. Speaker: Before the Minister, is there any other member who wishes to speak on this bill? Perhaps the Minister of Justice might wish, then, to speak to this bill before it is given second reading.

Mr. Singer: What about retroactive effects?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, the comments offered with respect to this legislation have again been helpful and I think—

Mr. R. F. Nixon (Leader of the Opposition): This is one of the Minister's kinder days.

Hon. Mr. Wishart: I indicated on first reading that I would be prepared to consider the matter of the retroactivity of the bill, which I think is the only point really at issue in this whole matter. I would be prepared, in considering that feature, to have the bill made retroactive to the date of the previous bill's coming into force—the only legislation we have in this area. I thought I had that date on my file and I have an amendment, I believe, relating to that, so that whatever that date is, when that bill became effective I would agree that this section should read that it is effective on that date.

Mr. Singer: Well that is what we have asked for all along.

Hon. Mr. Wishart: I think I need say no more, Mr. Speaker. I have not got the actual wording of it in front of me.

Mr. Speaker: The hon. Minister, I presume then, will introduce the amendment when it is in committee.

Hon. Mr. Wishart: That is right, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Singer: Try another one.

Clerk of the House: The third order, committee of the whole House; Mr. A. E. Reuter in the chair.

THE HIGHWAY TRAFFIC ACT
(Continued)

House in committee on Bill 105, An Act to amend The Highway Traffic Act.

Mr. V. M. Singer (Downsview): This is the one I was thinking of.

Hon. A. Grossman (Minister of Correctional Services): Better get yourself in a proper frame of mind; you were very irate.

Mr. Singer: Mr. Chairman, as I recall, this is another one of these adjourned debates that I was speaking on at the time of the adjournment. I had started to read, and had almost completed reading, what Mr. McRuer had to say about the powers of arrest without a warrant. It is section 8.

Mr. Chairman: Does section 8 not deal with the matter of identification?

Mr. Singer: That is right, that is right!

Mr. Chairman: Is there anything in that section pertaining to arrest?

Mr. Singer: Oh yes, Mr. Chairman, because we—

Mr. Chairman: I do not see it.

Mr. Singer: If you would refer, sir, to section 74 of the same Act.

Mr. Chairman: Perhaps we can wait until we get to section 74.

Mr. Singer: Oh no, the two things tie in together, Mr. Chairman.

Mr. S. Lewis (Scarborough West): This is an arresting section.

Mr. Singer: Yes, the two things tie in completely together.

Mr. Chairman: Section 8 does not refer to a—

Mr. Singer: No, it creates a new offence for which power to arrest without a warrant is given. The thrust of my argument is that this section should not carry because we do not need any more sections that give power to arrest without a warrant.

Mr. Chairman: Order, please! Section 8, an amendment has been introduced to section 8.

Mr. Singer: That is right.

Mr. Chairman: Section 8, in my copy of the Act, has nothing whatsoever to do with arrest or powers of arrest. It has to do only with the matter of identification. Arrest would come later on in the bill.

Mr. Singer: Mr. Chairman, let me explain. Section 8 creates a new offence which did not exist heretofore. Are you with me up to that point? Under section 74, a peace officer may arrest without a warrant for the offence now created by section 8.

Mr. Chairman: Then the arrest portion may properly be dealt with under section 74?

Mr. Singer: The arresting power may be, sir, but the argument about whether or not we need one more offence has to be dealt with here. The Minister in introducing this,

read from Mr. McRuer's saying that this was necessary because of his interpretation of what Mr. McRuer said.

Mr. Chairman: Well, just—

Mr. Singer: I am in the process of trying to—

Mr. Chairman: —just so the Chair can understand the situation, section 8 of this particular bill repeals subsections 2, 3, and 4 of section 14 of The Highway Traffic Act.

Mr. Singer: That is right.

Mr. Chairman: Does that section have to do with offences?

Mr. Singer: Oh yes, yes. This section creates a new offence—

Mr. Chairman: And section 14—

Mr. Singer: —which, for the lack of a better name, can be called the offence of failing to identify yourself.

Mr. Chairman: Section 14 proceeds to—

Mr. Singer: 14(1) talks about not producing your licence, and 14(2) creates a new offence of not identifying yourself.

Mr. Chairman: But are they specifically listed as offences?

Mr. Singer: Oh yes.

Mr. Chairman: Under section 14? I am not familiar with that section.

Mr. Singer: Yes, yes. Let me read you section 14.

Mr. Chairman: I would appreciate having that read, if you have it before you.

Mr. Singer: Yes, Mr. Chairman.

Mr. Chairman: Just to—

Mr. Singer: Section 14 says:

> Every operator of a motor vehicle should carry his licence at all times while he is in charge of the vehicle and produce it when demanded by a police constable—

And so on. Subsection 3 of 14; why it is repealed:

> A person convicted of an offence under this Act shall produce his licence—

But go over to section 74 where it says:

> Every constable who, on reasonable or probable ground believes that a contravention of any of the provisions of—

So on and so, and it now includes 14(2).

—can arrest without a warrant.

The constable must believe that an offence has been committed under 14(2) to arrest without a warrant, so we are talking about an offence—the creation of a new offence. What the Minister proposes is a new offence.

Mr. Chairman: So what the hon.—

Mr. Singer: Failing to identify yourself.

Mr. Chairman: What the hon. member is saying is that section 14 in the original Act constitutes an enumeration of offences under the Act.

Mr. Singer: That is right.

Mr. Chairman: And that this new section 8 adds a further offence.

Mr. Singer: That is right. That is right.

Mr. Chairman: But there is no point, so far, at which arrest is discussed. Is the hon. member going to discuss the matter of arrest or offence?

Mr. Singer: Oh yes, I am—both. Because, I say—

Mr. Chairman: I still do not see—

Mr. Singer: I say I have to because when the explanation was given by the hon. Minister, when he introduced this, he said, "My excuse is to be found in McRuer" and McRuer says, in effect, "There are a whole bunch of offences which allow arrest without a warrant which should be removed." However, there is an argument which the Minister has put forward and with which I disagree, that this kind of offence might allow arrest without a warrant. You cannot have an arrest without a warrant unless you have got an offence. He is attempting now to create the offence for which, later on, there can be an arrest without a warrant. You cannot separate the two, Mr. Chairman.

Mr. Chairman: What the hon. member is going to do is discuss the matter of offence in this section 8.

Mr. Singer: The offence and what flows from it. I cannot separate the two.

Mr. Chairman: All right. Is this debate going to be repeated at section 74?

Mr. Singer: No, no. I do not think so. I am going to argue somewhat differently on section 74.

Mr. H. Worton (Wellington South): An hour later!

Mr. Singer: But I say this, sir, that the Minister has introduced it in this way, he has introduced an amendment. I have already debated this point for half an hour, and it was found to be in order, and I am half way through my speech and there is another half hour of it yet to come.

Mr. Chairman: So, the hon. member is going to attempt to continue debating the motion after half an hour without repetition?

Mr. Singer: Oh, yes, completely without repetition.

Mr. Chairman: Then he may continue.

Mr. Singer: As I say, I carried through reading and interpolating what Mr. McRuer had to say on this matter, starting at the bottom of page 728, running through pages 729, 730 and up to page 731. I had come, I think, to the last paragraph in this section, which is on page 731. Mr. McRuer concludes his observations by saying:

> The necessities of the cases would appear to be met if the power of arrest without a warrant were restricted to those cases in which the driver of a motor vehicle, without showing reasonable cause, does not properly identify himself as the owner of the vehicle, and those cases in which the driver does not appear to have any legal right to have the vehicle on the highway. In all other cases, the powers of arrest without a warrant, conferred under The Criminal Code, should be sufficient as far as highway traffic control is concerned. This has been the legislative approach in the province of Quebec, but we think that even there the rights of arrest without a warrant that are given are unnecessarily wide.

Now, sir, to sum up what McRuer has said, the thrust of his argument has been that there are too many powers of arrest without a warrant already contained in The Highway Traffic Act. He lists about ten, and there are some more. He points out that not only are these powers of arrest given to police officers, but they are also given to anyone the Minister may designate as his own official, so that within The Highway Traffic Act, the Minister can have his own army of arresting officers who do not even have to be policemen. McRuer decries this, and then reluctantly, in his last paragraph from whence came the sentence the hon. Minister of Transport seized on. He says, "Well, maybe if you need anything, you should perhaps have an offence of failing to identify yourself."

An hon. member: He does not say that.

Mr. Singer: Yes he does; that is my interpretation of it. The hon. member may disagree with me and we can hear from him later, but as I read it, that is the thrust. If he says anything less than that, Mr. Chairman, then I disagree with him, and I disagree with the basis on which the hon. Minister has put this forward.

Now, let me point this out. In the Canadian Criminal Code, there are a series of offences created dealing with the operation of motor vehicles. There is the offence of criminal negligence; there is the offence of drunken driving; there is the offence of driving with ability impaired; there is the offence of leaving the scene of an accident; there is the offence of driving while your licence is under suspension. There are all the theft and fraud offences. If the Minister wants specific references to those sections in The Criminal Code, I can give them to him. Section 221, criminal negligence; section 222, driving while intoxicated; section 223, driving while ability is impaired; section 225, driving when licence suspended; section 221, subsection 2, failing to stop after an accident, and so on. All of these offences are indictable offences, and I know that the Minister knows the provisions of sections 434 and 435 of The Criminal Code, which deal with the power of arrest. Section 434 says anyone may arrest, without a warrant, a person whom he finds committing an indictable offence—and section 435 says a peace officer may arrest, without a warrant, a person who has committed an indictable offence or who, on reasonable and probable grounds, he believes has committed or is about to commit an indictable offence, or is about to commit suicide, or a person whom he finds committing a criminal offence.

There are the provisions. Why, then, is it necessary to create a new offence of failing to identify oneself? There are sufficient powers in the code already. Why make that offence an offence for which you can arrest without a warrant? Surely there are sufficient provisions in The Criminal Code which provide for a series of indictable offences which would authorize arrest without a warrant when the cases particularly indicate that that should be done. If a police officer stops a man who is driving at an excessive rate of speed—excessive enough in the police officer's mind to justify him to come to the conclusion

that the man is criminally negligent—he can arrest him. If the police officer has reasonable and probable cause to believe the automobile is stolen, he can arrest him without a warrant under the provisions of The Criminal Code. If he is driving while he is drunk, he can arrest him without a warrant as The Criminal Code provides. The same is true of ability impaired, and all these things.

Why, then, does the Minister want to create this new offence of failing to identify yourself to a police officer? Is there any great demand for this? Has he received any briefs from any police chief that says, "We are in terrible trouble, because we have been refused identification by drivers of vehicles when we requested it." Is there anything that flows from this terrible failure to provide identity? If there is, can the Minister tell us from whom he has had complaints, and what flows from that? Is there any reason why this necessity of identification has to be written into The Highway Traffic Act and carry with it the burden of arrest without a warrant if it is not done? What is the purpose that lies behind this? On what basis can he justify creating a new offence under The Highway Traffic Act, which carries with it the right to arrest without a warrant, particularly in view of what McRuer says, and particularly in view of the fact, sir, that he has not removed from The Highway Traffic Act a whole series of other offences which can allow arrest without a warrant, that McRuer says should be done away with completely. Why has he not done it?

He is still going to allow arrest without a warrant under The Highway Traffic Act for making a false statement, for someone who defaces their licence plates, who exposes other numbers, who has unlawful possession of a permit, who operates a vehicle when the permit is suspended—the code provides for that, as well as speeding 30 miles or more over the limit, careless driving, racing on the highway, removing or defacing an obstruction, and failing to remain. So he overlaps so many sections of The Criminal Code. For what reason does he want his private army to continue with this power of arrest? Why does he not do what McRuer says, and why does he suddenly invent the new offence?

Now, Mr. Chairman, I do not know if many of us remember—I think we should—the occasion on which a Royal commission of inquiry was set up by this government respecting the arrest and detention of Rabbi Norbert Liener by the Metropolitan Toronto police force. The hon. Attorney General commissioned Chief Justice Dalton Wells of the high court of the province of Ontario to conduct this inquiry, and Liener, you remember, was a gentleman arrested without a warrant by police officers who thought they were carrying out their duty. As a result of the public concern about this, the government of Ontario saw fit to set up this commission of inquiry, and Dalton Wells in due course, produced his report. I am not sure of the date of it, but he produced his report some time after February 1, 1962, which is the date on which he was appointed. Now, what does Mr. Justice Dalton Wells say about policemen, and about powers of arrest? Well, I could read many sections from this report, which I have here, but I think this section is particularly pertinent and particularly applicable:

> I do not think that much is to be gained by going into the evidence of Police Constable Fast—

And I am reading from page 144.

> —who was also associated in the arrest. It agrees substantially with that of Mullen and Sharp. It is, of course, perfectly clear from the principles enunciated in the judgment of Lord Simmonds, which I have quoted earlier, that you are not entitled to arrest a man for one offence when you think he is guilty of something entirely different.

And then he goes on to elaborate and say, this is in fact what happened in this particular case.

There is another paragraph—it is the paragraph immediately preceding the one I just read, Mr. Chairman—starting at the bottom of page 43, where Mr. Justice Wells says:

> This again illustrates the curious lapse in thinking which I noticed in the case of Constable Sharp. All these young officers—and I use "young" in the sense that they have not been long on the force—knew what the rules were, but they seemed to have no conception that these rules governing arrest were actually the rules by which they were to work.
>
> It might be inferred by their conduct that, in their opinion, the law governing the right to arrest was simply a pious statement to which one paid lip service, but which, of course, was not allowed to interfere with the more effective and efficient measures of their own devising.

That paragraph of Mr. Justice Wells is the paragraph which I think best expresses the argument that I have stated.

I am concerned, Mr. Chairman, that the government is going to introduce yet another section into a statute which is going to give power of arrest without a warrant as a result of which the police will have just one more opportunity to do something which is not normally provided for in the Canadian Criminal Code.

On occasion, unfortunately, even the provisions of the Canadian Criminal Code, insofar as powers of arrest are applied, is abused. Now why, Mr. Chairman? What necessity is there for creating one more opportunity to do this? As I say, McRuer's arguments are perfectly plain and perfectly clear. He says there are just too many powers of arrest in The Highway Traffic Act without a warrant. He says most of them should be done away with.

The Criminal Code has all of these provisions relating to driving offences which are serious offences, indictable offences, for which there can be a power to arrest without a warrant. Could anything be more clear, Mr. Chairman, than Mr. Justice Wells' comments in this report? Could there be anything more clear than the warning sounded by Chief Justice Dalton Wells? Finally, sir, not one word on the necessity of creating this new offence has come from the Minister.

Can he give us any example of how the protection of our citizens on the roads has been affected through all these years we have not had the offence of failing to identify oneself. Has any policeman ever come to him and said: "I cannot enforce the law any more because I have not got the right to call upon a person to identify himself."

Suppose, Mr. Chairman, one afternoon you are driving along the highway and there is a police drive on for safety and they stop you and ask you to identify yourself. You produce your driver's licence—or do not. If there is any reason to enquire further, surely the police have a duty—before they arrest you without a warrant or charge you—to have some reasonable and probable ground to believe you have committed some kind of an offence.

If you are driving too fast, if you appear to be under the influence of alcohol, if the vehicle is stolen—any one of a dozen other suspicious circumstances—they are all covered in the sections of the Criminal Code.

Hon. A. A. Wishart (Minister of Justice): I wonder if the hon. member will permit me to ask a question?

Mr. Singer: Yes.

Hon. Mr. Wishart: He has quoted McRuer at great length, and on this particular point I wonder why he does not continue with McRuer's commentary at page 731 where Mr. McRuer is talking about identification of the driver of a vehicle and the power of arrest without warrant. He says:

> The necessities of the case would appear to be met if the power of arrest without warrant were restricted to those cases in which a driver of a motor vehicle, without showing reasonable cause, does not properly identify himself as the owner of the vehicle—

Now is that not all my colleague, the Minister of Transport (Mr. Haskett) is doing? Saying there is this power of arrest only if the driver fails to identify himself as the owner of the vehicle? That is all. As I understand the legislation, it says that, where formerly there was no right to arrest for exceeding the speed limit, a driver may now be arrested without a warrant if he fails to identify himself. Mr. McRuer says that is all right.

I do not always agree with Mr. McRuer and I do not think my hon. friend does. But it seems to me that he is making a pretty strong and reasonable case here for the extension of the law, and I wondered if the hon. member is disagreeing with him at this point.

Mr. Singer: Well, to go back, I am not sure whether or not the Attorney General was here on Friday when I made the first part of my argument—

Hon. Mr. Wishart: I was here through part of it.

Mr. Singer: Yes, I read the whole of what McRuer said. I started back on page 728 from the heading "Power to Arrest without a Warrant"—

Hon. Mr. Wishart: I have not heard you touch that—

Mr. Singer: Oh yes, and I read that too.

Hon. Mr. Wishart: Today?

Mr. Singer: Yes, today, the last paragraph. I read the whole of the last paragraph today. Apparently I was not communicating at that point with the Attorney General so let me repeat what I said about that.

I said the whole thrust of what McRuer has had to say through pages 728, 729, 730 and 731, is that the powers contained in The Highway Traffic Act are too broad, that there are too many powers of arresting without a

warrant, and he would recommend doing away with all of them—reluctantly, I said. In the first sentence of the last paragraph he comes up with one—but as I read the whole thing together I certainly get the impression that he would rather do away with the whole bunch of them.

If he says anything more than that, then I do disagree with him, because I accept the first part of his argument, and if he says, "Create one new one", then I just do not understand it.

Hon. Mr. Wishart: That is what I thought you meant. Up to a certain point I agree, but then you reject.

Mr. Singer: That is my point. Now I say that he comes to this reluctant conclusion that maybe there should be one—but even if there is one, even if you accept that, you do away with all the others. Now the hon. Minister of Transport has not done away with all the others. He has kept most of the others. In addition we now have one more.

All right. I disagree with McRuer if that is the only interpretation you can take out of McRuer. Let us go now to The Criminal Code, to all the sections dealing with indictable offences regarding the use of a motor vehicle. We talk about what Chief Justice Dalton Wells said about the occasional difficulty of explaining to some police officers what the power of arrest really means.

In addition, we talk about not only the right of peace officers—we talk about the right of the Minister of Transport's private army, if he wants to create one, to go around and arrest without a warrant. The Highway Traffic Act provides that:

> The Minister of Transport can create officials of his own who have all the powers of peace officers who can arrest without a warrant.

I think this is shameful. I think it is dangerous. Finally I say since we are creating a new offence which carries with it the right to arrest without a warrant, surely the hon. Minister must be required to stand up and say for what reason he wants this power, not just because he brings one sentence out of McRuer in regard to it.

Is there any communication from the police officials which would indicate and lead reasonably to the conclusion that they are having difficulty in enforcing our traffic laws without this additional power? Can he give us any instances of it? Because it is hard for me to believe that a police officer is going to be anxious to pursue this kind of enquiry unless he is after some thing far more serious. If he is concerned about theft, surely he can hold the vehicle there long enough to check on the registration. He has a two-way radio. In a matter of minutes he can find out in whose name it is registered. He can find out if the car has been reported as stolen or not.

If the car is speeding at such a rate as to amount to criminal negligence, he has power to act. If the driver appears to be drunk, he has power to act. If the driver appears only to have his ability impaired, he has power to act. All these provisions are already in the code, why do we need one more section which appears to give the police one more power to arrest without a warrant—and not only the police but Haskett's private army?

None of that has been brought before the House. The only justification is one rather obtuse sentence extracted from McRuer all by itself. I say that is no excuse to create one more offence, particularly when the government has not been prepared to accept the real thrust of McRuer's arguments.

McRuer says it is a terrible thing that under a provincial statute you have a right to arrest without a warrant for all these comparatively minor offences. And you do not take them away at this time; all you do is add one more.

So if you are doing anything about McRuer at all, do it at least on the basis that McRuer might recommend it. And even if that recommendation can be read into McRuer's remarks which I do not agree with, give us some justification for it. Tell us why that police officer said, "Because I cannot ask for identification if there is no licence, then I am unable to enforce the law of The Highway Traffic Act or The Criminal Code."

I do not think it is there, Mr. Chairman. There are alternative procedures available.

For these reasons, we cannot support your section. We think it is a dangerous section. It is maliciously inspired, and it follows a whole plan of erosion of our civil rights that somehow creeps obscurely into government legislation and is never properly explained.

The heat was on the Minister and so he changed the wording. He has changed the discretion. It was more malevolent in its original form. As it is, it is bad enough. It should not be there. There is no need for it to be there, and I urge the Minister to withdraw it so that we will not have to divide the House. It is going to do no good for the people of the province of Ontario. You do not need that section; take it out.

Mr. Chairman: The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Chairman, I am in a quandary about the section and the correlative provision of section 74 which includes these new offences – that is the offences in sections 8 and 11—as offences for which a person may be arrested without a warrant.

I would like to clarify my thinking because I cannot keep it straight in my head, and I would like very much, in the course of this, if we could at least clarify what we are talking about.

The Minister of Transport has said that the public interest requires that in the circumstances where the operator of a motor vehicle, be he the owner or a chauffeur, whoever that person is, is obligated first of all to produce a licence. If he does not produce the licence, then he is guilty of an offence under the Act and could be summonsed for it and charged in the usual way.

The Minister obviously recognized, after the remarks which were made on second reading of the bill, that his clause had gone much too far. It had left the question of the decision about the identity of the person driving the car to be, or the proof of the identity to be, a matter for the decision of the constable. That automatically would mean that a constable, in fact, could carry out an arbitrary arrest.

Now, part of my quandary is that the Minister has amended the section to say that when a person cannot produce his licence—which is required by The Highway Traffic Act and has been for a long time; he now provides that you have to give evidence of your identity to the constable. But it goes on to say that if you give your name and address correctly, that is sufficient. Now that is the first problem.

If you are stopped, you are unable to produce your license, but you give the constable your correct name and address, then you leave the constable and the operator of the vehicle in a very difficult position. If the police constable accepts the statement of the operator that the name and address is correct, then no problem. If he does not accept it as correct—and I am ruling out the case of false statement, I think a false statement is grounds for a charge of obstructing the police anyway—if you vouchsafe a name and address and give the wrong one, then I think you are obstructing the police officer in the execution of his duties.

So what I am talking about is the situation in which I have given the correct name and address and the police constable does not believe me. He then goes on to pose the next question. Either he is going to delay me unduly in the progress of my journey, or he is going to require me to go with him under some form of detention to decide whether or not I have, in fact, given the correct name and address.

The rule is, and this amendment to the statute does not improve it in any way, if I give my correct name and address, assuming for the moment that I accept the amendment to the clause that the Minister has put in, if I have given my correct name and address and he detains me, restricts my movements, or requires me or endeavours to require me to accompany him to some place where he can check the accuracy of my statement, then he has detained me without any power to arrest me.

Now, if that is the situation in which we are going to be in, he is going to be charged with unlawful arrest. If I have given my correct name and address and he does not believe me he fails to exercise his power of arrest under section 74, but nevertheless detains me in the course of my journey, or attempts to require me to go somewhere while he has an opportunity to check upon my address, then he has, in fact, subjected me to an unlawful arrest.

So that is my first problem. My first problem, if I can state it distinctly, is that if you vouchsafe a name and address to a police officer when he asks you a question about your name and address, if you give any, you must give your correct one.

Now, if I have given the correct one under this amended section, then I think you pose serious problems for the police officer in terms of any further detention of me in the course of my journey, or any endeavour to take me somewhere in order to check on my identification; to substantiate the fact that I have told him my correct name and address.

Again, ruling out the question whether I have given an incorrect name and address, and this amendment to this section is passed the way it is, then there is no problem because in the case of a false name and address I would have been obstructing him and he would have to move to arrest me immediately for obstructing him in the course of his duty.

But merely with this section in the clause, I as a citizen will now be required to give my correct name and address. If I give it,

then the constable himself, if he does not arrest me and give the reason for my arrest, is in serious difficulty. I do not think the Minister, on reflection, wants to place the police officer in that position.

To be perfectly clear about the position of a citizen, whether he is a pedestrian or in a vehicle, apart altogether from this question of producing the licence which he is unable to do, that is the only act that the statute makes an offence, the failure to produce the licence.

It does not require you to say anything, you do not have to communicate with the police constable at all. If he says to you, "I want to see your licence," you do not have to open your mouth. If you have your licence, fine. If you have not got your licence, then the police constable says to you, "What is your name and address?" you are back in the situation where you do not have to disclose it. This is the problem the Minister is faced with.

Hon. Mr. Wishart: Mr. Chairman, I just want to ask the hon. member, if he sees it the way I do. You are asked to produce your licence. It is still an offence if you do not, but not arrestable.

Mr. Singer: That is right.

Mr. J. Renwick: That is the point.

Hon. Mr. Wishart: Yes, but I thought that point was over-skipped a little bit. The member said that if he was asked to produce his licence he did not have to open his mouth to identify himself. But if you produce your licence, that is all you have to do. You are identified.

Mr. J. Renwick: We are in complete agreement that that is an offence and that the policeman is then in the difficulty, if you cannot produce your licence, of finding out who it is who is driving that vehicle. This is where there is merit in trying to cover the gap which the Minister has recommended in this amended section.

The first one was very poorly done. The second one had some more merit in it, but I still suggest it is, when you really try to think the thing out, quite inadequate.

Let me go back to the fundamentals about the obligation of a person so far as his name and address are concerned, and accompanying the police for the purposes of identification. The latest case—and I think the authority accepted in the Ontario courts at the present time—is the English Court of Appeal decision in 1966, reported in 1966 2 *All England Law Reports* at page 649.

I want to give the facts of the case, the decision which was made, and the arguments which were made in order to point up very clearly the fundamental right that a citizen has not to disclose his identity. That must be the starting point for any consideration of a move by statute to curtail that right.

The case cited is Rice and Connolly. Rice was the man who was stopped by the police officer, and Connolly was the chief constable of the particular borough. Baillie was the constable who stopped Mr. Rice on the street.

Mr. G. A. Kerr (Halton West): Was he driving a car?

Mr. J. Renwick: No, he was not driving a motor vehicle, but I am saying in the absence of the—

Mr. Kerr: There is a big difference.

Mr. J. Renwick: In the absence of The Highway Traffic Act, this would be the position of a citizen, whether he was driving a motor vehicle, a passenger in a motor vehicle or a pedestrian on the street.

Mr. Singer: Or flying an airplane.

Mr. J. Renwick: Yes, doing anything. I think we have to deal with that principle before we come on to the problem that the member for Halton West raises, where he says that makes all the difference in the world. Well, I hope he will try and clarify for me why I should accept the Minister's amendment, because I do not think we can.

Mr. Singer: There are always other provisions in The Criminal Code.

Mr. J. Renwick: The facts of this case show the extent to which you can, in fact, hide your identity, maintain your privacy in such circumstances. In the early hours of the morning of March 8, 1965, Police Constable Baillie was out on patrol duty in and around Oxford Street, Grimsby. A number of break-in offences had been committed that night and the officer was looking out to see if he could see anyone behaving suspiciously.

One of these break-ins had been committed quite close to where he was within the previous 45 minutes. He saw a man who turned out to be the appellant behaving suspiciously—looking into shop windows, looking around, seeing the constable, moving up a side street, coming back later from the side street, going

along looking at further shops and keeping a wary eye on the constable.

A time came when Police Constable Baillie, who had then been joined by another police constable, went up and stopped the appellant.

Police Constable Baillie asked where he was going and the appellant ignored the enquiry though he heard it. The police constable again asked him where he was going, where he had come from and for his name and address. Whereupon the appellant replied, "Give me a good reason why I should."

In due course, the appellant was allowed to walk away and when he had got a little distance away he stopped to light his pipe. The police officers then saw that he had got a cut on his finger. They went up to him and again Police Constable Baillie asked for his name and address. After being asked the second time, he merely replied, "Rice, Convamore Road". That, incidentally, was true as far as it went.

The police constable said that he wanted his full name and address, but the appellant refused to give it. Finally, the police constable asked the appellant to accompany him to a police box to confirm his identity, whereupon the appellant replied, "Look, son, I am not moving from this spot. If you want me you will have to arrest me."

Hon. Mr. Grossman: He was asking for it.

Mr. J. Renwick: Thereupon the police constable arrested him and gave as the ground for arrest that he had obstructed him in the execution of his duty in that he refused to say where he was going, where he had come from, had refused to give his full name and address and had refused to accompany him to the police box.

Those were the facts as found by the recorder, with these additions, that throughout, the appellant's manner had been sarcastic and awkward. When long after the arrest he was seen by an inspector, the appellant said, "I've been arrested. It might be worth a bob or two to me. I've done nothing wrong. I'm arrested. What are you going to do?"

He was convicted in the first instance and appealed to the court of appeal and the arguments that were put were as follows:

For Mr. Rice, the appellant, it was contended that although a police officer acting in the execution of his duty was entitled to ask a citizen questions, including questions as to his name and address, there was no legal duty on the citizen, in the absence of some obligation imposed by statute—and there was no such statute applicable in the present case—to answer such questions. Nor, in the absence of some statutory duty, and there was none in the present case, was there any duty on a citizen to accompany a police officer anywhere in order that his identity might be investigated. The citizen had a right to refuse to answer the questions put to him by the constable, and to refuse to accompany him to the police box.

It followed, so it was contended, that the constable could not lawfully require answers to his questions, and could not lawfully require the appellant to accompany him to the policebox, and that the appellant's conduct had not amounted to an obstruction of the constable in the execution of his duty.

For the chief of police of Grimsby it was argued that at common law the citizen had a duty to assist the police in the investigation of crime, and that there was, therefore, a legal duty on the appellant to answer the constable's questions and to accompany him to the police box for the purpose stated; that the appellant had not discharged that legal duty and that he had, therefore, obstructed the constable in the execution of his duty.

That is the point, Mr. Chairman—if I may interrupt my comments about this particular case—where I see the problem. I am almost persuaded in my own mind that the actual amendment of the section is a necessary corollary of the law of the province under The Highway Traffic Act. To operate a motor vehicle you must have a licence; if you do not have a licence that is an offence for which you can be summonsed, not arrested, and on failure to produce that licence the constable should be able to require you to identify yourself, and you identify yourself by giving the correct name and address.

The constable then runs into the problem that if he does not believe you he is going either to have to arrest you, in which case there is going to be an unlawful arrest because you have given a correct name and address; if he does not arrest you for that reason and asks you to accompany him to identify yourself or corroborate that identification and he detains you in the progress of your journey, then he is subjecting himself to a charge of unlawful arrest during that period of time.

He will have curtailed and circumvented you from carrying out what the purpose of your journey was. That is the problem. That is the very problem by a very close analogy to that which Mr. Rice faced.

Did he have to go to the police box in order that the police constable could corroborate his identification? Remember, in this case, while he had not given his whole address, he had given his right surname and he had given the correct name of the street on which he lived.

Under this statute, presumably one could say to give his correct name he would have had to give his Christian name and his surname and he would have had to give the street on which he lived and the actual number of the street.

Now, Chief Justice Parker, Lord Parker, in giving his decision, because the man was charged with obstructing the police, has this to say. I am not reading the whole of the judgment:

> What the prosecution have to prove is that there was an obstructing of a constable; that the constable was at the time acting in the execution of his duty; and that the person obstructing did so wilfully.
>
> To obstruct is to do any act which makes it more difficult for the police to carry out their duties. It is also, in my judgment, clear that it is part of the obligations and duties of a police constable to take all steps which appear to him necessary for keeping the peace, for preventing crime or for protecting property from criminal injury. There is no exhaustive definition of the powers of the police, but they are at least those, and they would further include the duties to detect crime and to bring an offender to justice.
>
> It is quite clear that the appellant was making if more difficult for the police to carry out their duties, and that the police at the time and throughout were acting in accordance with their duties. The only remaining element of the alleged offence, and the one in which my judgment this case depends, is whether the obstructing of which the appellant was guilty was a wilful obstruction.
>
> Wilful, in this context, in my judgment, means not only intentional, but also connotes something which is done without lawful excuse and that, indeed, is conceded by counsel who appears for the prosecution in this case. Accordingly, the sole question here is whether the appellant had a lawful excuse for refusing to answer the questions put to him. In my judgment he had. It seems to me quite clear that though every citizen has a moral duty, or if you like, a social duty to assist the police, there is no legal duty to that effect, and indeed the whole basis of the common law is that right of the individual to refuse to answer questions put to him by persons in authority and to refuse to accompany those in authority to any particular place, short, of course, of arrest.
>
> Counsel for the respondent has pointed out that undoubtedly an obstruction has been so held for a person questioned by the police to tell a cock and bull story, to put the police off by giving them false information, and so on. In my judgment there is all the difference in the world between deliberately telling a false story, something which on no view a citizen has a right to do and preserving silence, or refusing to answer something which he has every right to do.
>
> Accordingly, in my judgment looked on in that perfectly general way, it was not shown that the refusal of the appellant to answer the questions or to accompany the police officer in the first instance to the police box was an obstruction without lawful excuse.

Mr. Singer: That is exactly what Chief Justice Dalton Wells said too.

Mr. J. Renwick: That was a unanimous decision of the court of appeal in England. But my point, and where I would like to have some clarification before we can support the automatic arrest provision, contained in section 74 of the Act, which directly relates to the amendment of these two clauses, 8 and 11, providing for this method of proving identity yourself. Before we can accept it I do not think we can leave it open as to what happens if the police officer does not believe the person who has given his correct name and address. I think you impose a position on the police officer which is totally untenable. I do not think you can place him in the position where he is arresting me under the guise of exercising the power of arrest in section 74, and then find that in fact I have given my correct name and address. And if he does not exercise the power to arrest under that section, and simply calls in question that he wants to detain me in some way until he corroborates what I have told him, then he is subject to a suit for unlawful arrest because he cannot give the reason for carrying out the arrest, even though he has arrested me by simply detaining me.

Therefore, in the absence of some further comment in the debate, I feel that we should —much as I can see the merit of the two amendments to clauses 8 and 11, as amended

which the Minister has introduced—until we solve the problem of arbitrary arrest—which I think it hinges on this question of what happens if the correct name and address is given under the proposed amendment and the constable does not believe it, and what is the position of that constable—until that is solved I think we will have to vote against these particular amendments. However, I hope in the course of the debate that we can clarify this fundamental problem.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, if I may quote a little more of McRuer, which seems to me to run against his concerted or advised opinion later on about the whole picture of arrest involved, he says at page 726:

> An arrest is irreversible. The person arrested must remain in custody until trial, unless admitted to bail, and even if admitted to bail he is not entirely free. He is subject to further order of the court and may be taken into custody if bail is cancelled. Under our way of life, an arrest always has some stigma attached to it.

He goes on to say:

> The concept of the power of arrest is a legacy from the common law when all felons were arrested—

And just to depart from the text, felonies were extremely grave crimes. They were crimes like murder, and manslaughter, burglary and what not. Not petty larceny and not petty offences.

> —when all felons were arrested and there were hundreds of offences punishable by execution. At that time everything criminal was treated with such severity that the means by which the proceedings were commenced were relative. The development of civilization has been measured to some extent by the manner in which offenders against the law have been treated, and likewise by the manner in which powers to put restraint on the liberty of the subject have been dispensed by legislative bodies.

And then he goes on further down the page, jumping a paragraph or two.

> Where the power of arrest without a warrant is given by statute, it confers on police officers a power of decision affecting the liberty of a subject. It is an administrative act, not a judicial one. If the power of arrest is exercised, when a summons would be sufficient, the subject has no redress. It is left entirely to the person exercising the power to determine whether the individual involved will be restrained of his liberty with all the attendant personal consequences.
>
> One of the outstanding Crown attorneys in Ontario stated to the commission: "Apparently officers only rarely exercise any discretion as to whether it is necessary to arrest a person rather than to summons him. Some simply are not aware that the discretion exists. Others view arrest as a sort of pre-trial. Others still view it as more convenient. Plainly there are too many unnecessary arrests without a warrant."

Finally, McRuer comes down saying:

> Before the Legislature confers a power peremptorily to deprive an individual of his liberty, two questions should always be answered:
>
> 1. Is the power necessary?
>
> 2. Will the exercise of the power impose a punishment out of all proportion to the penalty that might be imposed by a judicial officer if the person is found guilty of the alleged offence?

And I think, taking these sweeping powers, without the nice discriminations that should be imposed on police officers under this bill, that both questions must be answered in the negative.

As has been pointed out by the hon. member for Downsview, there is at the disposal of the police officer numerous powers of arrest arising directly out of the operation of motor vehicles, and the possession of motor vehicles. I mean, the whole business of driving with ability impaired, or if a constable with good reason suspects that the vehicle is being used for any foul purpose in the forwarding or the commission of, or the actual consummation of, any indictable offence; if that vehicle is used for drug smuggling or trafficking; if that vehicle is being used for purposes of theft, or has been; if there are stolen goods aboard the vehicle; if the vehicle itself is a stolen vehicle. This gives to the officer, under The Criminal Code the full powers to effect an arrest on the spot with or without identification, or any other thing.

The whole tenor, as I said the other day, of your legislation, bearing upon this particular point, if not quite Draconian in its effects, is unquestionably severe. You have a whole panoply of other instruments, you have the demerit point system—whatever happened to that, I have not heard it particularly

mentioned. You have all the fines and penalties presently in your legislation, but you bring to bear this extra strapping, this extra piece of onerous penalty on the head of the citizen. Far from being the protectors of human liberties, as Tories sometimes vaunt themselves to be, this kind of legislation runs contrary to the grain.

This is not forwarding the cause of human liberty. If the constable, as in most instances they are, equipped with radios, he can check immediately if he so wishes. They have got to be careful about detaining a citizen unnecessarily because however subtle the action may be, that the detention very easily could be construed as an arrest simply because the citizen, asserting his rights, tries to be amenable at the same time and conveniences the police officer by standing in attendance or accompanying him in some direction. It may not be sufficient.

The law is fairly clear on that point and I see no reason, with the instruments at the officer's disposal to communicate and with the added powers conferred already under the criminal code, why you feel that this extra step is necessary. It is already in your legislation to say, "Well, we are going to get tough." Drew is going to get tough with the students; the Minister of Transport is going to get tough with the citizenry and the drivers of the province. This "getting tough" business seems to be somewhat juvenile in the face of other possibly more civilized procedures.

In any event I feel that we should oppose this measure. It is a tricky point. If somebody refuses to produce his licence he can, of course, be summonsed on that. I would have thought that that would be adequate; particularly with the fact that the car and the licence are there and the checking can take place. If necessary, pursuit can be radioed through. Why place the extra restrictions upon the ambit of our liberties? Why should not this government and these terms be reversed and resisted, to the best of our ability? We fight the ongoing eroding influence of increased police powers and their constant pressure to assert more powers over the citizenry. Through your instrumentalities, the year 1984 comes on apace.

Why we must throw our weight against that; and why you should not be a martinet in the doorway, preventing instead of forwarding this sort of clause, escapes me.

Mr. E. W. Sopha (Sudbury): Mr. Chairman, it is apt to ask in relation to this section just what is the compass of vice—to use the lawyer's phrase—that is being sought to be circumscribed by the government. Several of my colleagues in the legal profession on this side of the House have made remarks that are very germane and apposite in relation to it.

They have said very aptly that what the Minister of Transport is dealing with here is not the citizen who has committed a breach of the law. He is dealing with the citizen who comes under the purview, the ambit of the police officer's investigation in some way or other and after a most searching scrutiny that citizen has not given any indication whatsoever that he has broken any law. The policeman can resort to the veritable cornucopia of offences available to him in the statutes to exercise the powers that are sought to be exercised.

The most common point of contact of the policeman with the motorist is when there has been a collision. Until the new argot was coined by the Minister of Transport, we called them accidents. But they are not to be called that anymore because he wants to venture into the pejorative phrase and call them collisions. If you are a defendant's lawyer I suppose you call them accidents. If you are a plaintiff's lawyer you want to use a more extreme term.

But the moment the policeman comes upon the motorist who has been involved in an accident, however minor, the merest scraping of the fenders, far short of any personal damage, then we exercise the power granted to him by section 2215 of The Criminal Code and 143 of The Highway Traffic Act. Both motorists are obliged to provide their names and addresses.

And indeed, one of the sections—I forget which one, probably The Highway Traffic Act, because this government has far more imagination in such matters than the Ottawa government—requires that if the motorist himself is disabled, one of the surviving uninjured passengers who is *compos mentis* at the time, must provide the information for him. He must give the motorist's name and address to the police officer. And I think one of the statutes goes so far as to say that if the policeman is not on the scene, you are obliged to seek him out and give the necessary details.

My friend from Downsview has mentioned impaired driving, driving while intoxicated, careless driving, all sorts of offences to which this section is not relevant in many ways. So here we have the motorist who has not done anything. The policeman has leaned in the window and with that acute nasal

sense given only to policemen, he has not detected the faintest smell of alcohol.

Mr. Worton: He should come around here some time.

Mr. Sopha: That is a very apposite comment, the most apposite comment in recent months. I do not share the burden of that aspersion.

There is nothing wrong with the car, every thing appears to be absolutely hunky-dory and the motorist might proceed on his way. But, for some reason or other, the policeman wants to see the motorist's licence, which he has not got with him. This is a policeman with a lot of time on his hands. Indeed, he could be about the business of enforcing the Queen's peace elsewhere, but he has a ready ally in the Minister of Transport. The Minister of Transport comes to his assistance and requires that motorist to do something else. And as my friend from Riverdale points out, at his peril of giving the correct name and address, the policeman has the right to arrest him.

It is only too true that we, in the Opposition, have a tremendous responsibility on us, in carrying out the function imposed upon us by the system of resisting an encroachment on the civil rights of individuals.

One notes that just over the weekend, the Canadian Safety Council meeting somewhere advocated that motorists be armed with a card with their fingerprints and photograph on it. That might please the Minister of Transport and those who report to him, but one of the participants in that discussion adverted to the fact that such a suggestion might cause the defenders of civil liberties to become somewhat exercised. And if the proponent of that view means us, sitting in the Opposition, then he or she is perfectly correct—

Hon. Mr. Grossman: He did not mean you.

Mr. Singer: He did not mean you, that is for sure.

Mr. Sopha: As my friend from Downsview very aptly says, he does not mean the Minister of Correctional Services, if he is to vote for this bill.

Mr. Singer: That is right.

Mr. Sopha: If he votes for this bill he will forever—

Hon. Mr. Grossman: I am a member of the executive of a civil liberties organization.

Mr. Sopha: —he will forever damn himself by indicating the side that he is on in it—

Hon. Mr. Grossman: I am with the civil liberties group, remember!

Mr. Sopha: Notwithstanding the interventions of the Minister of Correctional Services, this is a very important area of civil liberties. In this cybernetic, nuclear, technotronic age, I query whether it is really necessary, advisable, requisite, efficient, for the citizen who has done nothing, broken no statute, behaved with entire propriety, to be required to furnish to any person his driver's licence or his name or address; such a citizen, upon whom the most searching scrutiny of the police force is fastened, is entitled to go about his business and not be detained in any way.

What is the other side? I will give you a recent illustration. Four youths are arrested as a result of a crackdown initiated by the local newspaper carrying what it thinks is its function in the democratic process. Four youths, two of whom happened to have beards, and two of whom happened to have long hair, are arrested, taken into the custody of the police and photographed and fingerprinted, on an offence punishable on summary conviction.

When it is drawn to the attention of the police authorities that such procedures may only take place upon arrest on indictable offences, the chief of police replies: "Oh yes, but you know that we always try to get the fingerprints and photographs of anybody that comes into the police station, anybody we get at all."

If you go into report that your dog is lost, you are in danger, I suppose! But it shows the proclivity of people to encroach upon the area of civil liberties and it is a sad thing to say that in many ways they are not deterred by the chief law officer of the Crown, the Attorney General, who should be telling the Minister of Transport—

An hon. member: Take it easy!

Mr. Sopha: Take it easy, that is a good phrase.

Mr. Singer: We do not need the section!

Mr. Sopha: We do not need that section. It does not serve any useful purpose. In an age that likes statistics, how many such people are stopped by the police in the course of a year? I would venture to say the number is very minimal, whereas it might be hurled at us by saying, "Well, what are you worried about if there are only a few people who

come under this circumscription?" Then the answer is obvious, because if it affects only a few members of society, the section is not needed at all. The Minister of Transport does not have to arm the Act with the teeth that such a section gives.

I read in the press over the weekend—I was not here Friday; I wish I had been to hear that debate—the comments made by my friend from Downsview, and they were very trenchant and pertinent. And it became clear that the Minister of Transport, anticipating the ire he would arouse in this House, beat a retreat from the previous section, which was absolutely reprehensible any way that you look at it. It makes me wonder what responsibility for supervision the Attorney General is taking in respect of the statutes of this province. Surely these statutes come to the council table—the executive council table. We do not know that they do, that procedure being held entirely *in camera*, but we have the example of a statute of some years ago that heralded the entry of the member for Sault Ste. Marie into the post of chief law officer of the Crown—

Mr. Singer: I remember that very well.

Mr. Sopha: —and what ought to have been done at the council table on that occasion? But this is the responsibility of the whole Cabinet, and one wonders what arguments the Minister of Transport made to his Cabinet colleagues. What vice—and that is a lawyer's phrase—what vice is sought to be eliminated? What were the proportions of the damage done to the public weal in this respect that he persuaded the Provincial Secretary (Mr. Welch), a lawyer; the Minister of Financial and Commercial Affairs (Mr. Rowntree); the Attorney General—I do not think there are any more members of the Bar among their numbers—and the Prime Minister.

Hon. Mr. Grossman: Does the hon. member not think that non-lawyers are interested?

Mr. Sopha: Indeed, the Prime Minister himself. But the numbers of—

Mr. Singer: The civil liberties member!

Mr. Sopha: The Minister of Correctional Services?

Mr. Singer: Yes, I wonder if he raised the question?

Mr. Sopha: The number of lawyers in that Cabinet council is decreasing. The few that remain are not exercising a good deal of supervision over the legislation that is emanating from it.

Speaking for myself and the law-abiding people of Sudbury who will come within the purview of this section—it is only the law-abiding—I challenge anybody to get up in the House and show us how any person who is suspected of breaking the law—and it is important to pause at that point and to remind the Minister of Transport, through you, Mr. Chairman, that a police officer's rights to arrest a person are far greater than that of the ordinary citizen. He does not have to show subsequent to the arrest that a crime was in fact committed; all he has to do is go to the extent of showing that he had reasonable and probable grounds to suspect the commission of an offence. That serves to underline the fact that the police officer in these circumstances has enough power without needing reinforcement from the statutes of the province, such as the Minister of Transport seeks to give us.

Really, my challenge to the Minister of Transport, to the chief law officer of the Crown, is to show us where any activity is so widespread in Ontario presently, through the failure of citizens to produce their driver's licence or to exhibit contumacious response to police enquiry that it is needful that the Legislature of Ontario come to the assistance of the police in this regard. Now this is a matter of great humour to the Minister of Correctional Services. Throughout the course of this debate, he has sat there laughing and scratching himself about it—reminiscent of someone you see in a—

Hon. Mr. Grossman: Mr. Chairman, I must rise on a point of order. I was neither laughing nor scratching myself. I think the hon. member is becoming so hypnotized with the sound of his own voice he cannot even see straight. I have been sitting here listening patiently to every speaker, which is much more than I can say for the hon. member. When he is through, he will probably walk out.

Mr. Sopha: Well, I merely report what my eyes tell me, and I am sure my colleague from Downsview will corroborate. During the whole of the course of my remarks the Minister of Correctional Services, the Attorney General and the Provincial Secretary have been sitting there regaling themselves with some humorous communications.

Hon. Mr. Grossman: We were really trying to translate some of your language.

Hon. Mr. Wishart: We were enjoying your dissertation.

Mr. Sopha: I do not care what the Minister says; that in fact is what has occurred. It is not that I ever seek to have an audience or require or indicate that I want people to listen to me. I merely call attention to the fact that it is a serious business, and part of my remarks I directed to two of the three sitting there; indeed, I encompassed all three of them at one point. I felt it appropriate to call your attention to the behaviour of the Minister of Correctional Services, a man who has sat on important civil liberties organizations in this province previously.

Hon. Mr. Grossman: I have been sitting here listening to you which you ought to appreciate.

Mr. Sopha: And he so distracted the Attorney General—

Mr. Chairman: Would the hon. member please stick to the amendment?

Mr. Sopha: He so distracted the Attorney General that the Attorney General perhaps did not hear my challenge. I will repeat it. I would like him to show us evidence of a widespread abuse of the matter sought to be prohibited here in Ontario, which has become so rampant in our motoring population that it is needful for the Legislature to fill the gap.

That is the type of thing we would like to hear, because the work of the Legislature, of course, is to pass legislation that attacks at the very root, conduct or behaviour of phenomena that exist in the province that need a remedy and that demand a remedy.

The Attorney General, therefore, Mr. Chairman, should tell us where difficulty has been encountered in this area. It seems to me and I call upon your own experience, Mr. Chairman, which I am sure will be similar in this respect, that when a police officer stops a motorist and parks his cruiser behind the car, during the course of the time that the officer is walking from the cruiser up to the motorist's car, the motorist has wound down the window and is in the process of getting his licence out, and getting his insurance papers out so that by the time the policeman gets there, the motorist has them ready to hand to him. He knows his responsibilities. It is ordinary conduct; he realizes the requirement to identify himself and obligingly, voluntarily and gratuitously has the papers ready for the police officer.

If there are numbers of people that do not do that and if their proportions are increasing, then the Minister of Transport and the Attorney General, who is responsible for a police force numbering more, I think, than 4,000 people, should tell us about the experiences that have been encountered that require us now to act. If, as I suspect, on the other hand, there is only a bare minimum, an insignificant number of people who would be contumacious enough not to produce their licences, etc., then again, I ask, what is the necessity for these far-ranging powers? May the Lord forbid that we as a Legislature ever attempt to expunge in entirety, the supreme manifestation of individualism, of some individual in this society who is prepared to sit in the car, so taken up by the rights of the individual, that seeing the policeman—

Hon. Mr. Grossman: May I point out to the hon. member that his two colleagues are laughing.

Mr. Sopha: That is about the measure of your contribution.

Hon. Mr. Grossman: Well it is the measure of theirs also.

Mr. Sopha: That the individual, so inured with his conception of individual liberty, is prepared to sit there and say, "The hell with it, I will not tell him whom I am and I have not got my driver's licence with me." A Legislature of 117 people, the sovereign body in the province, should not be called upon in such circumstances to spend its time in passing legislation that arms the policeman with powers of arrest because of that. We are concerned with vices that are widespread across the province and section 14 as it stood was quite sufficient. It compels the motorist to carry and produce his driver's licence.

The policeman may act in a summary manner if he does not get it. I do not know how he gets the identity. He follows him; he follows him till he comes to roost somewhere and he says, to someone who is there, "Well, that is John Doe. Where does he live? He lives on Chestnut Street." And he gets out a summons and summons him before the provincial judge. I bet if you totalled up the numbers that you had to do that to in a year, the Attorney General would be able to count them at the end of one year on the fingers of one hand.

An hon. member: Right!

Mr. Sopha: The fingers of one hand, that would be the number that would be encountered in the whole of Ontario. But instead the Minister of Transport comes in

here, indiscreetly in the face of the recommendations made by Mr. McRuer, able jurist that he was, who in one section of the report said we should drastically reduce the number of offences under which people may be arrested without warrant. We should cut them down to a bare minimum. The Attorney General agreed with that. The Attorney General says, as a matter of policy, that I was quoting to Judge Fowriezos only last week, I was using the name of Arthur Wishart in the courts and the Attorney General, as a matter of policy said, on summary conviction offences, people should be summoned, they should not be arrested at all.

Mr. Singer: Well this shows how consistent he is.

Mr. Sopha: I told Judge Fowriezos. Judge Fowriezos nodded his assent. After all, the Minister of Justice appointed him about three months ago. He agrees with that. That is the trend of the law, to keep people out of jail, and Mr. McRuer recognized that trend. Incidentally, I cannot resist saying that Justice Stewart, the other day in quoting—funny Mr. McRuer means different things to different people—in quoting Mr. McRuer, Justice Stewart quoted the opposite of what he said.

The poor man, he has become such a divining rod, and he has become such a source of inspiration, like the Bible it is possible to interpret various things from what he says. But on this he is absolutely clear, he wants to cut down the number of offences under which people may be arrested and cut down the powers of arrest under provincial statutes.

Finally, the criminal law being within the purview of the Parliament of Canada, it is fit and proper that the powers of police to arrest people should be consummate with the crimes declared to be such by the Parliament of Canada. This Legislature is not concerned with crime. It is outside our jurisdiction. And ultimately, in the provincial statutes to find sections under which there is a power of arrest, you should really have to scratch hard. You should really have to scratch hard because the moment that conduct becomes widespread and offensive to the majority of the citizenry, that it becomes a rebuff to good taste and to wise discretion, then the Parliament of Canada is called upon to declare it unlawful.

That is their function under the power of the criminal law. So really we should be in a process of absolutely reducing the powers of police to arrest people under provincial statutes, but that is not what the Minister of Transport is doing.

He comes in with two more. Instead of reducing them, he wants to add to them. We would be divesting ourselves of our responsibility on this side of the House if we acceded to that trend. We cannot. We must resist it. Indeed, we must stand up for the liberty of the individual.

The crushing thing about the action of the Minister of Transport is that now he is directing the powers of the police in the state toward the law-abiding individual, because that one, that mythical person within the four corners of that statute, is the person who has done nothing to offend the law.

He may have done something to offend the policeman, but he has done nothing to offend the law. If he had, the Attorney General well knows that the policeman has a plethora of sections with which to take him down to the station house for further investigation, and if nothing else, in the reasonable and probable grounds which is one of the most offensive weapons in the policeman's arsenal.

A number of points have been put in relation to it, and a number of challenges have been thrown out. Let these Ministers of the Crown get up and tell us. We will not have the advantage of hearing from the Minister of Correctional Services because he has ducked out. He has copped out of it, the way some of our youth do. He has gone, flown the coop. He could not stand the gaff, I guess, but we are left with three of the high-priced help. We have Buddha in the second row, and we have got the two that are ultimately and immediately responsible. The question is, which one gets up first to defend these two foolish sections?

Mr. Chairman: The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, it looks as if the Attorney General is getting some advice from one of his supporters that might very well be given publicly for the edification of the House.

The thing that concerns me about the amendment is to whom is this particular amendment directed? There has been no indication from anyone on the government side as to what particular crimes are going to be controlled by giving this further power of arrest. I doubt very much if a citizen of the province, making his way over the King's Highway in one of the black limousines that we see from time to time leaving the parking lot of the Parliament Buildings, would be

stopped for the purposes of identification that would be attributable to this amendment if it were carried.

I think of the people who drive out from the city of Hamilton to do a little hunting out in the countryside round about that city, and particularly those of Italian extraction who like to do this. It is of great interest to them. I have had many of them come to my own farm who perhaps know enough English to get their driver's permit. But if they were questioned by a police officer, even though they were very carefully going upon their way, they might not be able to understand in all detail what was required under this section as far as the police officer was concerned.

The Attorney General said earlier in the day, under another circumstance, that he was anxious that the law be applied even-handed here. It certainly is questionable, in my mind, if the intent of this amendment is even-handed justice. It is those perhaps who would be less in a position to defend themselves as far as the police officer is concerned who would be most in danger of the kind of arrest that this section would make possible.

It is a real question if this power is necessary. I think the previous speakers—certainly the member for Sudbury, to whom I listened with much attention—have brought before the House a real question as to whether or not the other sections of The Criminal Code and The Highway Traffic Act do not cover any possible eventuality for arrest, and that this is designed to give the power of arrest to that person who is stopped for reasons that may not be justifiable in any extension of the imagination.

I have a short quotation from the McRuer report, from page 727, where he says:

> Before the Legislature confers a power peremptorily to deprive an individual of his liberty, two questions should always be asked.
>
> The first, is the power necessary, and the second, will the exercise of the power impose a punishment out of all proportion to the penalty that might be imposed by a judicial officer if the person is found guilty of the alleged offence.

I think those are two questions that the hon. gentleman puts before us for our consideration. I doubt very much if the Attorney General or the Minister of Transport can give satisfactory answers to that question in support of the amendment that they put before us today.

The Minister of Transport has backed down considerably from his requirements that he put before the House when he introduced the bill on first reading. Still, I think that the need of the section is questionable in its entirety, and that a sensible member of this House in opposition or in support of the government will simply vote against its being given approval by the committee.

Mr. J. Renwick: Mr. Chairman, I think it would be appropriate at this time to propose the amendment that all the words after the word "repealed" in clause 8 of Bill 105 be deleted.

Mr. Chairman: Mr. J. Renwick moves that all the words after the word "repealed" in clause 8 of Bill 105—now is that in the amended clause?

Mr. Singer: He meant Bill 105, not clause 105.

Mr. Chairman: No, he said clause 8 of Bill 105. Does the hon. member refer to the amendment now before the committee?

Mr. J. Renwick: Yes, that all the words after the word "repealed" in clause 8 of Bill 105 be deleted.

Mr. Chairman: Well, this amendment is not an amendment to the motion before the committee; it is an amendment to clause 8 as it appears in the bill.

Mr. Singer: Clause 8 as amended. The Minister has moved an amendment; he is moving it further.

Mr. Chairman: Well, I cannot accept two separate motions at the same time. I mean this is a separate motion and we already have a motion before us. Only one motion may be before the committee at one time.

Hon. I. Haskett (Minister of Transport): Mr. Chairman, it seems to me that the motion being offered by the member for Riverdale is a separate motion and could be made after we have dealt with the amendment to the section and before passing the section, if he is so minded.

Mr. Chairman: The only thing is that when a motion to amend a particular section is defeated, that particular section carries. So if the motion of the hon. Minister is defeated, section 8 as it appears in the bill will carry.

Mr. Singer: No.

Mr. Chairman: Yes. If the motion of the hon. Minister is carried, then further debate

may be entertained, and I would accept the motion from the hon. member for Riverdale at that time.

Mr. J. Renwick: Mr. Chairman, with that clarification I will withdraw the motion.

Mr. Chairman: Right. We still have before us the amendment moved by the hon. Minister. Is there any further debate or does the hon. Minister wish to reply?

Hon. Mr. Haskett: Mr. Chairman, I feel it rather incumbent upon me to say something after this rather edifying debate from the time this bill was called on Friday. We have heard a succession of orations from a number of very learned members of the law, and I have listened carefully to what has been said by each one. I have tried to appraise its significance and rationalize what was offered and endeavoured to assess its relevance to what we are discussing here now.

When I introduced this bill, I pointed out very clearly what we were seeking to do at that time, and I said that another important change in the Act concerns powers of arrest. In the section listing the offences for which police officers may arrest without a warrant —and perhaps some members should listen to this, because they do not appear to have heard it, nor to have read the bill—I proposed deleting three offences, which seemed inappropriate, concerning the position of the licence plate on vehicles, notification of change in vehicle ownership and notification of change of address. I am proposing also that two new offences be added to the list, namely, failing to remain at the scene of a collision, and the failure of a driver to properly identify himself to a police constable. I think that is very clear in setting forth just what I intended doing. The latter change is part of a significant group of amendments designed to facilitate reasonable enforcement in the public interest.

In the past a driver has been required by law—

Mr. Singer: You have 12 here, and McRuer said you should not have any.

Hon. Mr. Haskett: I was not giving any trouble when I listened before. I listened to the member, and he would not have any interruptions when he was speaking, though I tried to correct things he was saying where I thought he was misleading the House.

In the past, a driver has been required by law to produce his driver's licence at the command of a police constable. But if he failed to do so or displayed it so quickly that it could not be read, a constable had no power to act. The officer could find himself in a position that he could not ascertain the name of a driver he wished to charge and therefore could not lay a charge.

I think the member for Downsview, after he had divested himself of the lecture on civil liberties that he thought the Minister of Transport sorely needed, proceeded to base his argument on the fact that there was no reason why it had to be done; there was no deficiency in the enforcement of the law resulting from the inability of the police officer to get this. Therefore, I am putting in my story—and I used those words when I introduced the bill—and I say to this House now that year after year the chiefs of police of Ontario have come to me and have complained about the way their hands were tied in dealing with situations on the highway where they were dealing with what they considered were serious problems that could not be resolved with the powers given them under section 14 or other sections of the Act. I suggest to you, sir, that it was basically because of that, that the McRuer report spelled out, after having dealt with the powers of arrest that were added to the discussion by the member for Lakeshore.

In succeeding pages, sir, after he had said those things about powers of arrest, he said that he thought the matter could be dealt with if there was that power of arrest given for those refusing to identify themselves.

In my original bill, I dealt with the powers of arrest for failing to identify, and the wording was "to the reasonable satisfaction of the constable." That was a part that I corrected, because I think after listening to arguments and having considered the full significance of it, I was prepared to withdraw. I make no apology for that; I want this bill to be a good bill. I am interested in serving the interests of the public, and so we changed the wording of that.

The hon. member for Downsview tried to point out, in his petulance, when he first started on Friday morning, the whole principle is changed now. He had a lecture for the Minister on civil rights—and he was going to deliver it—and now, of course, he says the change is so minor, what difference does it make. But I spell out for the House, sir, why we have done that. The chiefs of police felt they needed that to deal with the criminal element and others that they encounter.

Now Mr. McRuer said—and we said—first of all, a motor vehicle is a dangerous machine; if it is not carefully used it is a lethal one.

It is a convenient vehicle for the commission of crimes of all sorts. Those who take motor vehicles on the highways have no civil right to do so; they may do so only if they hold a licence for that purpose.

Let us look at this thing in proper sequence and in proper perspective—and we begin with section 14 of the Act, which says under licensing in subsection 1: "Every operator of a motor vehicle shall carry his licence with him at all times." So, for the member for Sudbury, there is the offence.

> Every operator of a motor vehicle shall carry his licence with him at all times while he is in charge of a motor vehicle, and shall produce it when demanded by a constable or by an officer appointed for carrying out provisions of this Act.

So there is the first offence, and then we went on to reinforce that by saying that,

> Every person who is unable or refuses to produce his licence, in accordance with subsection 1, shall when requested by a constable give reasonable identification of himself.

I think that is the language of Mr. McRuer himself, and for purposes of this subsection, the correct name and address of such person shall be deemed to be a reasonable identification.

I turn to what the member for Riverdale had to say, and I think that his reasoned and sound approach to the matter of identification was helpful. However, he went on and dealt with the situation that would evolve if a policeman required the man to give his name and address for identification purposes and receives it, and it was a correct name and address, and he doubted it. What would he do? I think the hon. member for Riverdale went ahead and answered his own question very ably. Because, if the man were arrested after having given his proper name and address, then the policeman is in trouble. I think that is what he said, and I think he would be right. I think the courts will settle that matter, and the police will know how far their rights go. That answer was amplified by the member for Lakeshore, when he said the police have the facilities for very quickly checking out a man's name and address, and I think this is so. I look at the situation as it confronts the enforcement officer on our highways, and I think of the civil rights of people—the civil rights of those who have offended, the civil rights of those the police may have reason to suspect have been involved in commission of crimes, people who may be driving without a licence while a licence is suspended, or while it is prohibited from driving; people who are driving stolen vehicles—they have no right to. All he has to give him, if he is an honest man, is his right name and address. That is what the hon. member for Riverdale was dealing with very adequately, and the member for Lakeshore amplified how the needs of that situation would be met. I say to you that if we are going to expect the police officer to protect the law-abiding citizens, they have to have, in my view, this further power.

We were talking about civil rights, and in this case, we are looking at civil rights of all people. But they seem to divide into two cases—the civil rights of those who have offended, by taking motor vehicles on the highway without the licence that entitles them to do so; already they are lawbreakers in that sense. On the other hand, we have the civil rights of the innocent, of the law-abiding, the reasonable citizens who either will have their licence with them or, failing that, will offer their correct name and address without any difficulty. All we are asking for here is that the police be given what I consider is essential to them in carrying out their duties to protect the general public and other users of the highways. And I suggest to you that the language of the amendment of this subsection 8 in the bill is eminently sensible, and I am sure that the reasonable members will agree with that.

Mr. Singer: The explanation of the Minister makes the case worse than it was when it started. Not only does he not stand there in any humbleness, he says what we did was perfectly reasonable and logical, and what could be more logical than that it is urged by the chiefs of police.

Surely, Mr. Chairman, we do not come here to pass only laws that are urged by the chiefs of police. If there has been this kind of a brief, would we not think that all members would have had the advantage of seeing it? I would like to know if the chiefs of police—either collectively or through an individual spokesman—would be prepared to tell us how many criminals have escaped, because there is not a power to arrest without warrants somebody who refuses to identify himself. I would like to have heard the Minister say that; I would like to have heard the Minister tell us about what incidence of crime has resulted because the police are not able to find out the identity of a driver.

The Minister sidestepped that remark. Instead, he clothed himself in the mantle of self-righteousness, and said that the member

for Downsview was insulting him. Mr. Chairman, I was insulting him, and I will insult any Minister who brings this kind of unrealistic, unfair, autocratic, dictator-like legislation before the House, because I believe it is wrong and I believe it is an invasion of the civil rights of the citizens of this province. And that I will continue to do as long as I am here.

The Minister has given no justification for this; he has not told us why the powers in the Criminal Code that allow arrest without a warrant are not enough. What is the evil, as my colleague from Sudbury said, what is the evil that exists that he is trying to circumscribe? What is he trying to prevent? What wrongdoers are escaping because police officers and the Minister's personal army do not have this power today—let him tell us that. He has not. He mentioned something about stolen vehicles. Is he familiar with the sections in the code about theft, indictable offences? The policeman does his work, and if he has reasonable and probable grounds to believe that an indictable offence has taken place, he can arrest without a warrant. He does not need the additional power that the Minister is trying to give him now.

Mr. Sopha: Right, come down to the station, he says.

Mr. Singer: Sure. "There is a stolen vehicle; you have got it; I have reason to believe that you have stolen it; off we go." He does not need this additional power. What concerns me is what my leader mentioned, that this is going to give the power to the police to effect selectively a kind of enforcement that we are not very happy about. It is much more likely that three young men driving in a car on the Toronto streets—not a new car, and driven by three young men who perhaps do not understand our ways as well as the people who drive an expensive Cadillac—are going to be stopped by the police and suddenly taken down to the station as the police go on a fishing expedition. What bothers me, and I will read the words again, are the words used by Dalton Wells when he examined this particular case, where Dalton Wells says:

> It might be inferred from the conduct of these policemen that, in their opinion, the law governing the right to arrest was simply a pious statement to which one paid lip service, but which, of course, was not allowed to interfere with the more effective and efficient measures of their own devising.

Surely that sums up the whole argument that we have been making—and it is an argument that has in it abundant good sense. We do not want to give them more power; we do not want to listen only to the words of the chiefs of police. If the chiefs of police have briefs to present, let them present them to all members of the Legislature.

One of the latest presentiments made by the chief of police of Metropolitan Toronto was to the effect that nobody should wiretap except him, and when he wants to use his own discretion. I think that is a horrible suggestion. If we only pass laws as suggested by the chiefs of police, why not just move the chiefs of police in here to this Legislature and let them be the lawmakers, not the law enforcers. That is something I cannot subscribe to, Mr. Chairman, and any Minister who suggests that is going to get this sort of treatment in this House.

Finally, sir, I say this: The Minister says:

> The hon. member for Downsview neglected to remark that I have taken out three offences from the statute which gives power to arrest without a warrant, but I put two back in.

In fact, there are 14 that he has left in—14 powers within The Highway Traffic Act to arrest without a warrant, notwithstanding what McRuer said; 14 powers are still there. Surely, Mr. Chairman—and I recognize there is no point in appealing to the Minister of Transport—through you to the Attorney General will prevail upon his ministerial colleague to take this section back and not to give us one more step towards this kind of control being put in the hands of police forces. I think it is wrong.

Are our memories so short that we do not remember Bill 99 and all the public outcry that came as a result of that? As my colleague, the member for Sudbury stated, the reason that the present occupant of that office is there is because of Bill 99.

Why was the public so horrified about Bill 99? Why were the members of the Legislature so horrified about it? Why were members of the government party so horrified about it?

Because it gave to the police powers of arrest and imprisonment without a warrant. That was the thing that nearly brought the government down. Surely, Mr. Chairman, one would expect that they would learn a lesson. But without any justification, here we go again.

Who is it over there who feels that the police have to have more power? And why does he feel so? If he cannot stand up and

give reasons other than the chiefs of police think it is a good idea, surely, Mr. Chairman, he has no business as a member of the Cabinet, of a democratic government, in this province.

Mr. J. Renwick: I only want to make a brief comment. It seems to have come down in my mind to a very simple proposition, but I think there is a real vice inherent in the amendment which is proposed.

The Highway Traffic Act has stood for many years with the provision in it that to be on the highway you must have a permit, and a police officer can require you to produce the permit. The reason why that has fulfilled its purpose is that it was usually ancillary, as other members have said, to the commission of other offences.

The police constable operated on the reasonable and probable grounds and then, as incidental to the arrest or the charging of a person with an offence, he would ask for the permit, ask to be shown it. If a person did not have it, he would summons him as an additional offence, after having decided whether or not to arrest on the grounds for which he originally stopped the vehicle.

But when you extend it, as the Minister has extended it, what you have done is to move from that kind of operation of the police officers under The Highway Traffic Act to put the balance in favour of random spot-checking on the highway without any reason whatsoever.

This now means that police can spot-check. This raises a separate and distinct problem because, of course, during the Christmas and holiday seasons spot-checking has been instituted by the Toronto police for some several years with very beneficial results and very few complaints have been raised about it.

But it is the spot-checking which will now enable a police constable, where he did not formerly have the right, to stop a vehicle and if the person does not have his permit, to go and subject the person to the possibility of arrest. It is difficult for the driver of the vehicle and it is difficult for the police officer.

I question whether or not we should leave it up to the courts to decide after the event whether or not the power of arrest should have been exercised. It will be extremely difficult for the motorist, it will be extremely difficult for the police officer.

Therefore the vice of it, as I see it, is that it tends to swing the balance in favour of spot-checking automobiles on the highway. And a spot-check, in a sense, is an arbitrary use by the police of a power to stop a vehicle solely for the purpose of demanding the production of the licence.

They were entitled to do that before, but if the driver had his licence that was the end of it. If the driver did not have his licence, the police officer was up against a roadblock in getting the identity of the person behind the wheel. But on balance I think that was a wise protection for the public against a misuse by the police of the arbitrary power to spot-check vehicles.

That is the vice I see inherent in it, and the vice to which the Minister has not addressed his remarks, and the reason why, in due course, we will vote for the amendment but against this clause in the bill.

Mr. Chairman: The hon. member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): I was going to ask the hon. Minister a question, Mr. Chairman. I would like to know from his conversations with the chiefs of police what particular crimes the chiefs can prevent by the passage of this section, other than the fact that they think it is a good idea?

Hon. Mr. Haskett: Mr. Chairman, I pointed out to the House that situations in which the police find themselves when they are trying to make use of section 14, where a driver either refuses to produce his licence or produces it and pulls it back so quickly that it is not possible to read it. These are the situations, I think, that give rise to the problem. The driver just closes his window and drives off. It can result in a high-speed chase with the ensuing dangers.

Mr. Singer: Oh dear, dear!

Mr. De Monte: Mr. Chairman, in my practice I have had quite a bit of experience in the courts in connection with traffic offences. I can see this very section causing a great deal of trouble.

Firstly, if a policeman sees someone commit an offence under The Highway Traffic Act or The Criminal Code he stops that car, tells the person he has committed the offence or, in the opinion of the police officer, he has committed the offence, and he is arrested.

I worry about this aspect of the situation, when a person is driving along in a spot-check or just driving along and the police

officer comes up, stops him and says, "produce your licence". If the man cannot produce his licence because he has forgotten it, then he turns out to be a man like the hon. member for Hamilton Mountain (Mr. J. R. Smith), if the policeman does not believe his name is John Smith he puts him in jail.

This is the whole point, it leaves an arbitrary power in the hands of police to decide when there has been no offence committed, other than the fact that the person had forgotten his driver's licence, the policeman can make an arbitrary decision and arrest the person. This, Mr. Chairman, I submit, is an infringement of a person's civil rights in that a person walking on the street is not subject to this type of enactment, so there is a distinction between a person walking on the street and a man driving his motor vehicle on the highway.

Mr. Chairman: The hon. Attorney General.

Hon. Mr. Wishart: Mr. Chairman, I interjected some remarks earlier in this debate when the hon. member was speaking and I have just one brief comment to add. I have noted through all the discussion, the suggestion taken from McRuer that there were perhaps too many offences in The Highway Traffic Act where arrests could be made by a constable without warrant, and the argument seems to run that they should be removed.

Mr. McRuer did mention those offences, he gave examples of seven such offences. On page 729 of his first volume, he outlines several of those and said perhaps there were too many of that type of offence in our present Highway Traffic Act. My colleague, the hon. Minister of Transport, has removed three—

Mr. Singer: And put two new ones back, leaving a total of 14.

Hon. Mr. Wishart: Yes, I am coming to that. He put two new ones back, and that is the very point I wanted to make. Perhaps he will come to look at some of those others one day. I will leave that to him in our discussions, but note this: Mr. McRuer at the end of his discussion on this subject, at page 741—and this is the important thing—this is one of the two offences, of the two that he said should be in this Act, and I read from his report. That is recommendation 2, on page 741.

> Powers of arresting without a warrant under The Highway Traffic Act should be restricted to those cases where there is a failure on the part of a driver of a motor vehicle to identify himself and the owner of the vehicle, without reasonable cause being shown.

This is one of the two that Mr. McRuer said: This is the thing that should be in the Act, and you could restrict it to that.

Mr. Singer: How would you interpret the word "restricted"?

Hon. Mr. Wishart: Well, he said—and those are his words—"Powers of arresting without a warrant under The Highway Traffic Act should be restricted" to this.

Mr. Singer: Yes, so you are compromising by keeping in force—

Hon. Mr. Wishart: It is this which my colleague is doing. Mr. McRuer says this is the important one—

Mr. Singer: He says one and you say 14 and that is reasonable.

Hon. Mr. Wishart: He says this is the one to which your power of arrest should be restricted. In his mind, the hon. member for Sudbury said, you should leave crimes to the federal government. True. Mr. McRuer says a motor vehicle is a dangerous weapon. It can be lethal. It can be used in the commission of crime, and you are touching, here, very close to the criminal law, as the hon. Mr. McRuer pointed out. But this is the one recommendation where he said: Put in the power of arrest without warrant in this situation. That is his recommendation. That was all I wanted to add to this discussion.

Mr. Singer: Mr. Chairman, I just want one more very brief word. As the Attorney General read recommendation number 2 on page 741, he read the word "restricted". As the Attorney General uses the word "McRuer," it is almost as though he were referring to holy writ. I do not quite accept it that way. Even if this were the be all and the end all, surely the word, restricted means limited. The Attorney General says, "Let us restrict it to the one power." But you have not. You have 14. Look at section 74, count up the powers of arrest without a warrant.

Hon. Mr. Wishart: Mr. Chairman, on a point of order. The hon. member now is away off base. He is talking about several other sections. other powers of arrest, other offences. I admit those are in the Act, but the point of this discussion is this amendment. Is this power of arrest to be left in this Act? That is what we are talking about. Not the others. Let us please adhere to order in this debate.

Mr. Singer: The Attorney General really cannot have it both ways. He said, if all others are taken out, this one should stay. And now, when I want to answer that he says I am out of order. I just do not accept that, Mr. Chairman.

I would like to have heard from the Attorney General the basic reason for this. Does he agree that if the chiefs of police complain, that is enough? Have the chiefs of police complained to him about it? I would like to have heard him say that. I would like to have heard the Attorney General, who after all, is a man learned in law, whose legal ability I have great respect for, tell me, tell the House, tell the people of Ontario, what serious things you are going to prevent, if you have this power.

What horrible crimes are going to be committed that cannot be dealt with under the present provisions of The Criminal Code of Canada? That was what I would like to have heard the Attorney General address himself to, because after all, he is the chief law officer of Ontario.

From time to time, we read in the papers about various thoughts that various chiefs of police have. And I am glad to say, on most occasions, since this honourable gentleman has been occupying this important post, he has paid very little attention to those recommendations. I would like to know the extent to which the chiefs of police feel this is important and the arguments they put forward to back this up.

What is the disease that you are trying to cure? You are taking away a bit of the liberty of the citizen of Ontario. I do not think there is, but it may be that you have a good reason for it. Can you tell us the reason? Can your colleague, the Minister of Transport, tell us the reason? Because up till now there has not been one scintilla of evidence addressed to the reason other than the vagaries of a sentence from McRuer.

Mr. Chairman: The hon. member for Halton West.

Mr. Kerr: I think it is important that if the hon. members for Downsview or Sudbury or any other hon. members are going to quote at length from McRuer, and then ignore the final recommendation which applies to the amendment with which we are dealing today, they will give a false interpretation of his recommendations and the principles he lays down in this particular chapter.

The hon. Minister has quoted at length from McRuer, and the important thing that he has said is that the requirement is no invasion of civil rights. It is not a question of civil rights. You are dealing with a motor vehicle. That is what I was trying to get across in my interjection when the hon. member for Riverdale was speaking.

Mr. J. Renwick: You did not make it and you are not making it now.

Mr. Kerr: Well, I am trying. It is different from stopping a man on the street, and without any justification, any cause whatsoever, asking him for some identification or his name and address. For the life of me, Mr. Chairman, I cannot understand why it is an invasion of civil rights when a person, a citizen of this country, and I assume a respossible citizen, is asked for his name and address—particularly and only, I might say, in this case when he is the operator of a motor vehicle.

I think that, when there are so many vehicles on the highway and so many offences involving motor vehicles, this is a simple question and a simple answer will satisfy the police officer. I would suggest that, in a way, this amendment goes to some length in reducing the requirements of the operator of a motor vehicle, because in many cases people forget licences, forget wallets, misplace wallets, and have no real means of identification whatsoever.

So, by simply having a co-operative attitude, and saying my name is so and so, and I live at such and such an address, should satisfy the police officer.

Mr. J. Renwick: It is not a co-operative attitude. It is going to be a matter of law.

Mr. Kerr: The hon. member says the amendment reads "correct name and address". The word correct is redundant. It implies that the name and address should be a correct one. Dealing with the point raised by the hon. member for Riverdale, I think that if a motorist gives his correct name and address and the police officer does not accept it, and arrests him, it could very well be an unlawful arrest.

This imposes an extra responsibility on the police officer. However, there may be reasonable and probable grounds for not accepting the motorist's information, requiring a police officer to confirm that information. But certainly some responsibility should be given to the police officer. I do not think they are all unreasonable men, trying to push people

around. There is the odd example of this, but I still feel—

Mr. J. Renwick: You are not suggesting that they are all reasonable either.

Mr. Kerr: No, I do not, Mr. Chairman. But I suggest that to follow the recommendation of some of the members opposite, that we should rely on the charges that are now in The Criminal Code, and not amend The Highway Traffic Act, this involves many more serious charges. The whole process of laying an indictable offence or issuing a summons or information would be much more annoying to the average citizen. But I think the hon. member for Sudbury—when he made that remark about telling the police officer to go fly a kite or something like that—really this is not a question of civil rights; whether I should, as a citizen, be required to answer a police officer's simple question, and it could be a very reasonable question, I think, in the operation of a motor vehicle. As McRuer points out, this is a place where there is an exception. I think he should be required to answer that, in our society today.

Mr. Chairman: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Chairman, could I ask the Minister of Transport a few very simple questions? Would this amendment apply to drivers of Ski-doos?

Hon. Mr. Haskett: Mr. Chairman, I do not think it would apply to a driver of a motorized snow vehicle because they are not included under The Highway Traffic Act.

Mr. Sopha: They have got themselves in a box about Ski-doos. You might as well lay that one on the floor of the Legislature. They are in a position now with an outdated definition of a motor vehicle in The Criminal Code, passed in about 1952. I hope the Attorney General listens too, and I hope the registrar of vehicles also listens to this. They have the definition of a motor vehicle in The Criminal Code, which defines a motor vehicle to be anything driven by other than muscular power. The section in The Criminal Code creates an offence of driving without a license, as against the provision in The Highway Traffic Act which stipulates that no license is required to drive a Ski-doo.

This Legislature has expressed its intent that you can drive a Ski-doo without a license. But The Criminal Code has not been amended to conform with the intent of this Legislature, so you have the anomalous situation of people going into the magistrates' court charged with operating a motor vehicle while their license is under suspension, and being convicted under The Criminal Code; this is a real irony. I want to point out to you, Mr. Chairman, the real irony of it is that the individual goes in and he tells the provincial judge, "Look, I ask you to look only to the intent of the Legislature of Ontario, which has jurisdiction over these things. Look at that, and bear with me that the Parliament of Canada has not found time to catch up with that intent of the arrival of a new device, a new machine, a product of a technological age". In his argument the strict reading of the law must be rejected, and then the irony arises. He could not look to The Highway Traffic Act to rescue him, but when the judge comes to impose the penalty, where does he get the penalty from? From your old buddy, the Minister of Transport, under The Highway Traffic Act, then his license must be suspended as a matter of law for six months.

On the one hand the statute could not help him, but on the other, it certainly can punish him. I hope it will not be many moons before you will rectify that anomaly, or ask the federal government to bring their statute up to date with the intent of this Legislature or on the other hand require people to have a licence to have a Ski-doo. One or the other, but you have to feel the injustice, as the person is caught between two stools in the provincial judges' court. I wish that court had been left the name magistrates' court; that was a lovely name.

Hon. Mr. Wishart: Mr. Chairman, what are we talking about, may I enquire, or are we on this legislation at all? I fail to follow this discussion. It is not in order.

Mr. Sopha: All right. I made the point. The Attorney General is just slow. He is the arbiter of points in order; it used to be Leslie Frost, now it is the Attorney General who is the arbiter.

The Attorney General and the Minister of Transport did not tell us about what the chiefs of police said to them; not a thing.

Mr. Singer: That is right. The Attorney General did not even say that the chiefs talked to him about it.

Mr. Sopha: The Minister of Transport had a delegation of the chiefs of police, and it must be said in all frankness, we have wonderful people engaged in law enforcement in this country and in this province, but it has to be said in recognition of reality that they

are not always on the side of civil liberty. They are on the side of constricting them, so it was obligatory on the part of the Minister of Transport, Mr. Chairman, to tell us what vices the chiefs of police mentioned to him. He said he had the delegation. So what, he gets lots of delegations, but we are dealing with an important—

Interjection by an hon. member.

Mr. Sopha: If you will give me one minute I will complete it. We are dealing with an important deprivation of liberty. The Attorney General—and I can say it in one minute—left laying on the table, Mr. Chairman, a gigantic *non sequitur*. He failed to realize that Mr. McRuer was ready to sacrifice the power of arrest for all of the offences, and Mr. McRuer would settle for what? It may be that if the Minister of Transport came in here with Bill 105 abolishing the power to arrest in respect of all the offences save one, we might agree. I cannot find the leader of the Opposition, the leader of the Liberal Party in Ontario—we will talk about it—but it is conceivable that we might agree. They do not do that, so the Attorney General's argument cannot wash, and we must vote against this the next time it is called.

Hon. R. S. Welch (Provincial Secretary): Mr. Chairman, I move that the committee rise and report progress.

The House resumed; Mr. Speaker in the Chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

NOTICE OF MOTION

Clerk of the House: Private notice of Motion No. 30, by Mr. R. G. Hodgson.

RESOLUTION: That in the opinion of this House there is need to broaden the scope of the Ontario Development Corporation to cover financing for the modernization, the expansion of accommodation, recreational and food facilities, in the tourist industry.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, I move, seconded by the hon. member for Muskoka (Mr. Boyer), resolution No. 30, standing in my name on the order paper.

Mr. Speaker: The member for Victoria-Haliburton, seconded by the member for Muskoka moves resolution No. 30 standing in his name on the order paper.

Mr. R. G. Hodgson: Mr. Speaker, this province of Ontario is endowed with a greater variety of tourist attractions than any other comparable area on the continent. We are aware of the benefits from the tourist dollar. With that awareness we must not overlook a constant need to provide for and to keep an environment with clean, safe rivers and lakes. An ever-active advertising and publicity programme, good highways, and not least of all, an up-to-date level of services for our visitors who create the vital part of the industry as consumers. The tourist trade must provide all the many needs of people for travel, accommodation and enjoyment.

Such a task, for those involved in services to our tourists, requires the provision of tools. Because of this, and the approaches made to me as a member for a tourist industry endowed area, I found it most rewarding to introduce this resolution. One that I hope will encourage this government to enter a plan to provide for needs within the tourist industry on a more adequate basis to assist owners of tourist operations.

The Ontario development agency's prime responsibility is the function of providing financial advice and last-resort working capital to industry in this province. We now have its enlargement into equal opportunity for an industry grants programme that has proven to be of value. It can, in my opinion, be the vehicle to extend the terms of this resolution to the need of our vital tourist industry in development and updating.

Today the bulk of tourist industry financing in Ontario comes through normal bank loans and mortgages. Institutional and private. Detailed statistics are not available due to financial institutions not tabulating this lending by specific classification of industry.

Many operators in this industry have not always been in a position to present their needs to financial institutions on a basis comparable with that of other phases of the business community. Many are small businessmen and women, and keep their books in off hours while working regular shifts with their employers. While such records suffice for necessary returns to government and general operations, they are under great difficulties in supporting long-term credit. Thus, they have also found conventional financial institutions reluctant to make sufficient money available.

There has been an understandable consideration that this is a high risk element in society because of its seasonal nature and devotion to summer trade spread over a maximum occupancy or eight weeks.

Most nations have introduced subsidies for new resort accommodation. I believe we as a province should devote resources to upgrading an existing industry which finds difficulty in this time of competition for capital that has so many opportunities of high rates of interest. Otherwise an industry that should advance benefit to the economy will be hindered in providing help to our economic problem areas.

I believe we see a trend today toward greater and greater emphasis on motels and campsites. This has run ahead while a hold-their-own or decreasing emphasis is the trend in major new resort developments. This could be directly the result of difficulty in short season operations obtaining capital in sufficient quantity at a cost the trade can absorb.

This government must continue to look closely at this part of tourism and develop means of providing financing to such operations which will always form an important part of the tourist industry as well. It is not my immediate concern in extent as is the existing industry and its services.

It has proven by experience in monetary affairs that if governments wish to develop a section of industry, a corresponding credit institution should be organized. Most governments recognize the tourist industry as an export industry and frequently they give exemptions from taxation in order to encourage the export—in our case here—tourism.

I do not remember our people requesting these features, but on many occasions requests for adequate financing have been made. General briefs were presented at the standing committee of this House in this session that contained sections on this problem.

I am not aware of financing special privileges in Canada for recreation facilities today, and I believe we must lead in this field in order to keep a thriving industry such as tourism advancing. Capital for modernization at reasonable rates can do the job. Without it we unbalance our potential development.

Lack of credit availability has been a deterrent to more complete expansion for some years. It is not a new problem arising from current pressures on capital supply, but is now enlarged with added emphasis. More income can be the result of this capital need being met. It would provide for a greater variety of services and amenities within the existing operations as well as enlargement of the accommodation units.

It can meet the need of the industry for improvement, replacement of established resorts, restaurants, hotels, motels, camps and attractions.

The abundance of scenic inland waterways in Ontario has made this province a mecca for boating and water sports. The marina services are in need of finances, especially to develop the services to handle the waste disposal problem to meet the requirements of pollution control. There is great need for better boat-launching ramps, improved docks, breakwater facilities and fueling provisions.

We know that our policies governing the management of provincial parks is under constant review and such an approach is highly desirable to meet the needs of all citizens and visitors. I believe it is also an opportune time to review our methods of providing adequate camping sites, and trailer facilities by competitive enterprise of other than government operation and direct involvement.

There is today an industry that can expand to meet the need, there is adequate land and labour available to meet present forecasts without too great a strain on such resources.

We should look carefully at Switzerland and benefit from their experience in the winter resort tourism development. There, in the late forties and early fifties, assistance by finances provided for modernizing established hotels, chalets, motels and other forms of accommodation. At this time they faced the problem of reasonable summer accommodation, but not nearly enough winterized facilities. Today we have expanding winter activity of skiing, skating, snowmobiling and just plain walking in the snow and sunshine of Ontario. Utilization of facilities over 100 days of winter, plus the summer eight weeks mean we are reaching close to the accepted minimum of 50 per cent occupancy rate over the year suggested by some as necessary. Steam baths and heated swimming pools are additions in many operations that operators have mentioned as being requested more and more by customers.

Skiing is a popular pastime, attracting many tourists from not only our province but from the USA. It needs additional funds for installation of recreational equipment such as tows and "T" bars, and a proper amount of accommodation able to cater to this trade. However, I must point out funds must not be expended in only one area of this province on these features, but we must devote a great

measure to widespread development within present summer areas in order to utilize more fully the accommodation already available over a longer term of time.

It must also provide finances in a way to improve the opportunity to other resorts in a given area within the plan of assistance. Therefore, I believe one requirement is to provide public facilities available to anyone by this programme as a requirement of any loan granted.

I would like to examine with you a most interesting page from a submission of the directors of the Canadian Tourist Association to the members of the federal Cabinet in July of 1966. It is page nine that covers features of comment on balanced promotion and development and examples of hotel loans abroad. I quote:

> The provision in many countries, alert to the importance of tourist dollars, for financial assistance in the development of the "plant", and establishment of a suitable relationship between travel facilities development and tourist promotion.

A few examples of hotel loan funds may be useful:

The French government has set up a national tourism fund for financing the construction of new hotels and other facilities in co-operation with private investors. Loans are made at 6½ per cent for construction purposes, and five per cent for modernization and equipment.

In Greece, the public service grants loans for hotel construction at six to eight per cent interest rate up to 50 per cent of the cost of the work to be done, loan period up to 15 to 20 years.

In the Netherlands, the government allows credits for the construction, enlargement and renovation of hotels, provided the owner furnishes one-third of the total investment. These credits are for a maximum of 15 years with 5½ per cent interest rate. The government guarantees 75 per cent of the credit, and the National Reconstruction Bank the remaining 25 per cent.

West Germany gives 15-year loans to operators at four per cent interest. Eire has recently established a 5-million-pound loan fund. There are many other examples in the Caribbean countries, Europe and the South Pacific.

The question may arise, how far should governments go in creating these advantages in accommodation investment? The answer is that they must go far enough to get the private money moving into the kinds of operations and in the areas where they are needed. It is better to go slowly and slightly farther than necessary than to fall short, as is the case now.

We have a related field to finances in that of adequate trained personnel which can easily be met by this government encouraging and developing the plans of Sir Sandford Fleming Community College for its Lindsay campus, now in proposed form. This can easily be developed to provide the needs of this industry in the management and food service manpower.

The need becomes more evident, and would add a necessary part to the development of this industry of tourism. The whole range of recreational personnel can easily be developed at such a college. The industry of the area would welcome The Department of Education fulfilling the resource in greater measure, and here is where to do it, right in the middle of one of the largest tourist areas.

What could be today and what should be tomorrow have to be harmonized into one unified course of action for the tourist industry in Ontario. I hope you will agree with me that by utilizing what we already know about the problems, we have an opportunity to do much better and to acquire tomorrow a capacity of modern, adequate facilities for tourism. Otherwise, we commit an industry to regression through lack of financial resources or cost that can never bring desired results.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, I rise to support this resolution of the member for Victoria-Haliburton. Strangely enough, the stars under Gemini today indicate it would be a good day for me to agree with people with whom I might perhaps not be in the habit of agreeing with. It is rather coincidental, but certainly I am very anxious to support this resolution.

I only wish the Minister of Trade and Development (Mr. Randall) were here to hear this debate. However, I suppose urgent business of the province calls him elsewhere. On the other hand, I am sure that he will take the opportunity to read *Hansard* at some future time because I have a feeling that this may very well be a sounding board for extending the ODC grant further into the tourist field.

My motives are twofold for supporting this. First, we are looking for every opportunity to expand the tourist industry in northwestern

Ontario. Secondly, I think that in tourism we will probably find one of the major solutions to the unemployment problem, the summer unemployment problem of our high school and university students.

It is interesting that tourism thrives exactly at that time of the year when our youngest need jobs. So the more we can do in the field of tourism and the more we can expand it, the more and better opportunities we give to our young people. I just wonder in passing whether we involve our young people sufficiently in the affairs of this government, Mr. Speaker. I have an idea there is a wealth of suggestions, imagination and ideas in that area that we are not exploring.

However, in northwestern Ontario, we have benefited from this forgiveable loan programme of The Ontario Department of Trade and Development under ODC. But unfortunately, while the programme has helped us to expand some of our industries in northwestern Ontario, it has not attracted any new ones. And there is no indication that it will; not in the immediate future in any event. So I think what we have to do is expand the base, expand the terms of reference of that part of the Act that permits these forgiveable loans.

The member mentioned marinas. It is my understanding that already under the ODC, marinas under certain circumstances can be subsidized by this department. The member may correct me, but according to my research, marinas are one of the types of projects that can already be supported very similarly to ski clubs.

The Act says something to the effect that projects which encourage tourists to use local accommodation and local facilities, are the types of projects that can be supported. But it does not include loans to motels or to the places of accommodation themselves. So I would be very anxious to see it develop in that area.

We have had two studies in northwestern Ontario recently which support this idea. One of them is the five-year development programme for northwestern Ontario, and it states very clearly that there should be greater incentives for tourist development, and that this particular type of loan under ODC should also be extended to the accommodation services.

The other report is a report that is highlighted in the recent progress edition of the Port Arthur *News Chronicle*. In this item I find the point that I would like to support here, and I would like to read it. It is from the *News Chronicle* of April, 1969, under the business review and it states, referring to that report:

> The report suggests that commercial resort owners be encouraged through legislation and financial assistance to expand their summer facilities to attract family vacation groups and achieve a higher occupancy rate. Because of the seasonality of demand, the need to develop winter recreational attractions is noted.
>
> Pointing out that cottages provide the soundest economic base of any tourism facility, it recommends that cottage development in the study area should be encouraged around specific growth centres for their major effectiveness on the local economy.
>
> By way of special attractions, it proposes establishment of a natural museum of the type located in Algonquin Park, a logging museum, reconstruction of old forts on the voyageur routes, an Indian museum associated with the archeological sites, a wildlife happy-jack, an outdoor zoo, a potential bird sanctuary on the Lake-of-the-Woods.
>
> It recommends that training and incentives be provided to encourage off-season employment in the manufacture of specialized articles and handicrafts for the tourist market, and to supplement merchandise not manufactured in the region.

So there are two major reports which have suggested that this type of loan incentive be expanded to the accommodation phase of the tourist industry. The reason I read a little bit longer in this quote is to indicate that there are all kinds of projects that have been proposed that are slated for northwestern Ontario, that could enjoy some financial assistance. What they need are low interest loans to get them started.

Mr. Speaker, we have found that this government is coming to life, especially in the current session, in the field of mining. We passed a bill just recently that offers more incentives to the mining industry. We find that in the area of general industry, under the Minister of Trade and Development and this forgiveable loan programme, we are aiding general industry to go ahead.

But the third biggest industry in northwestern Ontario is the tourist indutry, and I think it is the type of industry that offers the greatest opportunity, especially for our young people. This is why I join with the member for Victoria-Haliburton in supporting this resolution.

I hope the Minister will read these comments. I hope this will be a sounding board for him, and that he will follow through and extend these loans.

The other point that I would like to make now is that the more we can do as guardians of the taxpayer's dollar in this province—to have private industry assume responsibility for tourist services—the better it is and the more we can keep it in the private industry.

We find more and more travel trailers coming into the province of Ontario. I think the more private travel trailer parks there are the better; the more that can operate on an economical basis, rather than having The Department of Lands and Forests having to establish more and more of these travel trailer parks. I think the private industry should be aided to take over as much of that as possible and keep it in their field. There will be less burden that way, I feel, on the taxpayers of this province.

So, Mr. Speaker, I am very happy to support this resolution of the member for Victoria-Haliburton, and I commend him for it, and I hope the Minister will act upon the suggestions.

Mr. H. Peacock (Windsor West): Mr. Speaker, it gives me a great deal of pleasure to participate in this debate on the resolution of the member for Victoria-Haliburton. Some malicious pleasure, perhaps, I might say, in that it highlights the lack of consideration and concern of the government to which the members on the other side of the House belong, in respect to the operations of the Ontario Development Corporation when they have to rise to appeal to the government that it give some view to the problems of a major ranking industry in this province.

In going over some of the background material in preparation for this debate, Mr. Speaker, I came across a report referred to in the Toronto *Globe and Mail* of a study by the organization for economic co-operation and development, based in another rather attractive tourist centre in this world, Paris.

The OECD stated in that report of 1967 that:

> Experience has shown that where the initiative is left entirely to the private individual—speaking of the tourist industry—facilities have consistently tended to lag behind demand. Where large-scale investments are needed, direct government intervention will be necessary.

It is clear, Mr. Speaker, that members opposite who are speaking in this debate—the member for Victoria-Haliburton, the member for Muskoka and the member for Kenora (Mr. Bernier)—feel much in the same regard as to the conclusion of that report.

The Associated Tourist Resort Operators of Ontario have expressed that concern. They have pointed out the growing lag in the supply of adequate tourist facilities. And in the report of The Department of Tourism and Information, statistics can be found to show the very, very slow growth in the establishment of new facilities, and in the expansion and renovation of existing tourist resort facilities.

As the incoming president of the tourist resort association of Ontario, Mr. David Caswell, in April of last year, was quoted as saying that if the 5,000 resorts in Ontario had $1.5 million or $2 million available in loans in each of the next five years, much could be done to improve accommodation and draw more business to the surrounding communities. Ten-year loans at nine per cent can be obtained, but operators need 20-year loans at six per cent.

The board of the Ontario Travel Association, in its brief to the natural resources and tourism committee in February of this year, requested Ontario to allocate $3 million per year to ODC, specifically for investment in the tourist industry at a maximum rate of eight per cent at a term of 15 years, the loan applications to be approved by The Department of Tourism and Information. The comments from the representatives of the tourist industry, Mr. Speaker, are all unanimous that lack of finance is one of the major obstacles to the improvement and expansion of the industry.

Interestingly enough, the Muskoka Tourist Association, which covers the area represented by the member for Muskoka, came in with a brief recently, stating that the state of the industry had become a *cause célèbre* throughout the district of Muskoka—and many of our more vocal members air very strong views on the subject. The sum total of their attitudes is that the lack of available financing for improvising existing tourist facilities or creating new ones has retarded the development of our tourist industry.

They went on to say that in Ontario this would mean that the Ontario Development Corporation, the only available government lending agency, would have to change its attitudes to tourism from those of a conservative banking institution reluctant to accept unconventional risks, to those of an organization dedicated to improvement of existing

tourist facilities and the development of desirable new ones, aggressively accepting the investment challenges which as a development corporation it was created to undertake.

I just want to spend a moment, Mr. Speaker, discussing the kinds of investments and challenges that the Ontario Development Corporation has undertaken in preference to providing the assistance to the tourist industry that the members opposite are pleading for. I looked over the list of equalization of industrial opportunity, non-repayable, non-interest bearing loans, which ODC has been handing out in the last year, and the kinds of aggressive investment opportunities that the ODC have been assisting with, are loans of anywhere up to $500,000 to firms such as Allied Chemical Company of Canada, Kraft Foods, Crane Canada Ltd., Black and Decker Manufacturing Company, Courtaulds Canada, and so on.

One of the interesting contrasts between the kind of investment opportunities for these firms that ODC has been assisting with, and the kind of investment opportunities that are available in the tourist industry, is that in the study undertaken by the Ontario Economic Council's committee on the tourist industry, entitled, "Its Potentials and Its Problems; An Evaluation by the Ontario Economic Council, 1965," it was stated that each net addition of $2,100 in direct foreign tourist expenditure per annum appears likely to create a new year-round job in the tourist industry in Ontario. Compare that, Mr. Speaker, with the investment per employee that Ontario Development Corporation is making under the equalization of industrial opportunity, and you find that if this study by the Ontario Economic Council is correct, we would be getting a far better buy for the investment dollar in this province in terms of increased employment in the tourist industry, than we are getting in the investments ODC is assisting with so generously to major international corporations establishing manufacturing and other non-recreational or resort industries.

The firms that I mentioned in that list a moment ago each received from the Ontario Development Corporation something in the order of a loan of $10,000 per new job created, in contrast to the $2,100 of direct tourist spending that results in the creation of one new job on a year-round basis in the tourist industry. Now there is a contrast that the Ontario Development Corporation ought to pay some attention to. Because with a little bit of that aggressiveness that the Muskoka Tourist Association spoke of, and somewhat more regard for the elemental role that tourism plays in the economy, investment in the growth of that industry and the employment opportunities that would go with it, and the increase in spending and the resulting increase in prosperity in the communities in which the tourist industries are carried on, would be handsomely paid back to the Ontario government and the Ontario people.

Mr. R. J. Boyer (Muskoka): It is a privilege to speak in support of the motion made by my hon. friend from Victoria-Haliburton, whose riding adjoins Muskoka. He is aware—as I and many others are—of the importance of the subject matter of this resolution to the economy of Ontario. It may be thought by some that there may be more important needs in this province, but I would be willing to argue that point. The tourist industry provides employment, it aids every part of commerce and industry in our country, including agriculture, is of vital importance in attracting foreign dollars to Canada and yields tax revenue to all levels of government in several ways. The chief problem of the tourist industry has to do with capital financing.

Proposals to ease the problem of capital financing for the tourist industry is not a new subject in this House. I am one of a number of members of the House who have taken part over the years in discussing this matter. More than ten years ago the urgency of the problem was stressed in this House. Then, however, through action by the Diefenbaker government at Ottawa—and particularly because of the co-operation of the then Finance Minister Hon. Donald Fleming—The Small Business Loans Act was passed and tourist establishments were included. For a time this proved to be of great value, but lately few loans have been made under this legislation. Again, it was the policy laid down by hon. Donald Fleming that resulted in loans from the Industrial Development Bank being made to tourist establishments. I regret to say that there seems to have been, not a disappearance, but a decline of interest by IDB in this field.

Constitutionally, of course, matters of banking and lending institutions go to the federal government. My colleague has in his remarks spoken of the assistance given in other countries in providing capital to construct or enlarge resort hotels and other tourist establishments. It should be noted that in every case these were the national governments of those countries which were undertaking such policies.

In the absence then of a forthright policy from Ottawa, we submit that Ontario provincial policy should be formulated to assist our tourist industry, along the lines that have been proposed in this resolution.

It would be best, of course, if private capital were available to modernize existing resort hotels or to establish new ones. I am much gratified to note a movement in this direction, which of course I hope—and I believe all would hope—will gain momentum. For example, one of the most outstanding summer resorts in the province has been, since 50 years ago, Bigwin Inn on the Lake of Bays in Muskoka. This fine resort has just been purchased by a new company, formed of Toronto businessmen who are prepared to spend some hundreds of thousands of dollars to modernize this fine hotel so that it may operate year-round. This announcement together with the establishment of a Holiday Inn at Hidden Valley, on Peninsula Lake nearby, will give a lift to the tourist industry of my part of the province. Holiday Inn is also a year-round operation. It is managed by the chain, but the building is owned and was put up with private capital plus a loan from the Ontario Development Corporation.

What is proposed in the resolution would go further than this, however. Now I would like to say that Bigwin Inn is not the only excellent lakeshore site of an established resort hotel which could be acquired by private people for redevelopment, and I sincerely trust that others will follow the example of the new firm which is to modernize Bigwin Inn.

It is with much regret, however, Mr. Speaker, that I draw to your attention a trend in the opposite direction over recent years. Several resort hotels with formerly quite popular names and good reputations have been purchased by private persons, who tore down the old buildings in order to erect summer homes in their place. This has resulted in portions of the lakeshores on the Muskoka Lakes in particular—but I believe in several other parts of the province—losing their semi-public character and now becoming entirely private property with access to the water closed off to anyone other than the families of the new owners. It must also be noted that the tax revenue to the local municipality from such properties will in nearly all cases drop considerably.

There are, however, still many locations on these beautiful lakes where long-established resort hotels have been losing popularity because their owners have not and could not redevelop the properties. They could not because of the lack of opportunity to raise enough money to do the job. There are still in Ontario numbers of the historic three-storey wooden structures which might well be replaced by modern ground level bedroom units with a central building for meals and other services. These properties now have good beaches and like advantages. These are attractive sites and should be retained for tourist accommodation purposes. The alternative to helping their owners to realize their ambition of serving more patrons from far distances and thereby adding to the economy of the country—is as proposed in the resolution before us—is to see a further decline, and ultimately the loss of further shoreline for public use.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I rise to support the motion of the member for Victoria-Haliburton. It is certainly a good one and one that all members on all sides of the House can support.

It recalls to mind the debate that took place during the estimates of The Department of Tourism and Information, at which time I raised this very subject with the Minister of Tourism and Information (Mr. Auld) and pointed out to him the need for such a fund. I asked him at that time if he would set up such a fund as recommended by the BOTA organization, the Board of Ontario Tourist Associations, which submitted a brief during the meetings of the committee on tourism and natural resources. This has been a priority with the tourist industry for ten years, as one of the members opposite pointed out. It is unfortunate that it has not been acted upon before this.

It has been the number-one priority, as pointed out by the member for Port Arthur. It was raised in the recent study of tourism in northwestern Ontario. As mentioned, it was raised in the BOTA brief and it has been continually raised by those people who are interested in the tourist business in Ontario.

The tourist industry brings in much-needed American dollars, American currency, which adds substantially to the Canadian balance-of-payments problem and which helps us out a great deal in this regard. It is therefore, an industry that should be stimulated as much as possible.

By not stimulating the industry, by not providing such funds, there are a certain number of things that have been happening to this industry. As pointed out by one member opposite, certain tourist resorts are

being bought up privately and are being used as private resorts. This cuts the number of areas open to the public to enjoy in Ontario.

There is one particular aspect of this problem that I would like to bring to the attention of this House and it is not peculiar to northwestern Ontario. But tourist operators who wish to expand face a great deal of difficulty in raising money if they do not live in the "Golden Horseshoe". Anyone for that matter, anyone who tries to finance any kind of project outside of the Toronto-Hamilton-St. Catharines area runs into difficulty with finance firms and banks.

This leads to another problem. Slowly but surely, in northwestern Ontario in particular, we have these private camps that are not able to expand because they cannot get the necessary funds. These private camps are slowly but surely being bought out by American operators.

The tourist industry in Ontario is going the way of most of the industry that exists in Ontario today, in that it is either American-owned or American-controlled. The Americans, as we all know, have much larger capital pools. They have much easier access to the capital pools. Their rates of interest are often very much cheaper and the Canadian operator cannot compete with this kind of competition.

Therefore, the Canadian is at a disadvantage when he finds he cannot get the necessary funds to expand his operation. He then must sell his operation—and often it is bought up by an American concern.

I do not mean to leave the impression with this House that I am against Americans operating tourist facilities in Ontario, or in northwestern Ontario in particular. However, I think there should be a balance struck here. It should be maintained as a Canadian industry, as an Ontario industry and these funds should be made available through the Ontario Development Corporation so that the Canadian operators can compete with their American counterparts.

Now it seems only right and just that the funds should be made available through the Ontario Development Corporation, through The Department of Trade and Development. I have a publication of The Department of Trade and Development, the Ontario Development Corporation. The title of this booklet is "Motels—Building for the Future." This pamphlet purports to provide information to the tourist operator who wishes to expand. It is a rather naive booklet in some respects. I would quote one line from the second or third page. "Obtaining finances" is the title and it says:

> Few operators can finance the entire cost from their own pockets. Decide how much you can put in, the balance will have to be borrowed. You must satisfy prospective lenders that this is a sound investment.

And it goes on to point out the cost of borrowing and how much the interest rates will be. It quotes eight per cent and rates of ten to 12 per cent are more likely. Having told the poor tourist operator things that he already knows, it offers very little help in the way of real concrete finance.

So I would say that the Ontario Development Corporation is already supposedly providing expertise and advice to this industry. It should therefore, only logically supply the concomitant resources, the capital, to go along with the advice that they are so free to give out.

I trust that such a fund will be set up through the pressure brought here today by all members of the House and hopefully of the pressure of the Minister of Tourism and Information on the Minister of Trade and Development.

But I would like to say one word in regard to such a fund. To my mind, we have seen the equality of industrial opportunity fund in some cases being perverted. Sometimes, it does not provide employment at all. But the worst thing seems to be that those firms that do not need these capital resources, that can very easily raise the money either internally from their own bank accounts or through the bank, that are low-risk borrowers, are the ones who are taking advantage of this programme and are getting these loans that they do not have to pay back. For instance, it is ridiculous to have Holiday Inn or some other large concern come in and get one of these loans, that hopefully will be repaid at a reasonable interest rate over a ten- or 20-year period—using up the funds that hopefully would be in this capital pool.

I hope that the government has learned its lesson in the equality of industrial opportunity loans. It is the big firms that have taken advantage of this. I think that the tourist operators—most of them, for instance, particularly in the north but a lot in the south—are private, small individual concerns rather than the large concern. I would like to see that these individuals, who are some of the most individualistic people in our province today,

are enabled to continue on and to take advantage of a programme that this government should set up under the Ontario Development Corporation to provide low-interest funds at a rather lengthy term of repayment.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I too, would like to join with other members who have spoken in congratulating the member for Victoria-Haliburton in bringing forth this resolution this afternoon, and I heartily endorse its contents. I find it kind of ironic that the member for Muskoka said that he had carried on a ten-year crusade of this nature in this House, trying to prevail upon his colleagues on that side to institute the kind of programme that would give some assistance to tourist operators. He also seemed to take solace in the fact that Donald Fleming's efforts in Ottawa, when he was Minister of Finance, provided some assistance. Yet he finds it necessary, along with the rest of us, to speak in this Legislature on the very thing that he claims one of his counterparts in Ottawa had so much success with a number of years ago.

An hon. member: That is playing Hong Kong policy.

Mr. Stokes: I think that the very fact that we are talking about this at this particular time highlights the need for the kind of assistance for what the Muskoka tourist operators call the "forgotten industry."

I find it kind of ironic that the Minister who should be most concerned about the implication of this bill has not seen fit to be present here today—the Minister of Tourism and Information. Indeed, the very Minister whose aid we are seeking in this resolution, the Minister of Trade and Development, has not seen fit to concern himself with this debate and the comments that have been made. I would only hope that they will avail themselves of the opportunity of reading about it in *Hansard* so that a lot of the very good suggestions that have been made by previous speakers will be noted and, hopefully, acted upon. I mention the brief that was presented to the committee on tourism and natural resources by the Muskoka Tourist Association. They mentioned that they have attempted to enlist the aid of the Minister of Tourism and Information and the Minister of Trade and Development for a good many months.

They talked about the forgotten industry, particularly in the northern part of the province, and, of course, I suppose we would have to consider anything north of Richmond Hill to be in the northern part of the province in that context, when you consider that we only have about three industries going for us in the north, the mining industry, the forest industry and the third one would have to be the tourist industry.

So I think that if we are going to develop the north, attract tourist dollars, it is not going to be around the "Golden Horseshoe". It is going to be in the northern two-thirds of the province, and this is just one of the ways in which this government could foster the kind of development that is so badly needed in many areas of the north by making the necessary funds available.

The joint Board of Ontario Travel Associations submitted their brief to the committee on natural resources and tourism and came up with what I thought was a very good resolution. I think it was the Minister of Tourism and Information who happened to be sitting during that day, and they did point out the fact that the industrial development bank acknowledges that funds are needed but they have not come up with any kind of programme that would assist the tourist operators and the outfitters in a meaningful way. And, of course, they find under the present policy of the Ontario Development Corporation for their industry, that the terms are far too short and they have no capital for refinancing and take a very traditional approach to lending to the tourist industry. The small business improvement loan administration has a rate of 7½ per cent, which is most reasonable by today's standards, but their limit of $25,000 is just too low to be of any use to the industry. They sent a resolution:

> Resolved that this board request the Ontario government to allocate $3 million per annum to the Ontario Development Corporation specifically for investment in the tourist industry at a maximum rate of interest of eight per cent over a 15-year period, and loan applications to be approved upon the recommendation of The Department of Tourism and Information.

I think another one that bears mentioning was a resolution presented by the Timagami Lakes Association, where they have asked for assistance to the industry that would tend to attract tourist dollars on a much longer term throughout the tourist year than is presently the case. In a good many areas of the north, they are only able to attract tourists to their particular area because of the fishing or the hunting or something of this nature. They suggest winter sports should be promoted to a much greater extent to attract the kind of dollars that they might attract over a

longer period of time, by developing possibly ski runs, or winter fishing, or Ski-dooing, or any of the number of activities that people are engaged in the northern part of the province in the winter months. I think we are missing the boat if we do not assist northern operators to attract tourist dollars over a much longer term during the year than is presently the case.

I think that, as was mentioned by the member for Victoria-Haliburton, if we are going to compete for dollars on the international market, we are going to have to get a lot more participation by government—even to the extent of getting some equity in the industry, if necessary, if we cannot generate the kind of capital that is needed through the private sector. I think that this government has a responsibility to see that the necessary funds are available even to the extent of taking some equity in it.

I heartily endorse this resolution and hope that the government will see fit to act upon it.

Mr. L. Bernier (Kenora): Mr. Speaker, reviewing my participation in the Throne Debate last February, I made the following observations, and I would like to quote again. I said at that time that growth exists on capital.

> We need money to further the development of our north. This is why I feel it is time for the terms of reference of the Ontario Development Corporation to be expanded, whereby financial assistance can be made available to the commercial resort operators so that they can in turn expand and improve their summer facilities to attract travelling vacation groups. The present terms of the ODC are not providing financial assistance to the tourist industry whereby the job can be properly tackled.

Since these remarks appear to be relevant to all parts of Ontario, I am indeed pleased to support the member for Victoria-Haliburton and do want to compliment him on bringing this important matter to the attention of the House again.

I am pleased that he has received the support of all sides of the House, and I am particularly pleased that all the northern Ontario members have supported him 100 per cent.

Mr. Speaker, we in this province have a long history of tourist development. We have a healthy, growing tourist industry. However, the question before us is whether the provincial government can assist in increasing this growth and, if so, how. For those who have spoken before me in this debate, there is good evidence that the provincial government can assist through a well-directed programme of financial action. The efficiency of the tourist industry depends on its abilities to attract tourists to an area and then to provide them with places to stay, things to see, things to do and things to buy.

Many tourist operations are outdated and do not boast the quality or style of accommodation expected by today's traveller. In so many cases, it would be feasible to upgrade the facilities at a reasonable cost. In many areas of our province the demand for accommodation exceeds the supply. It would be desirable—and certainly feasible—to expand these facilities in these areas, particularly where the demand originates from outside the borders of Ontario.

This is particularly true in the northern part of Ontario, where there is a need to provide and to expand the hunting and fishing camps which would attract a higher level of business from the United States. At the present, Mr. Speaker, a great many tourist operations are constructed and equipped for summer operations only, but they cannot be profitable on such a short operating season. With the growing importance of winter activities such as skiing and snowmobiling, and so on, there is an increasing opportunity for year-round resort operations. Many of our present camps are suitably located and could be winterized for year-round operation.

Further to this, Mr. Speaker, many of our present tourist operators are burdened with large deficits and high interest rates and short repayment terms.

It is general throughout the province that tourist operators find it difficult if not impossible—as many of the other speakers have pointed this out—to obtain funds at reasonable rates for expansion, modernizing, winterizing their facilities. The reasons of course are obvious to us as they are and I would point them out:

1. The tourist industry is below average profitably.

2. Many lenders have suffered losses on loans expended to this industry in the past. Consequently they are hesitant to make new loans.

3. We are aware the management ability is often limited in these organizations or these operations.

4. The tourist facilities involve a very heavy capital cost.

5. The tourist operation is generally regarded by nature and by location as a single-purpose business and cannot readily be turned over to another use if it proves unprofitable.

Mr. Speaker, I do not believe that I must reemphasize the importance of this industry to the province as a whole. Certainly if we are to maintain our position in a world competitive market, we must find ways to provide long-term financing at reasonable rates to enable these tourist operators to compete properly in this world market.

As other speakers have pointed out, it was during the regular meetings of the standing committee on natural resources and tourism, chaired by my colleague, the member for Fort William (Mr. Jessiman) that we heard pleas from practically every tourist association in this province. They urged that both the federal and the provincial governments recognize the economic significance of tourism as an industry and make capital available to deserving operators on terms that they can afford.

Further to this, Mr. Speaker, recommendation no. 18 of the northwestern Ontario tourist industry study completed last year, states that commercial resort owners be encouraged through legislation and financial assistance to expand their summer facilities to attract travelling vacation groups.

Needless to say from all the other speakers that have preceded me this is an excellent resolution and is certainly worthy of government action.

Mr. R. S. Smith (Nipissing): Mr. Speaker, there are only a couple of minutes left before 6 o'clock, but I would like to indicate my support for the resolution. I would also like to draw to the attention of the members that what is asked in the resolution is only the extension of the Ontario Development Corporation loans that are available.

It does not indicate that the EIO programme should also be extended to include the tourist operators. Under the EIO programme, I would like to point out to the members, the Minister attempts to operate this programme out of his back pocket. It depends on where you come from, who you are, what happens to your application.

I would like to point out that in my area there was a group which came down and made an application for a tourist attraction which would provide further business to other operators. They were turned down on the grounds that our area was not considered to be a tourist area by that agency.

When I asked the director of the agency on what grounds they considered an area to be a tourist area, he could not answer me. Forty miles south of us, however, another application was made and they were granted the funds through ODC. Apparently their area is considered a tourist area.

Now the power to decide what is a tourist area and what is not apparently lies with the Minister. That is why I say he operates the programme out of his back pocket. I should think the tourist operators in the province would expect a little more from the government at this time.

Mr. G. E. Smith (Simcoe East): Mr. Speaker, I wish to beg the indulgence of the members of the House and yourself to support the resolution of the member for Victoria-Haliburton, keeping in mind that the tourist industry is the second largest industry in the province. The tourist industry—

Mr. Speaker: I would point out to the hon. members that the private members' hour is now complete, and much as we would like to have heard about his part of Ontario and its needs, I am afraid time does not permit.

It being 6.00 o'clock, p.m., the House took recess.

No. 114



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Monday, May 12, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Monday, May 12, 1969

Highway Traffic Act, bill to amend, in committee 4267

Motion to adjourn, Mr. Welch, agreed to 4293

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8.00 o'clock, p.m.

Clerk of the House: The third order, committee of the whole House; Mr. A. E. Reuter in the chair.

THE HIGHWAY TRAFFIC ACT
(Continued)

Mr. Chairman: Bill 105, An Act to amend The Highway Traffic Act. We have a motion before the committee.

All those in favour of Mr. Haskett's motion will please say "aye"; those opposed will please say "nay".

In my opinion the "ayes" have it.

Call in the members.

Those in favour of Mr. Haskett's motion will please rise.

Those opposed to the motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 47, the "nays" 19.

Mr. Chairman: I declare the motion carried.

Shall section 8, as amended, form part of the bill?

Mr. J. Renwick (Riverdale): Mr. Chairman, I would move that all the words after the word "repealed" in clause 8 of Bill 105 be deleted.

Mr. Chairman: This is the same motion the hon. member has presented before.

Mr. J. Renwick: The same motion that we considered this afternoon.

Mr. Chairman: I must point out to the hon. member that this would appear to me to be a simple negation of the spirit of the clause itself, and as such would not be a proper motion.

Mr. J. Renwick: Mr. Chairman, if I may comment on that.

What the Minister did was simply amend one portion of the proposed clause 8. Now that amendment carried and therefore the section is up again for consideration, as amended. This is not a negation of that section. This is simply to say that that portion of it after the word "repealed" would be deleted. Now if this were to be a negation of the clause, then the decision that a motion which is carried does not carry this section, but a motion that is defeated does carry the section, would have no meaning. I submit that this particular amendment is in order.

Mr. Chairman: I would say to the hon. member that section 8 of Bill 105, on the second line after the word "repealed", goes on to say "and the following substituted therefore", and it recites subsection 2 which is to be amended. Now this amendment has been put to a vote of the committee and it has carried. Omission of that amended subsection 2 of section 8 is a simple negation of the entire spirit of this section, and as such would be entirely out of order.

Mr. J. Renwick: I would agree with you had the motion been simply to delete clause 8, Mr. Chairman. It would have been a simple negation of the section. In fact it does not negate clause 8, it provides specifically that subsections 2, 3 and 4 of section 14 of The Highway Traffic Act are repealed. Now that is a substantive motion and does not negate the section at all.

I would agree with you completely had we moved simply the deletion of the whole clause.

Mr. V. M. Singer (Downsview): Mr. Chairman, may I speak to the point of order.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: I find the rather interesting reasoning presented by the member for Riverdale somewhat appealing. We are going to support his contention against your ruling, and mainly—

Mr. Chairman: I have not ruled yet.

Mr. Singer: I suspected, sir, from what you said, that you were going to rule against him—and substantially because we believe that as many continued protests as we can make against the iniquities of this section should continue to be made.

Now notwithstanding the interesting remark of the Minister of Correctional Services (Mr. Grossman), I think we have a duty here to indicate to the people of Ontario how obhorrent we find this approach of the government. We have said this, and I am not going to repeat the arguments we made.

The one thing that puzzles me though, in the approach of the member for Riverdale and in the approach of the Minister, is that as we delete subsections 2, 3 and 4 of section 14 we are eliminating, interestingly enough—

Hon. A. A. Wishart (Minister of Justice): On a point of order. I understood the hon. member to stand up and say he was speaking with reference to your ruling, and you indicated you had made no ruling.

Now are we debating this amendment? Is it in order?

Mr. Chairman: I have suggested that it is not in order; but I am willing to listen to argument.

Hon. Mr. Wishart: If you had given a ruling then I think the hon. member might be in order, but I certainly do not think he is in order now.

Hon. A. Grossman (Minister of Correctional Services): He was not in order then. He was not speaking to the rule.

Mr. Chairman: I was waiting momentarily for the hon. member for Downsview to become in order—

Hon. Mr. Wishart: That is what I wanted.

Mr. Chairman: —he was out of order.

Hon. Mr. Wishart: Thank you for the decision. Let us now have the ruling.

Mr. Chairman: The hon. member for Riverdale had risen on a point of order.

Mr. Singer: Yes, and I have risen on a point of order.

Mr. Chairman: You were debating, you were not raising a point. The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I appreciate your thoughts in this regard, but surely when you indicated you thought it was out of order, you were tacitly asking for advice or comment at least from those who are interested in this particular matter; and that is precisely what the member for Downsview was making available. I canont understand why the Attorney General should object on that basis.

Mr. Singer: The Attorney General is awfully sensitive.

May I continue my remarks to the point of order, Mr. Chairman?

Mr. Chairman: If you speak to the point of order; in the opinion of the Chair you were not doing so.

Mr. Singer: Oh, all right; let me get back to the point of order, Mr. Chairman. I was on a point of order before the Attorney General was on a point of order.

Mr. Chairman: With respect, sir, he had not finished; I would prefer to hear him out if I may.

Mr. Singer: Mr. Chairman, I believe that the point made by the member for Riverdale is in order by reason of the fact that the amendment as presented having been carried, there is a further opportunity to the members of this House in indicate whether or not they like the section as amended or whether they like some variation of it. That surely is the point the member for Riverdale was making. I am sorry that the Attorney General was embarrassed; he is taking an anti-civil-libertarian approach and it is too bad!

Mr. Chairman: Well the hon. member for Riverdale is out of order, if I may reply to the hon. member for Downsview. I could follow his reasoning up to a point, that once this motion has been carried as presented by the hon. Minister, section 8 still must be put to the committee for approval to form part of the bill.

Now I indicated prior to the supper hour I would entertain further motions if this motion carried, which it did; however the motion submitted is simply a motion which is a direct negative of the spirit of this section of the bill, and therefore I do rule it out of order.

Mr. Singer: Oh! With respect, sir, if I may speak this just a moment, the motion of the member for Riverdale, as I understand it, deletes—

Hon. Mr. Grossman: Let us get back to some order!

Mr. Chairman: The hon. member for Downsview may challenge my ruling, but I have moved that the motion is out of order.

Mr. Singer: I will not challenge it, sir, I have expressed my view. I think the member for Riverdale is right; if he wants to challenge it he can challenge it.

Mr. Chairman: I have ruled that the motion is unacceptable, it is out of order.

Shall section 8 as amended form part of the bill?

All those agreed that section 8 shall form part of the bill will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Call in the members.

Mr. Chairman: Those in favour of section 8 as amended forming part of the bill will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 41, the "nays" are 26.

Section 8, as amended, agreed to.

Section 9 agreed to.

On section 10:

Mr. Singer: Mr. Chairman, on section 10, I make the same objections as I did without repeating the remarks I made at some considerable length. On the other hand, if some of my friends over there want me to, I can repeat exactly the same speech, which went on for some considerable period of time, except I think the point has been reasonably well fixed in the minds of the government.

There is only one additional fact I would want to add by reason of the somewhat unusual wording that has put into this section and was also put into section 8—

Hon. I. Haskett (Minister of Transport): Mr. Chairman, the hon. member is not speaking to section 10; he is speaking to section 11.

Mr. Singer: I am sorry, the hon. Minister is right for a change and I bow.

Mr. Chairman: Shall section 10 stand as part of the bill?

Section 10 agreed to.

On section 11.

Hon. Mr. Haskett: On section 11, I move that subsection 2 of section 17 of the Act, as re-enacted by section 11 of the bill, be struck out and the following substituted therefor:

> Every person who is unable or refuses to produce his licence in accordance with subsection 1 shall, when requested by a constable, give reasonable identification of himself and for the purposes of this subsection the correct name and address of such person shall be deemed to be a reasonable identification.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, all I said when I thought I was talking about section 11, when in fact I was talking to section 10, should apply now, but there is one additional point I want to make. By reason of the unusual and rather convoluted wording that the Minister has brought before us, both in relation to section 17 which he now wants to amend and in relation to section 14 which he previously amended, he has eliminated subsection 3 in both of those sections.

Now subsection 3 in section 17 of The Highway Traffic Act, which he now deletes, says this:

> A person convicted of an offence under this Act if he holds a chauffeur's licence shall forthwith produce the licence for the purpose of endorsement.

So we have got the rather unusual and anomalous situation where all this weird and wonderful procedure goes on. Under section 17 as the Minister suggests it should be amended, once a provincial judge has said, "You are convicted"; he then says to the convicted person, "Give me your licence so I can now endorse it." The person who has been convicted can say to the provincial judge, "I will not." And this would no longer be an offence.

Previously—under the subsection the Minister is repealing, subsection 3 in this Act—it was an offence for the person convicted not to produce his licence for endorsement. Now in his zeal to change the Act and bring it up to date, the Minister gives permission to the convicted person to say to the provincial court judge, once he has been convicted: "I am sorry Mr. provincial court judge, but I am not going to give you my licence so you can endorse it and you can go and jump in the lake."

Now I am sure that the only answer to this is inexpert and inefficient draftsmanship. I would be prepared, if the Minister wants, to amend the amendment or introduce an amendment, or to listen to him; but this is the way it reads. I would like to

know why he is deleting—even if he means what he said earlier today—subsection 3 of section 17.

Hon. Mr. Haskett: If the hon. member will wait until we get to section 15 he can speak to the subject matter he has brought up improperly under section 11.

Mr. Singer: What does that mean? We do not endorse any more, is that what the Minister says?

Hon. Mr. Haskett: That will come in section 15 of the bill, sir.

Mr. Singer: Well is the Minister saying he is eliminating the endorsement on the licence?

Hon. Mr. Haskett: That is what section 15 says.

Mr. Singer: Why?

Hon. Mr. Haskett: We will come to that in time.

Mr. Singer: Well do you not want to tell us now, why you are taking out the right to endorse? Is it a secret?

Hon. Mr. Haskett: This is under section 15 if you want it then.

Mr. Singer: Well tell us now, because you are repealing it here! Why? Can you not tell us that?

Hon. Mr. Haskett: The section is being deleted because we are not requiring the endorsement.

Mr. Singer: Why?

Hon. Mr. Haskett: Mr. Speaker, I do not think it is particularly germane to this section that is being deleted. If he wants to know why this specific section is being taken out, this is because it is observed that there are very few solicitors, I imagine like the member for Downsview, who would try to go into court with his driver's licence and have it endorsed. They just have not got it; they cannot find it; they cannot do anything about it. They do not have the licence endorsed in the first place; and in the second place we do not require the endorsement on it now for our purposes, because all drivers' offences are on our computer and are immediately available. In the third place I suppose you would regard the situation where an endorsed licence were brought into court as evidence as prejudicing a fair trial.

I think those are very good reasons for deleting section 23 of the Act, which section 15 of the bill intends to do.

Mr. Singer: Mr. Chairman, with great respect, I do not follow the Minister's reasoning at all.

His first reason was that most people who come there cannot find their licence to have endorsed upon it a record of a conviction. Well surely at that point, Mr. Chairman, he defeats all the arguments he was presenting to us earlier in the day. It does not make any sense at all. The presentation of an endorsed licence is surely the first bit of evidence after conviction and the words that are there are "after conviction".

Mr. Chairman: Is that subsection 3 of section 17?

Mr. Singer: Yes, subsection 3 of 17: "A person convicted of an offence under this Act, if he holds a licence, shall forthwith produce the licence for the purpose of endorsement." That is what it says. That is the subsection the Minister purports to delete.

Now first of all the Minister says that many people who appear and are convicted cannot find their licence. Well if that is the case, surely the people who charged him with the offence in the first instance should have been aware of that and they would have charged him for failure to produce his licence, or as it is now failure to identify themselves.

The second thing the Minister says is that it is going to prejudice a fair trial. Now how could it possibly prejudice a fair trial?

The wording of the subsection he deletes says a person convicted of an offence shall produce his licence. The trial is over by the time he has been convicted. Perhaps the Minister does not understand the meaning of those words. How can it possibly prejudice a fair trial?

The third point rather escapes me, but if there is some intelligence in the Minister deciding that the licence shall no longer be endorsed it has always been my thought, Mr. Chairman, that the purpose of endorsing a person's licence was to have some sort of salutory effect on the person who had committed the crime—driving without a licence or driving in contravention of any of these sections and having been convicted, before a court, of such contravention. The fact that something was endorsed on the licence would deter him from doing it again in the future.

If this restriction is removed, what is the Minister's reasoning? I do not understand him at all. Why has he changed his mind that this is not longer a reasonable deterrent to people who had in the past been convicted of contravening a section of The Highway Traffic Act.

The Attorney General will recall with me that a few years ago I was concerned about a magistrate, I think his name was McClevis in Walkerton, who had, as I put the case, improperly removed an endorsement on a licence. I am still convinced I was correct in it; the Attorney General did not agree with me at the time. But at no time, Mr. Chairman, up until this moment, have I heard from anyone on the government side that there was something harmful to the people of Ontario, or to a person convicted, in having the record of a conviction endorsed on his licence.

What is the difference, Mr. Chairman, in asking the Crown attorney, as the provincial judge always does, has the man got a record? The Crown attorney produces a yellow sheet on which the record of convictions are endorsed; or somebody writes, usually defence counsel if he is concerned about making representations insofar as sentences are concerned, he writes to the Minister's department.

I do not know whether the Minister is aware of this, but for the payment of $1 or $2 you can get a certificate. I can write to the Minister's department and ask him if a fellow by the name of Irwin Haskett has any record of traffic convictions or convictions under The Highway Traffic Act against him. On the payment of a fee, in the course of a few days' time I will get a piece of paper back that will give me the record of convictions or non-convictions against Irwin Haskett. This is part of the evidence that is available in court and there are sections in the code and there are sections in this Highway Traffic Act that a certificate signed by the proper official in the Minister's department is evidence in court.

What is the purpose of deleting subsection 3 from the present section 17? The Minister has given us no reasonable explanation for it at all. Any one of the three criteria that he has applied tonight make no sense. Could he explain it a little further and justify it?

Hon. Mr. Haskett: Mr. Chairman, I could repeat what I said in the hope the member for Downsview might understand.

Mr. Singer: I am afraid I am dull.

Hon. Mr. Haskett: We have in the past used the records on drivers' licenses in keeping our records, but now all drivers' records are on data processing equipment and we do not need that help. If an endorsement is on the license and the license is presented in court for evidence, as I said, it could prejudice a fair trial.

Mr. Singer: How could it prejudice a fair trial?

Hon. Mr. Haskett: By pointing out that the man had a previous record.

Mr. Singer: But it said "after conviction"!

Hon. Mr. Haskett: He could have had a previous conviction, if the member is not too obtuse to recognize that a license that had been endorsed is presented.

Mr. Chairman: We have the motion before us on section 11.

Those in favour of the motion will please say "aye"; those opposed will please say "nay".

In my opinion the "ayes" have it.

I declare the motion carried.

Shall section 11, as amended, form part of the bill.

Mr. J. Renwick: Mr. Chairman, before you carry section 11, rather than divide the House, I would simply like to record that each and every one of the arguments which have been put during the course of the debate on section 8, apply equally to section 11, and reflect the position of this party on that matter.

Section 11, as amended, agreed to.

Sections 12 to 15, inclusive, agreed to.

On section 16:

Mr. I. Deans (Wentworth): Mr. Chairman, I was wondering if the Minister might be able to tell me how he arrives at the figures that he arrives at in the case of the $100 and the $500? And if, in calculating the amount of the fine, he took into consideration such things as the need of a license to maintain a livelihood.

I know that the argument can be put that a person who requires his license in order to earn a living must be more careful. But you can also take the position that someone who has driven for many years without any offences being registered against him, and who, in a moment of weakness, in a time when he is not occupied in his normal pursuit, becomes

intoxicated perhaps, or perhaps inadvertently fails to renew his license, and is picked up and subsequently is not permitted to renew it for a period of time, or any number of things; he loses his license and it then becomes a double penalty on him. Not only is he fined, and perhaps even imprisoned in some instances, but in this instance he also loses the opportunity to earn a living.

Now the arguments against it are many, and I have heard them a number of times. I wonder if the Minister has given consideration, in drafting this particular part of the bill, to making the necessary changes at some subsequent time to enable a person who is convicted of an offence which will cause him to lose his license, to have this done in such a manner so that he does not lose his livelihood. In other words, he may then have his license suspended at periods when he does not use it normally for living purposes.

I wonder if the Minister has given consideration to that particular argument and his reaction to it would be—other than that you must be more careful, which is the stock answer to that argument and does not really carry any weight, because it has varying effects and differing effects on different classes of society. There is no question that a person who is more affluent than another, of course, can find an alternative way in which to carry on his business, perhaps by chauffeur or by other means. Whereas the poorer person, who may be a taxi driver, for example, or any number of other things, who loses his license, as I say, at a time when he is not operating his business, then loses the business too.

I wonder if the Minister has given thought to what might be done in those instances.

Hon. Mr. Haskett: Mr. Chairman, this is a part of the overhaul of the general penalties sections of the Act to bring them up to date on today's dollar value and to assess them with regard to their relative seriousness as mild offences, ordinary offences and serious offences; and this is regarded as one of the serious offences.

Now in the change in the penalty from the original figure of $25 to $100 on a first conviction and from $100 to $500 on subsequent convictions as part of the penalty, this has been done in the elimination of the charges for second and subsequent offences. So the range is there but the lower level, the minimal fine, has been raised, as the hon. member will note, to $100.

But he is a little confused with respect to this as relating to a driver's permit. This is for every person who operates a motor vehicle the permit for which is under suspension or has been cancelled. They are guilty of an offence, and upon conviction liable to the fine prescribed. This is in the operation of a motor vehicle for which permit has been cancelled.

Section 16 agreed to.

On section 17:

Mr. D. M. De Monte (Dovercourt): I would like the hon. Minister to explain why, in this section, the penalty is so low in view of the fact of the onerous penalties that the ordinary man faces when he drives a vehicle while its permit is suspended. Why are operators of garage businesses and parking lots subject to such minor fines? I can see, Mr. Chairman, some men paying the fine every three or four months and still practicing without a licence, with such a low penalty.

Hon. Mr. Haskett: Section 17 deals with subsection 3 of section 31, and it has to do with garage and storage licences—the person who stores motor vehicles or who conducts a motor garage business, and we do not think that the infraction here is a really serious offence comparable to the wilful taking of a vehicle, for instance on the highway when it has had its permit suspended.

Section 17 agreed to.

Mr. J. Renwick: Mr. Chairman, on the second part of section 17. I am somewhat concerned, perhaps the Minister can correct me immediately. I do not have a copy of The Highway Traffic Act here, but my understanding is that on the initial offence, under subsection 5 of section 31, there is a fine only, not a fine and imprisonment, if my understanding is correct. Then it goes right through this bill, that what you are doing is reducing or eliminating the gradation of penalties on offences and substituting fines or imprisonment, or both, whether they are first, second or third offences, am I right in that, Mr. Chairman?

Hon. Mr. Haskett: Yes, Mr. Chairman, in our clean-up of the penalty section, we made these changes. Either we raised the minimum fine in most cases to the basic fine in the general penalty section—and in the serious offences it was raised—then we deleted the provision for charges for second and subsequent offences and put them all within the one bundle, and so now the court has the greater discretion. We still included, in this case, the alternative or additional part of the penalty. The Act read formerly in section 31(5):

Anyone who obstructs, molests or interferes with any such constable or officer in the performance of his duty under subsection 5 is liable for—

The old Act read—

—for the first offence a fine of not less than $25 and not more than $100; for the second offence, a fine of not less than $100 or more than $300, and for a subsequent offence a fine of not less than $300 and not more than $500, and is also liable to imprisonment for a term of not more than six months.

Now we have compressed that into the section as it now reads, as the hon. member points out:

Every person who obstructs or molests or interferes is guilty of an offence on summary conviction and is liable to a fine of not less than $50 and not more than $200.

It does not go up as far as the original $500 or for a subsequent offence, but still includes:

To imprisonment for a term of not more than six months or—

Sections 17 and 18 agreed to.

On section 19.

Mr. Deans: Mr. Chairman, I wonder if I can ask the Minister, on section 19—what was the necessity for the change to subsection 8, where you change it from $50 to $300 and $100 to $500; were there some goings on that necessitated this kind of change?

Hon. Mr. Haskett: Mr. Chairman, I think it would be clear to the member that these succeeding sections 19, 20, 21 and so on, deal with manufacturers and dealers. We think in these cases people are in the business for profit and we think that it is necessary that the deterent should be in this measure.

Mr. Deans: That is not really the point. You can make the deterent $50,000 if the crime has never been committed. What I want to know is, is the law being broken and are you changing it in order to try and stop it, or are you just changing it in order to make it look good?

Hon. Mr. Haskett: It will take me a moment or two sir, to find for the hon. member the number of infractions or convictions we may have had under that section. Mr. Chairman, my officers tell me that they do not have records of convictions on this section, it appears that the law is not being broken blatently anyway.

Mr. Deans: One then wonders what the necessity was for the change, other than just to make the laws more stringent. It appears that you are having no difficulty with it, that you are only changing it so that you can point to it and say, "In Ontario if the manufacturer breaks that law the fine is severe", knowing full well, he does not break it anyway, so it makes no difference.

Sections 19 to 27, inclusive agreed to.

On section 28:

Mr. R. F. Ruston (Essex-Kent): Mr. Chairman, with regard to the signs to be on the back of slow moving vehicles, every farm tractor and self propelled implement. My interpretation of this would mean that a sign has to be on each vehicle, and not necessarily just on the back vehicle; if there should be more than one vehicle behind a tractor, in other words if he had two wagons, it is mandatory that he have a sign on each wagon?

Hon. Mr. Haskett: Do I understand the question to apply to vehicles in tandam connected?

Mr. Ruston: Yes.

Hon. Mr. Haskett: No, in that case it would not need two signs; but this deals with the need for signs where a vehicle is merely crossing the road—

Mr. Ruston: Yes I know.

Hon. Mr. Haskett: —because the approved sign as the hon. member knows is a triangle, and a thin one, and at right angles, it would have no appearance, and would not be of any use to traffic on the road.

Sections 28 to 32, inclusive, agreed to.

On section 33:

Mr. J. P. Spence (Kent): Mr. Chairman, on section 33. It says here that the fine for failure to use safety devices in accordance with the regulations, is increased from a general penalty—under section 154, as amended in the bill—from $20 to $100, and a fine of from $100 to $500. Does that mean if you are not using your safety belts when driving a car that you could be fined from $100 to $200?

Mr. Singer: $100 to $500!

Mr. Spence: $100 to $500! What safety devices?

Hon. Mr. Haskett: This has to do with the provision of safety equipment on the vehicle by manufacturers.

Mr. Singer: How does the Minister arrive at that? The section does not say manufacturers.

The section says, "The Lieutenant-Governor-in-Council may make any regulation requiring the use or incorporation of any device in or on any vehicle." There is no mention of the word manufacturers there at all; where does he get that interpretation?

Hon. Mr. Haskett: I was one section ahead of you—section 47.

Mr. Singer: Well surely 50 is dealt with by itself? The Minister says that applies to the manufacturers; where is the word manufacturers in section 58?

Hon. Mr. Haskett: Does the member ask if this would apply to not attaching seat belts?

Mr. Singer: Yes.

Hon. Mr. Haskett: No, because we have no regulation requiring the use of seat belts.

Mr. Singer: No, but you could have. Mr. Chairman, as my colleague, the member for Kent, so ably says, if the Minister wishes, he can promulgate—through his colleagues, who form a part of His Honour's council, the Lieutenant-Governor-in-Council—the regulation tomorrow morning, that everyone must wear seat belts from here on in, and affix them. And if they get into their vehicle and they do not, then the conviction would result in a minimal fine of $100 and a maximum fine of $500.

Or, let us be a little more ludicrous about it—he rejected this a long time ago—what kind of a safety helmet people should wear when driving a motorcycle. He told us very seriously one day—I can remember his words well, "Surely you would not expect us to prescribe the kind of dress that people wear, but he changed his mind about that. If he suddenly wanted to prescribe that people should wear driving helmets when driving motorcycles, the minimum fine would be $100 and the maximum fine $500. Maybe it is a good idea. Is that what the Minister means? If it is, I think we should know, because the wording is so loose, the wording is so vague.

You see, Mr. Chairman, section 58 says:

> The Lieutenant-Governor-in-Council may make regulations requiring the use or incorporation of any device in or on any vehicle that may affect the safe operation of the vehicle on the highway, or may reduce or prevent the injury to persons in a vehicle on a highway, or to the person upon a highway in prescribing the specifications thereof.

Now, in principle, Mr. Chairman, I am certainly not against that. But what I am against, Mr. Chairman, is the very loose wording that gives the Minister the authority —at the whim of any Minister, even of this Minister—that a regulation can be passed, requiring the use or incorporation of any device in, or upon, any vehicle that in the Minister's mind is going to produce greater safety.

Not in the mind of the Legislature, just in the mind of the Minister.

And, in the event the Minister has gone off on a folly of his own—and I am sure this hon. Minister would never do that—in the event the Minister has gone off on some sort of an unusual idea, and came to the conclusion that it would be reasonable to wear safety helmets when you are driving a motorcycle—and he resisted that idea for years—and he wanted to write it into this Act, and people did not abide by it, there would be a conviction subject to a minimum fine of $100 and a maximum fine of $500.

Now, the concern of my colleague, the member for Kent, and I, is that we do not know what the Minister might have in his mind. And the Legislature has no control over this. Could the Minister tell us how this is going to work?

Hon. Mr. Haskett: Mr. Chairman, I might just read section 50(a) of the Act, to which this section 33 of the bill applies. As I read it, it says: "The Lieutenant-Governor-in-council may make regulations requiring the use or incorporation of any device in, or on, any vehicle."

Mr. Singer: Yes, that is just what I said. That is exactly what I said. Is that the Minister's answer? That is what I read.

Hon. Mr. Haskett: It deals with the use, or incorporation, of a device.

Mr. Singer: That means if I get on a motorcycle, or into a vehicle, the Minister can by regulation require me to use a device. It could be a helmet, it could be a pair of shoes, it could be a shirt, or a tie, or a suit. We do not know in the Legislature what it is going to be because the Minister does not have to

consult us about regulations. And, in the event that we do not do it—

Mr. J. Renwick: On a point of order, Mr. Chairman. Without discussing the merits or otherwise of what the member for Downsview is saying, the Minister is not amending that section of the Act he has just read. He is adding a subsection to it. Therefore, the matter which is the substance of section 50(a) itself is not, in my submission, a matter for debate at the present time.

Mr. Singer: Well, with great respect to my colleague, the member for Riverdale, Mr. Chairman, this assumes serious proportions only when you read it with sections 1 and 2, or 1(a), and 1(b), and 2, of the present existing section 50(a).

Now, when a minimal penalty existed, perhaps it was not of such great consideration. The Minister in his desire to get tough—which has been applauded by everyone, including himself—has increased the penalties very substantially. And now he is increasing them to the point where they are going to be not less than $100, and not more than $500.

My point is simply, Mr. Chairman, when the Legislature has no way of knowing what kind of use, or incorporation, of any device in, or on, any vehicle, may be in the Minister's mind, is it reasonable or logical that the Legislature should give, to the persons enforcing this Act, authority to impose this kind of a punitive fine. Because we do not know what the Minister has in his mind.

It is all very well to say that we want greater safety in, and about the use of, all sorts of motor vehicles. But the Minister is asking us to give him a blank cheque.

As I say, if the Minister goes off on a folly of his own and says you need a peculiar kind of a shoe before you can drive an automobile and that is passed in a regulation, then the minimal fine for not wearing that peculiar kind of shoe is going to be $100 and not more than $500.

He multiplies the penalty by a substantial amount, and I would think that, when has this broad power of regulation, he should explain to us how we get to the criterion that the Minister is going to use when he applies this kind of judgment in urging that the regulations be passed.

Hon. Mr. Haskett: Mr. Chairman, I think the fears expressed are unfounded. Section 50(a) calls for mandating equipment and its use. That requires the use, or incorporation, of any device in or on any vehicle—and prescribing the specifications thereof. And this applies to the manufacturer, or equipper, of the material; and not the use by the person riding in the vehicle.

Mr. Singer: Mr. Chairman, the Minister's interpretation just does not convince me. How does he explain requiring the words: "requiring use"? What is the meaning of that, if the Minister's explanation is a valid one?

Hon. Mr. Haskett: I think it is the use of it in the construction or manufacturer of the machine.

Mr. Singer: But it does not say so.

Hon. Mr. Haskett: "Requiring the use or incorporation of any device in, or on, the vehicle".

Mr. Singer: "Use in the vehicle". Surely that is a normal, logical English interpretation; "use in the vehicle". It does not say what the Minister says at all.

Mr. G. A. Kerr (Halton West): The member is out of order.

Mr. Singer: It is out of order to interpret what the Minister says, I agree.

Sections 33 and 34, agreed to.

On section 35:

Mr. Deans: Mr. Chairman, I wonder if the Minister would like to explain how he arrives at the figures he has arrived at, in terms of the amount of fine per hundredweight, as it applies to certain weights of vehicles and the weight that they carry? It seems to me that all this is providing is an additional licence for overloading. And, if you are prepared to pay the additional amount, then you can overload. I am curious to know how the figures were arrived at.

Hon. Mr. Haskett: Mr. Chairman, I think when I was introducing the bill, I pointed out at that time the desire to employ fines on a sliding scale for speeding, and for overloading, that would be deterrents. Especially in the latter case, where there is a great economic pressure to overload, because it is possible to break the law by overloading profitably. These are gauged, in our view and from our experience in motor vehicle administration and highway carriers, at a level that should operate to deter the lawbreakers; because it will take away the profit motive.

Section 35 agreed to.

On section 36:

Mr. Singer: Section 36, Mr. Chairman. Representations have been made to me, and I know they have been made to the hon. Minister, concerning section 36, by the Automotive Transport Association of Ontario.

I have, in front of me, a copy of a letter addressed to the Minister, dated April 15, wherein the president of that important association, the ATA Highway Traffic Amendment Act review committee, H. W. F. Whiting—I am sure a gentleman known well to the Minister—has this to say about an amendment to section 36.

We—

and that is the Automotive Transport Association of Ontario:

> —are strongly opposed to this amendment in its present form as it imposes a double penalty on someone who violates a special permit. In the interests of justice, particularly when it is considered that the offences of this nature may be committed in innocence, we suggest that the subsection be rewritten to provide that an offender be liable to either the penalty for the breach of a special permit, or for overloading, but not both.

Then they go on to propose an amendment to this subsection, which I have incorporated, Mr Chairman, as an amendment that I am going to move, and it is moved by myself, and seconded by Mr. Gaunt: that section 36 of Bill 105 be further amended by deleting therefrom, on the seventh line, the words "and in addition", and substituting the word "or"; and, in the second last line, and last line, the words "that section as if no", and substituting the word "the", and deleting the words "has been issued".

Now, to allow that to make a little more sense, Mr. Chairman, the section as amended, with those deletions, section 36 of this Bill 105, would then read,

> Every person to whom a permit has been issued under this section who operates or permits the operation of a vehicle or a combination of vehicles contrary to any of the conditions to such permit is guilty of an offence, and on summary conviction is liable to the fine of not less than $100 and not more than $500. Or—

and this is the key to the objection that has been made and I think it makes abundant good sense:

> Or a fine shall be imposed as if he had been convicted of an offence under subsection 7 of section 52 in respect of any gross weight in excess of the gross weight permitted under the special permit.

Now very simply, sir, the ATA makes the representation that there should not be a dual penalty, and the Minister has created an offence which makes this kind of offender liable to two penalties. It would seem to me that the amendment suggested by Mr. Whiting in his letter is eminently sensible and that the Minister should seriously consider amending his amendment in the manner put forward by this very important and responsible association.

Hon. Mr. Haskett: Mr. Chairman, may I just speak to the proposed amendment by the hon. member for Downsview and explain, perhaps, for the members of the House, just what is occurring here. The section we have just passed dealt with a schedule of fines and penalties for exceeding a registered weight. You will understand that in the operation of these heavy vehicles on the highway, we have to be concerned with the care of the highways. You will understand also that the maximum load allowed to any particular vehicle is specified in the Act.

We get the maximum weights allowable from our colleagues in The Department of Highways who are able to tell us what the maximum weight is that is reasonable to use on the highways to prevent their destruction. Now, we have gone beyond that and we have dealt with the penalties for exceeding the registered gross weight. Then we come to a place where there are special circumstances, where there is a particular piece of equipment to be moved, or where there is a job to be done by what we call the heavy haulers. Some of them are carrying steel beams; some of them are carrying these large pre-stressed concrete beams; some of them are moving giant pieces of machinery such as transformers, parts of mills or manufacturing establishments. Under these circumstances, those people come to us and spell out their particular need. And, if it is possible to accommodate them—having regard for the particular kind of floats or other equipment they use—then we issue them with what we call a special permit. These special permits for the heavy loads have to be dealt with very carefully.

There has been a lot of interest in this, this year since January 1 when the new regulations that were announced by our Treasurer a year ago in his Budget came into effect.

There is a special fee for a special permit. So, the haulers have been particularly acute to the situation. When this proposition came along we were going to tighten down on the issue of special permits, or rather on the infraction of special permits. We deemed it best to provide that the penalty imposed on the violation of the term of the special permit should not be in alternative to, but in addition to, the penalty for overloading—and I grant you, it makes a heavy penalty.

We met the representatives of the ATA that came to me with what seems a reasonable proposition, and we discussed it at length. We had previously met with a large deputation representing the Canadian Manufacturers Association, the Canadian Industrial Traffic League and groups of the heavy haulers. We had started ironing out problems that confronted them, and I think they were serious problems. But they had grown out of the long-time practice of these people wanting special permits just coming to us on the spur of the moment and saying: We have to move this piece of equipment and we want a special licence. That was that, and they expected to get it automatically.

We found, in the course of our research, that there was considerable misrepresentation being made to us on the occasion of applications for special permits. We discussed the situation very frankly with this representative group of the heavy haulers and the shippers, and I think we have come to some very useful conclusions. Basically we decided when a shipper or a hauler has a heavy load, a special load, it may require not only a special permit but perhaps a special routing because the roads intended to be used would not bear the weight, because overpasses would not stand the oversize, because the load was such that it would constitute a danger to other users of the road, or because it was required either at night or at special hours and with a police escort. All of these things have to be considered, and I think we have the shippers and the heavy haulers working co-operatively with us now. We are planning to work co-operatively with them.

We want to get from them a complete disclosure of their need. If they will give us a frank and true disclosure of what they need, we can write the permit so that there should be no need for an infraction of any of the terms of the special permit. That is what we are trying to avoid. We make the proposition to them: Tell us exactly what your need is, do not deceive us, do not try to confuse the issue, and we will try to work out a permit that will cover your need and leave you a sufficient range of, or tolerance beyond, so that you do not have to break any term of the special permit.

Now, there are some places where they cannot weigh a load in advance. The special permit requires that they take the load to a designated weigh scale first to have it weighed. Then we can determine what shall be done with it. But under the circumstances, the care that is being given now to applications for special permits, and the care and tolerances being used in the issue of special permits, there should be no need for the infraction of special permits. Bear in mind that special permits permit carrying weights far beyond the proper load that we believe should be on the highway. We take care of them when we can and we have to say "no" when we cannot. We try to write the specifications in the permit in a way that will not require any infraction. We believe that that will best be enforced by having the one penalty on top of the other, call it a double penalty if you will. We think it is in the interests of the public and the public's roads.

For these reasons, Mr. Chairman, I urge members to vote against the amendment.

Mr. Chairman: Those in favour of Mr. Singer's amendment will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

Section 36 agreed to.

Sections 37 to 40 agreed to.

On section 41:

Mr. Ruston: Mr. Chairman, on this changing the length of vehicles, trucks from 60 feet to 65 feet. I am just thinking about this, after hearing what the hon. Minister had to say with regard to special permits and the overloading of highways. Is this not defeating what he was just saying a few minutes ago? I have grave doubts about increasing the size of trucks that are going to be on our highways today when I see the size that some of them are now. I wonder if the Minister would care to explain his reasoning in lengthening them.

Hon. Mr. Haskett: Yes, Mr. Chairman, I will speak to that question raised by the hon. member. It might be a valid one from his reading of the proposals.

The proposal is not to increase the size of vehicles. It is to take account of, and make possible, the use of the vehicle trains. We are

not changing the maximum length of semi-trailers or public vehicles or other vehicles. All of this lies within the certain prescribed limits that are in the Act.

What we are doing is making it possible to operate a train that will go, not 60 feet, but an over-all of 65 feet. This has some very real advantages. I tell you that it is in use in surrounding jurisdictions and if the traffic is to come into Ontario and through it, we have to accommodate them if we can and if it is reasonable. I had to give a very hard look at this matter.

I recall the Prime Minister speaking to, I think it was the ATA convention, some months ago and saying that the government was taking a very serious look at this 65-foot over-all length for trains. This allows the maximum of 65 rather than 60 feet for what we call a tractor, trailer and a full trailer or a pup. They can now be, I think, 9, 23 and 27 feet. This enables the use of an 11-foot tractor and two 27-foot trailers. Now the trailers can be separated, as you understand, and in municipalities where they are not allowed, one is dropped—or when half the load is left in one location—the remaining tank can be carried. But what I use to justify it, is not necessarily or solely the commercial implication of it, but rather the fact that our investigations confirm that which the engineers have told us—that these shorter vehicles track better and are safer on the highways.

I put it to you simply as that.

Mr. Deans: Mr. Chairman, I would question the Minister on the same matter. It would seem to me that the longer and the more split up the trailers are, the more they sway on the highway. I have driven on the Queen Elizabeth Highway behind them and there is no question in my mind that the semi-trailers are more stable than is the train. The last portion of a three-phase truck certainly sways far more on the highway.

The question that I want to ask the Minister is whether he is prepared to regulate the highways upon which they might travel; whether he might keep them off the narrower highways? There are certain sections, for example, of the Queen Elizabeth Highway—and at the moment they are working on one of them—but one section that comes quickly to mind was the section in Oakville, where it was well nigh impossible to pass these vehicles at their present length if the weather was at all dirty. If it was raining, snowing, windy, anything at all, it was impossible to pass them on that stretch.

I would suggest that the Minister should give some consideration to banning their use on certain highways in this province, and keeping them to dual highways or else keeping them to a shorter length. The longer they are, the more difficult they are to control.

Hon. Mr. Haskett: Mr. Chairman, I would not agree with the hon. member that they tend to sway more than other vehicles. Because I think in our experience with them the only available evidence is contrary to that. But he makes the point with respect to limiting their use. As he probably knows, the municipalities can limit vehicles going into them. I think it would be reasonable to expect many municipalities would say, you are not going to take the whole train into our municipality. I think that would be quite right. But he makes a suggestion with respect to what roads they could be used on and I think there is a point there. It may be that they would be used primarily on the main highways, anyway. But I will look into his suggestion.

Mr. D. C. MacDonald (York South): Mr. Chairman, I listened with interest to the Minister's rationalization of his acceptance of this longer trailer arrangement. For the moment I am not going to object to it, except to query him as to why he is willing to accept this but is so adamant in condemning the hauling of longer vehicles in another context.

I do not happen to have the correspondence with me, but I am sure the Minister will recall that he has been approached quite frequently in recent months by a lawyer, or accountant I think he is, in the city of Belleville with regard to the decision that was made some time ago by his department against a person drawing a trailer and a boat. What has interested me about that correspondence, a copy of which has come to my attention, is that there is no instance of an accident arising because of this.

We have had instances of trailer-tractors jack-knifing and difficulties being created, but there were no examples in the other instance. The Minister is so very adamant in terms of putting road blocks in the way of families that want to go camping and take their trailer and their boat. Yet he apparently bows to the powerful pressures of the truckers associations and others to extend, by still a few more feet—until we get to 65 feet—the trailer combinations.

How does the Minister explain his willingness in some instances and his unwillingness in others?

Hon. Mr. Haskett: Mr. Chairman, they are two very different situations. The matter of trailing a boat behind a trailer behind a car was raised first for me by the chairman of this committee. He sent me a picture of it and I understood what the picture meant; it was a passenger car and a trailer and a boat and he just put "legal"? I shook my head and then I began to wonder, and I found there was no provision in the Act to bar them.

We went into it and considered the obvious danger to the driver of the passenger car with that combination behind it, and to other users of the road and we decided that it should be barred. So we took that action several years ago. The hon. member may remember.

There is this to it, that these big combinations heavily loaded with fuel or liquid cargoes and that sort of thing are heavy and they ride smoothly. They are driven by professionals and I think we all recognize that truck drivers, in big fleets, are, for the most part, pretty capable handlers of that kind of equipment.

Anyone taking a trailer for the first time will find that it changes the performance of his vehicle considerably. And if behind the trailer you put a boat on another trailer—with another hitch and a boat on top of that trailer —you get a situation that is, I think, beyond the competence of most private motorists to handle safely.

These would come out on the highways at the time of the most crowded tourist and summer traffic. They would unduly complicate the situation. The member said he had never heard of an accident.

Mr. MacDonald: I was told that there had been no such accident.

Hon. Mr. Haskett: I had a personal friend who was involved in a car that was hit by a swaying trailer without even a boat behind it. But when you consider that the vehicles are not intended for multiple hitches of a series of three vehicles; and not provided with braking equipment for three vehicles; and the driver is not accomplished in the handling of that kind of equipment, I think he will feel it is in the interest of safety that we retain the present law with respect to that until we have some kind of hitch and some kind of braking system and some kind of practice for that kind of driver before we let them on the highways in the crowded summer season with what I think is an unsafe combination.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I am interested in the Minister's reasoning for the amendment to increase the length from 60 to 65 feet. In his opening remarks he said one of the main reasons was that it would convenience the trade between other jurisdictions and I take it he means inter-provincial trade with Manitoba on the west and Quebec on the east. Is this what I understand—that in those provinces they now are permitted to use the length of 65 feet?

Hon. Mr. Haskett: I understand all the surrounding jurisdictions—Manitoba, Quebec and the American states—allow the 65 ft.

Mr. Gisborn: I would think that might be a good reason to consider the increase in length in this province. How long has this existed? Have there been presentations made? Have we in Ontario had any convictions or have we inconvenienced any particular freight company by stopping them from using the inter-provincial traffic highways?

Hon. Mr. Haskett: It has not been permitted and we have no convictions on them until now. We have had representations made on behalf of the industry, I would think for about a year and a half or more, and I think they were expecting that we would deal with it reasonably.

Mr. Gisborn: This being the case, it brings to mind the need for an investigation of the traffic Acts of other provinces. It should be done immediately because we might find that we will run into a lot of conflict in different lengths of trucks and many other various necessities for highway traffic. I would think that when we find this type of problem exists, we should be investigating many of the traffic Acts to standardize them to the effect that we have a uniform Act.

Hon. Mr. Haskett: There has been in the past a great discrepancy, I think. I say to the hon. members that in Prince Edward Island they allowed an overall length, I think, of 90 feet. We have been dealing with a great many of these issues—

Mr. MacDonald: That is longer than the island.

Hon. Mr. Haskett: They would not take that kindly; but we have been getting harmony and uniformity in a great many issues in our traffic Acts of the various provinces in recent years.

Mr. Chairman: The hon. member for Algoma.

Mr. S. Farquhar (Algoma-Manitoulin): I simply cannot let this section pass without making a comment with respect to the

possible lengthening of these tractors at least on some of the roads. I think that there are highways with passing lanes and truck lanes where this is all right, where passing is not a real problem. But I am thinking about some of the accidents that have been happening between Sudbury and Sault Ste. Marie for instance, on Highway 17, and that traffic has been expanding at a tremendous rate.

The accidents that we are having there—while cars are not being hit by tractors—are a result in many cases of complete frustration because of the motorist trying to get past, and the long lines that build up on the long, long hills, and the lack of vision in some of those areas. Of course for miles and miles there are no broken lines at all and a tractor can control the traffic completely.

The Minister will know that when we, in the course of business travel the 200 miles and we have to regulate our pace down to 35 miles an hour because of this kind of a situation, frustration sets in and you do take a chance and that is what happens.

Now I will agree that the handlers of these vehicles certainly know their business. But this is beyond their control—they cannot go any faster, and they have nowhere else to go. There is only one other lane. And I, certainly, would be very concerned if a real good look were not taken at the idea before it was extended to all highways. There are changes being made on that highway with respect to the provision of passing lanes, and when those things are completed, of course, I think it will be a different situation. But not in this day and age, at least not at this point.

Mr. Chairman: The hon. member for Hamilton East.

Mr. Gisborn: Mr. Chairman, I think the changes recommended here seem reasonable enough. I think it could be the act of establishing construction zones and the provisions of travel in those zones. It is necessary to expedite it quickly and the Minister is in a position to do that. But I do not know what good it will do.

We have had a construction zone situation on the QEW between here and Hamilton for several months and the speed zones have never been observed. Drivers ignore the 45 mph signs and they go through there at 50 and 60, cutting in and out. Questions have been raised on the floor, I believe, during the last few months as to when the Minister was going to have those speed restrictions enforced.

I have not seen any difference while driving them every day for the last two months. I would think if we are going to have special sections in The Traffic Act that provide for the controlling of traffic in construction zones, then we have to enforce them more or leave them out.

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, in regard to the changes to the fines under the speeding section, I would be most interested in knowing about this. Some years ago we introduced the demerit point system in Ontario and this was supposed to act as a deterrent for people breaking the law. It would appear to me now that the Minister does not feel that the demerit system is working adequately and that he is forced to impose even more severe monetary penalties for breaking the law.

I am not quarreling with what he has set but I am curious to know how he arrives again at what the figures ought to be and whether he feels that this is justified in taking into consideration the demerit point system which he presently has? Also, whether he thinks that this system is not working properly?

Hon. Mr. Haskett: Mr. Chairman, I think we are very happy with the results of the demerit point system. Though it is not perfect, it is a very useful tool in checking up on drivers' faults. Its main purpose is not to suspend drivers but to check up on drivers whose performances are not up to scratch and to help them improve their driving in the interests of all. There were several thousand suspended last year, having reached the 15-point level. But there were many, many thousands more called in for interview at the 9-point level and there were many, many thousands more notified at the 6-point level.

The reducing number of those who get demerit points, those that reach the 6-point level, those at the 9, and the 15, indicate that the interviews and the dealing with individual drivers, discussing their driving habits with them, really pays off. The reduced number that reach 9, that had reached 6, is very helpful. The number that come up for discussion and interview at 9 and proceed to 15, drops very sharply again and that convinces us that the interview and examination is very worthwhile.

The member for Wentworth asks why we arrived at this greater scale of fines for speed-

ing. I think it is easily understandable if you think a driver in a 30 mile an hour zone first finds himself going 35 or 38, is summoned for speeding and is charged with 35 or 37 mph, he will be fined at the rate of $2 per mile in excess of the 30—which is perhaps a little less than they are fining them in many places now anyway. We are trying to put it into a graduate scale.

A man who drives 60 in a city street is not unintentionally but deliberately and wilfully risking his neck and the life and limb of other users. That is where the penalty gets heavy and that is the purpose of the penalty. I think it makes sense.

Mr. Deans: I am not arguing with the Minister, I am just trying to get some indication. At 20 mph over the limit in a 30 mile zone this is a pretty excessive speeding, whereas 20 mph over the limit in a 50 or 60 mile zone, perhaps is not as excessive. It depends, of course, on how you calculate it. But, it seems to me that the worst thing that can happen to a person is that he can lose his licence and that the demerit point system is the ultimate answer to the reduction of offences and no matter what you make the fine, it is not going to have any real effect.

The only way you are going to effectively cut down speeding and reduce accidents is to get the people who are constantly breaking the law off the road altogether. If you get a person who is breaking the law at ten miles over the limit consistently, it takes him quite a while to get off the road—and yet he is just consistently breaking the law—while some other person may break it once going 30 miles over the limit for some particular reason known only to him, and he is that much closer to losing his licence.

I think you still have to get the habitual offender. Perhaps what is needed on this point is to revise the demerit system to catch the habitual law-breaker as opposed to just fining him and by deducting three points every time. Perhaps on the second offence he should lose more than three points. Perhaps on the third offence he should lose his licence. Perhaps he should lose more than three points on the second, third or fourth offence, as opposed to just having the same penalty every time if he just breaks it by the same amount.

I think the answer to easing the burden on the highways in the way of accidents is definitely to get those who are not driving properly off the road, and I do not think this should be used as a way of raising money.

Hon. Mr. Haskett: Mr. Chairman, I just wish the hon. member would keep on. I think he makes abundant sense.

Mr. Chairman: The hon. member for Hamilton East.

Mr. Gisborn: I would like to ask the Minister just how we envisage the enforcement of these penalties for speeding? Would all of these be judged by the radar clock record system, or also by the assumption of the police officer?

Hon. Mr. Haskett: Mr. Chairman, I did not hear the member.

Mr. Gisborn: Would we enforce this section strictly by the radar clock record system, or also by the assumption on the word of a police officer? The speed limit infractions.

Hon. Mr. Haskett: Mr. Chairman, we would have to proceed with just the practice that is in force today.

Section 41 agreed to.

On section 42:

Mr. T. Reid (Scarborough East): Mr. Chairman, on section 43, I would like to ask the Minister if a person could be asked to pay $500 or six months?

Hon. Mr. Haskett: The question was could he be fined $500 or six months? Either or both.

Mr. T. Reid: Would the Minister not think that this discriminates against people of low incomes who drive cars? For example: a rich man who is told to pay $500 or take six months, can dig up $500. A poor man who might need the car to get to work might not have the $500 and he goes to jail for six months and loses his job at the same time. Could the Minister justify this type of discrimination against people on low incomes who have to drive cars to get to work?

Hon. Mr. Haskett: Mr. Chairman, I think this is a place for discrimination and the magistrate's opinion to guide him. The discretion is there.

Mr. T. Reid: Does the Minister think that one should be sent to jail for dangerous driving if it is bad enough—whether one is rich or poor—rather than giving an option to a rich man and no option to a poor man?

Hon. Mr. Haskett: Mr. Chairman, the existing section 60 provides the fine of from $10 to $500, or to imprisonment for a term of

not more than three months. In addition, the licence may be suspended for a period of not more than two years. We stiffened that penalty because of the amount of public dissatisfaction with the penalties being imposed by the courts. I use the particular instance from *Chitty's Law Journal* where the writer, a judge, complained of the public's dissatisfaction with the leniency of courts in cases like this where a fine of $50 was imposed when a child was killed.

This is a section that we think is a very serious one and I think the results have to be recognized. I think the public takes a very serious view of it. We leave this amount of discretion to the judge who is present and who can assess all the factors, including the prisoner and his circumstances.

Mr. Nixon: Further to the point the hon. member has raised. Surely in the case the Minister has put before us, the quote from *Chitty's Law Journal,* this amendment makes it possible after the same terrible offence, for the person charged to be fined $100. Does the Minister think that that is solving the problem as he sees it, and not responding to the problem that is brought to the House by the member for Scarborough East?

Hon. Mr. Haskett: The hon. leader of the Opposition has a good point. It will have to depend on the judge but we give the judge a great deal more latitude than he had formerly. I do not know if you remember the editorial that followed in the *Globe and Mail* after the introduction of the bill. It said that the magistrates and provincial judges should consult their consciences in these matters because the only alternative if they failed to bring out penalties commensurate with the circumstances would be for the Minister to make these maximum penalties—or these penalties, I am not sure whether it was maximum—the larger penalties mandatory, to deprive the magistrates of the discretion. I think there has to be room for the magistrate to assess the situation and apply what in his mind is a suitable penalty.

Mr. T. Reid: The hon. Minister has not answered my question. What I am asking is this. If he wants equity in the courts, it should have nothing to do with whether a man has the money to pay the fine or not. If a child has been killed, then the penalty should be that that man goes to jail—if he is guilty—for three months, whether he has $1 million in the bank or whether he has just got a jalopy to get to work with. It should not be, surely, $500 or six months. If the crime is serious, the man goes to jail. Why tie crime to ability to pay? I suggest the Minister go back and read some books on philosophy instead of precedence in law.

Hon. Mr. Haskett: All penalties that have a monetary value are unfair in that respect. I think you have to agree with what the hon. member said.

Mr. T. Reid: In that case, why does not the Minister lead this government and change this law which is within his jurisdiction to do so?

Mr. Chairman: The hon. member for Wentworth.

Mr. Deans: Yes, Mr. Charman, I would like to say that I agree with the hon. member for Scarborough East and his comments in this particular matter. I made that point earlier in the debate on another matter. This is the one area where, as a layman, I become quite confused, I must confess, and I may differ in opinion from the lawyers in the House. The whole matter of driving carelessly or without due care and attention is pretty broad and permits charges for any number of things, not the least of which could be, perhaps, driving with your arm around a girl, or something.

You have raised the fines considerably from the point of $10 to a minimum of $100, and it seems to me that this is a pretty drastic change. I am not sure whether it reflects the affluence of the society or reflects the magnitude of the crime committed in many instances. I would be curious to hear from the Minister how he arrived at the minimum fine of $100, when I think it might be agreed—at least by those who are not lawyers—that without due care and attention, or without reasonable consideration for other persons using the highways, leaves a tremendous amount of discretion.

Now, there are many other offences clearly defined that a person can be charged with. You can be charged with speeding, you can be charged with going through stop signs, with failing to yield the right of way, with illegal turns or with any number of things. And when the police officer finds himself in a position of not knowing what to charge you with, he charges you with careless driving. He is not sure what crime you have committed. He knows you have committed one, he does not know which one it is so he charges you with careless driving. Now, that is a pretty high fine under those conditions, and I would much prefer, if at some time, we

could define it more clearly, so that we know exactly what offences one has to commit in order to be fined $100. It is a lot of money.

Hon. Mr. Haskett: Mr. Chairman, in the beginning I pointed out that in overhauling the penalties sections, we separated the offences into what we consider were minor, the whole normal run of them that went under the general penalties section, and the serious ones. We applied the heavier penalties to the serious ones because we thought they merited it. Now I do not say that is is perfect. I think it is a very, very good approach to the subject and I think we have made very real progress. That is why we started with $100 in the careless driving. The member raises the question of careless driving leaving some leeway, and I agree with him.

Mr. Deans: Well, it is a real problem as I see it. First of all, I do not happen to think in most travelling offences that people intentionally break the law. I may be naive, but I happen to believe that with the possible exception of speeding, there are not many who intentionally drive through stop signs or make illegal turns intentionally. Most people do it in a moment of lapse of concentration. No one driving up to a stop sign or up to a yield sign consciously thinks to himself: "Well the fine is only such and such and if I drive through it and then get caught, it will only cost me so and so and therefore, I will not do it."

He drives carefully. Most people do drive carefully, in my opinion, and this is reflected in the numbers who do not have accidents, and who do not break the law. I think that you get someone who does this once, by mistake, and is involved in an accident and is charged with careless driving. He drives through a stop sign and if he is not involved in an accident he is charged with failing to stop. If he hits someone in the process he is charged with careless driving. And yet, he has really only broken the same law in each case.

I am a little concerned that it can be used this way. In the case of speeding there is certainly room there for additional penalty. But in the case of someone who breaks it in error and who, because of circumstances, happens to become involved in an accident and who injures someone else, it is unfortunate that it is an accident. There are legitimate accidents and yet careless driving is the charge.

I think that the $100 fine in that instance is severe. If he did not, as I say, hit anyone after driving through the stop sign he would be charged, and that would be the end of it. A $20 fine, I guess, under the new fines and that would be the end of it.

I think this has got to be taken into consideration. I do believe that the fine is too severe. I think if you had left it at $20 to $500 with discretion in the hands of the magistrate to judge the severity of the offence and to set the penalties somewhere within that range, taking into consideration what the offence was, as I say, you would have achieved the same result.

I do not think anyone intentionally thinks what the fine is going to be and whether or not he is going to break the law. I think that the lower level in this particular instance is too high; the upper level is fine. It could even be higher if need be because there are some offences and some crimes that warrant even more than $500 fines. But there are many, many times, I am sure, when the offence that is committed does not warrant the $100 fine.

I would ask the Minister if he would not think about leaving it, say, at $20 to $500; he can make it $20 to a $1,000 for all I care. The thing is that I think the lower level is too high in this instance.

Hon. Mr. Haskett: Mr. Chairman, I think that in many cases where there is a charge of careless driving, it has been because there have been two or more moving offences or there has been a moving offence with injury.

Mr. Deans: With an accident?

Hon. Mr. Haskett: In this case I think that the court would probably tend to level this thing out and, if they think the penalty is too severe in a case like that, to reduce the charge to the moving offence, say the one mentioned, going through a stop sign.

Mr. Deans: The point is it could well be that. You have taken it to the point where the court must make the decision what the charge ought to be, too. The charge may well be legitimate. Perhaps it was careless without due attention to the conditions. It could well be. But had someone else not been there at that precise moment, no accident would have occurred and therefore the $100 fine would not be levied.

I honestly do not see why it is necessary to make the lower fines so high in this case. I think a broader range would be ample. I think the magistrates or the provincial judges, as they are now called, have exercised their discretion, in most instances, to the benefit

of the citizens at large. I think they would continue to do so.

I do feel that you set the lower level far too high, in this instance $20 to $1,000, you can do it if you like, but I sense that $100 to $500 imposes a very, very severe restriction on the majority of working people and those are the people we are talking about—the one who earns $2 an hour. It really imposes upon him a penalty for which he must, in many instances, go into debt in order to pay. Quite often, it is for an offence which his friend got away with, or perhaps did not get away with but got fined $20 for, just the day before; but because of circumstances he was involved in an accident as a result of it.

I think the Minister should leave the lower level much lower. The upper level he can make it as high as he wants, but I think the lower level should be low enough that a person can pay it and the magistrate can use his good judgment and discretion.

Sections 43 to 48, inclusive, agreed to.

On section 49:

Mr. Gisborn: Mr. Chairman, I see the change in this section, the amendment, also provides for recognition of the lamp or light located on the roof of the vehicle. I have to admit that this section, without that addition, has been in the Highway Traffic Act for some time but still raises my concern.

I take it that this section applies to the highways as well as municipalities, or at least the highways not including the municipalities where we have The Municipal Act.

How is this section put into effect? Many times I have been driving on the highway and the first thing I know is that the siren of the police car comes up behind me and he is gone. Maybe an ambulance will be following 15 to 25 feet behind him; he has gone past me two seconds after I recognize that he was coming up the highway with his light flashing and his siren sounding. By then, as this section tells us, we have to pull off the road immediately and stop. I would like an explanation as to the implementation and the practical use of this section in the past, and how we should adjust ourselves to recognize it in the future.

Mr. Deans: I wonder if I might follow up on what my colleague has said. There has been much discussion at length about the matter of driving through stoplights as well, which does not really fall within this, but it is in the same general area. Having worked and operated in this area for some time I am more than a little concerned. What the member for Hamilton East has said is very, very true. It is almost impossible, first of all, to tell from which direction the siren is travelling, and secondly, it is almost impossible to hear it if your windows are up and you happen to have a radio playing.

I do not know how you overcome this; they have developed penetrators which are much better and perhaps ought to be mandatory on all vehicles of an emergency nature. They are much noisier and much better in terms of being heard.

The other thing I would ask the Minister to do, just in passing, is to give serious consideration to speaking with his colleague, the Minister of Municipal Affairs, to try and make sure that emergency equipment is equipped with the kind of transmitter that will change stoplights as they approach them. There is such a mechanism available today and it can be made available for all emergency vehicles. I would suggest to him that, particularly in the case of fire department vehicles, each one should be equipped with the transmitter that changes the stoplights as they approach and thereby reduces the difficulty of travelling through red lights and causing accidents at street corners.

An hon. member: What happens if there are two coming at the same spot?

Mr. Gisborn: Mr. Chairman, I would like the Minister to answer my query on that section—how has it been implemented in the past because I have never seen it work. I have never seen anyone stop on the highway when a police cruiser has sped by. It was just brought to my attention, in seeing the amendment and in checking the present Act, that it just does not work in practice.

Hon. Mr. Haskett: Mr. Chairman, the member makes a very valid complaint about the lack of enforcement. In most jurisdictions and municipalities when ambulances and police vehicles and fire equipment are moving, I think most citizens just keep going. I think that this section is breached more often than it is observed. Yet I was driving here in the city of Toronto about two weeks ago and I was surprised to see, on the approach of some fire equipment, all the cars did pull to the side; I noticed that because it was so different.

I quite agree with the hon. member. All this section does is to add to the requirement with respect to the siren that the same law apply with respect to flashing lights. I suppose if a collision occurred because one did not

observe this law, then one is in breach of this law.

Mr. Gisborn: I think the Minister should take up this question with his officers. I am not concerned about a municipality; I think the stop and pull over immediately rule is generally recognized in the city if at all practicable, if they can get to the curb. But I am talking about on the highway.

The police cruiser comes up behind you and he is within a few feet before you hear him and he has gone before you can make up your mind who it is. The Act says that you should immediately pull over and stop. This just does not happen on our highways when either an ambulance of a cruiser goes by with the signals flashing and the sirens sounding. I take it that there is a penalty if you do not stop. If this happens and he has gone the cruiser coming up behind you, without his flasher on or his siren sounding, could stop you and you would be subject to a penalty for the offence of not pulling over and stopping.

Mr. Kerr: Do you not agree with that?

Mr. Gisborn: It does not work.

Mr. Chairman: Sections 49 to 59, inclusive, agreed to.

On section 60:

Mr. T. Reid: Mr. Chairman, I would like to ask the Minister a few questions. I am intrigued about his scale of values as to what offences should cost the offender. In this section, we are really dealing with an issue of pollution of the highways.

People who throw or deposit glass, nails, tacks, scrap, refuse, waste, or litter upon, or along, or adjacent to a highway, and so on, is guilty of littering the highway, and the fine for this is, under Section 154 as amended, $20 to $100.

I would like to ask the Minister why he has a fine of $20 to $100 for this offence, whereas section 33, which has to do with the failure to use safety devices, has a fine of $100 to $500. Another section, number 43, careless driving, has a $100 minimum, or six months, and so forth.

This is the question I am asking. Here is the Minister of Transport, who has been asked to make a judgment between a proper traffic offence, such as dangerous driving, failure to use safety devices, and so on, and what is primarily a pollution problem.

I would say that you cannot apply the same criteria at all. Failure to use safety devices is very serious. Careless driving is very serious. But how did he arrive at the fact that the pollution of highways and property is less serious? Because it is impossible to compare these two things?

I would suggest this, sir, that he cannot make a judgement on whether highway pollution is better or worse than these other things. I would suggest, in my own scale of values, that the pollution of a highway is very serious—and that I am appalled that the fine is only a maximum of $100.

I was wondering if he could offer any explanation here as to whether the pollution part might properly come under another Act, where those who do pollute our highways with garbage and litter can be seriously fined —say $500 or $1,000?

Perhaps the Minister could offer an explanation? I would suggest that, if he has the jurisdiction for imposing a fine for highway pollution, that he should seriously consider making that a major offence.

Hon. Mr. Haskett: Mr. Chairman, I think the aspect of pollution was not weighed heavily with us. I think that it could be dealt with elsewhere, but our determination here would be basically on the bearing this offence would have on highway safety. I must admit that we are oriented that way.

Mr. T. Reid: Mr. Chairman, this is exactly the point. I am delighted that the Minister is so candid on this.

I think I would probably agree with his scale of penalties for infractions if one looked at highway pollution simply as a driving hazard, or in creating hazards for other drivers on the highways. I would probably say, "Yes, that is true." It is much less serious than say section 33, or section 43.

But if the Minister, as a member of the Cabinet, could get the views of that Cabinet, perhaps it would not make much difference. If he could canvas more widely, say from the Minister of Health, and some of the other Ministers concerned with pollution problems in this province, he might find that there should be an additional weight attached to this offence on grounds other than those relating to making it more dangerous for other people to drive by cluttering the highways.

I simply say that if one attaches a value to this offence, based on its pollution capability of say $500, then the fine should reflect both those criteria. It should be for making driving more dangerous—$20 to $100 added to pollution of the environment of $300 to $500.

Thereby, bringing the minimum to $320 and a maximum of $600.

I would like the Minister to seriously consider, either at the present moment, or certainly after he has had a chance to discuss it with those of his colleagues in the Cabinet, to say we are concerned with the problems of pollution of our environment.

Hon. Mr. Haskett: I would like to discuss this matter with my colleagues who have concern for pollution as distinct from highway safety.

Mr. Chairman: Shall section 60 stand as part of the bill? Sections 60 to 67 inclusive agreed to.

On section 68:

Mr. T. Reid: Mr. Chairman, I would just like to ask the Minister why there has been a change in section 68? He must have had some representations, or some pressures placed on him to make this change. It says the present fine for failing to remain at the scene of an accident is a fine of up to $500. The amendment provides a minimum fine of $100. Is there some reasoning behind this or was it just drawn out of a hat?

Hon. Mr. Haskett: The language of the previous section "up to $500" places no minimum on it, and now we do.

Mr. T. Reid: So it is just a housekeeping thing? Or to make it consistent, or what?

Hon. Mr. Haskett: Precisely. To make this section consistent with what we call the serious sections where we have a minimum of $100, and this incidentally was an arrestable offence.

Mr. Chairman: Shall section 68 stand as part of the bill? Sections 68 and 69 agreed to.

On section 70:

Mr. Deans: On section 70. I wonder if I might ask the Minister whether the fine provisions of section 154 apply in this section 70. If an optometrist does not make this report—is he subject to the provisions of 154?

Hon. Mr. Haskett: Yes, section 154—the general penalty section.

Mr. Chairman: Shall section 70 stand as part of the bill?

Mr. T. Reid: I would just like to ask the Minister one question on this.

The first part of the section ends by saying, "the optometrist makes a personal judgment on whether or not the person is suffering from an eye condition that may make it dangerous for such person to operate motor vehicle".

There must be tremendous variation in the assessment by various optometrists about when it is dangerous to operate a motor vehicle. I would like to ask the Minister, Mr. Chairman, whether the optometrists, as a profession, have some code whereby they agree, or would agree, what would constitute "dangerous" for such persons to operate a motor vehicle?

If there is no such code, then there is no basic minimum on which the optometrists can work, and it would behoove the Minister, I think, to make known to the profession the criteria on which they would make such judgment.

Hon. Mr. Haskett: Mr. Chairman, we have had very excellent co-operation from the profession. The vision standards are now uniform across Canada. All provinces have adopted the same minimum safe vision standards for drivers.

These are clearly measurable, and sometimes the required vision can be met by glasses, or it helps. And if we receive a report from an optometrist to the effect that his patient, or a certain driver, does not have the required minimum vision, we do not *ipso facto* or automatically cancel the man's driving permit.

We write him, and we ask him to let us have one or more statements as to his vision. And then, on the basis of such an assessment we decide whether he should be called in for examination, or whether he should be suspended. And, if he is suspended because of that, he has the right to appeal to us. It is very carefully, I think, worked out; and I think that the operation of the corresponding section already in the Act with respect to medical doctors reporting, has been working very satisfactorily.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): The section touching medical doctors, I suggest, is diverse from the implications of this particular section. I am not quarrelling with it, I think in principle it is all right, but I just wonder if it is worded the way the Minister truly intends it to be. 145(a) of the medical section requires,

> A duly qualified medical practitioner to report the name and address of every per-

son coming under his diagnosis, treatment, care or charge who is suffering from a condition that, in the opinion of the medical doctor is such, as to make it dangerous for such person to operate a motor vehicle.

That is fine but here it says,

Who, in the opinion of such optometrist, is suffering from an eye condition that may make it dangerous for such person to operate a motor vehicle.

One case I would take it, would be heart condition, or something like that, which is intrinsically dangerous in the circumstances. In the other case, the fellow may or may not be able to see, with or without glasses, or without corrective aids.

Does the Minister mean that everybody who is myopic or astigmatic or whatever he may be and without any type of aid, is to be reported; or is a report to go in saying, "Yes, this person is, without his glasses, physically defective and ought not to drive a vehicle because he cannot see but with his glasses or with the aids that we have been able to provide, is perfectly competent to drive."?

Which way is this to be? You do not say. It is not clear from the surface of this as it is in the case, I suggest, of the medical practitioner. It is not clear from what you say here. He is suffering from an eye condition that may make it dangerous for such person to drive. No doubt, many individuals are suffering from such eye conditions which, taken by itself alone, would exclude them from driving at all, but are perfectly safe people with the condition corrected. Just how does this stand?

Hon. Mr. Haskett: If the situation is correctable with glasses it is quite all right.

Mr. Lawlor: Well, why do you not say so? I think the Minister will have to agree that it does not make it that clear. It is in the mind of the Minister but it is not in black and white.

Sections 70 to 73, inclusive, agreed to.

On section 74:

Hon. Mr. Haskett: Mr. Chairman, on section 74, I move that subsection 2 of section 156 of the Act, as re-enacted by section 74 of the bill, be amended by striking out clause (d) of subsection 12 of section 59 in the seventh line.

Mr. Singer: Mr. Chairman, speaking to the section together with the amendment as proposed by the hon. Minister. Let me say for the reasons we ennunciated on Friday, and again this afternoon, we are going to oppose this section even as amended.

Without reviewing everything that was said in that debate, let me pose some new thoughts, together with some that we have already put forward, in connection with this section. The section starts of with the words, "every constable" and I am sure Mr. Chairman, the Minister knows that one of McRuer's concerns was the power given not only to constables but to other persons appointed by the Minister for purpose of enforcing this Act.

At first glance, as you look at the revision to section 156(2), sir, note that he now proposes to use the words, "every constable" instead of, "every constable or officer appointed for carrying out the provisions of this Act". One would think as I say, at first glance, Mr. Chairman, that the Minister has made a substantial improvement. Except that I have always been taught that it is a principle of statutory interpretation that you look within the enabling statute for the definition.

I therefore began to look through The Highway Traffic Act for the definition of constable and it is a very interesting chase one gets led through, trying to determine this. You look at the index—and this comes, I think, from the Minister's office. It is printed by the Queen's publisher, a fellow named Frank Holt. On page 219 under index, where you try to find the word "constable"—"constable" is not, incidentally, in the interpretation section—it says, "constables—see police". From page 219 you turn to page 229 and you have, "police—see peace officers". Looking back to "peace officers" you find there is a definition of peace officers and peace officer is defined, Mr. Chairman, in section 1, subsection 1, number 18—and listen to what a peace officer is:

Peace officer includes mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, jailer or keeper of a prison and a police officer, constable, bailiff or other person employed for the preservation and maintenance of public peace or for the service or execution of civil process or any officer appointed for enforcing or carrying out the provisions of this Act.

Mr. E. W. Sopha (Sudbury): Member of the Legislature?

Mr. Singer: Well not quite, it does not include that, but it includes a motley crew of people. I am sure the Minister, or the Minister's advisors perhaps, thought they were

grasping the germ of an idea sold by that eminent gentleman, Mr. McRuer. But, what in fact they have achieved, Mr. Chairman, is to extend these unusual and unwarranted powers, as I read the statute in any event, to all those people who are defined in section 1, subsection 1, number 18.

Hon. A. F. Lawrence (Minister of Mines): Have you tried the other statutes?

Mr. Singer: Where else do you find it if you cannot look within the statute for the definition? We start with "constable", looking in the index and "constable" says, "police officer", police officer says, "peace officer". Go back to the statute—and the Minister of Mines shakes his head.

I would submit, Mr. Chairman, that even the Minister of Mines as an expert is a better parliamentary draftsman than any who advise the hon. Minister of Transport.

If he means a police officer as defined in The Police Act, why can he not say so? Why can that not be made abundantly clear? Particularly, in face of what McRuer said.

One of McRuer's concerns was that the powers of arrest without a warrant are too widely extended and what I loosely referred to as "Haskett's army" can begin to descend and arrest under the old section; well, now it is "Haskett's army" plus everyone else who holds a public title, it would appear.

If he does not mean that, for goodness sake let him change the definition and make it meaningful. When you define the word "constable" at least you relate it to the definition of constable as set out in The Police Act, and so you are not bound within the four walls of The Highway Traffic Act.

Mr. Sopha: It includes the Minister of Lands and Forests (Mr. Brunelle), also.

Mr. Singer: Oh, yes, it includes everybody, a great group. I think just so we can let this sink in, maybe I should read that definition section again.

> A peace officer includes a mayor, a warden, a reeve, a sheriff, a deputy sheriff, a sheriff's officer, justice of the peace, a jailer—

I am sorry the Minister of Correctional Services is not here because all his people are put in this:

> —a jailer, a keeper of a prison, police officer, constable, bailiff or other person employed in the preservation and maintenance of the public peace or for the service or execution of the civil process or any officer appointed for enforcing or carrying out the provisions of this Act.

And that last phrase covers, "Haskett's private army". But, I think, Mr. Chairman, if the intention is to bring ourselves within the recommendations made by Mr. McRuer, that we at least should say that when we refer to "constable" in section 74 of Bill 105, that we mean "constable" as defined in The Police Act, whichever chapter that is. Now, then, let that stand as it may.

It is interesting, notwithstanding the importance and the self-obvious nature of McRuer's recommendations, that we should do away with the power of arrest without a warrant. Here in section 74 of this Bill 105, the Minister is preserving 14 separate instances, 14 wherein arrest without a warrant can be made by a constable—however you may want to define him—for offences set out under this statute. Subsection 7(1), making a false statement:

> Every person who knowingly makes a false statement of fact in any application, declaration or affidavit or paper writing required by this Act and so on, is guilty of an offence and liable to a fine of $20.

Mr. Chairman, one would presume, because the Minister wanted to relate these to offences that take place in the motor vehicle—I am certain that my colleague from Sudbury and I would certainly presume—that it would be very difficult to make a false statement of fact in any application, declaration and so on while you are in a motor vehicle. One would think that you would have to go to an office somewhere and write it out to make this false declaration.

Mr. Sopha: At least stop on the side of the road.

Mr. Singer: Something like that, yes, at least stop on the side of the road to do it. But the Minister says this is a terrible thing. Along should come this constable, whoever he might be, who should be able to arrest you without a warrant if you have committed this heinous crime. Well, it is wrong if someone makes a false statement and tries to mislead the Minister or his officials. I agree, they should be subject to a penalty, but really should they be subject to arrest without a warrant? That is what the Minister says.

The next one is section 9 (1), (a), (b), (c), and (d):

> Every person who defaces or alters any number plate can be arrested without a

warrant or uses or permits the use of a defaced or altered number plate, or without the authority of the owner removes the number plate from a vehicle, or he uses or permits the use of any number plate upon a motor vehicle.

And so on. All those terrible people can be arrested without a warrant.

I would think that the average constable is going to find it very difficult to catch any person in the act of defacing or altering a number plate or doing all these other things—but maybe there is some point in it. In any event, I cannot see it. And, in any event, McCruer could not see it—so why is it still continued?

Section 10(1) relates to the exposing of other numbers:

No number other than that number upon the number plate furnished shall be exposed on any part of a motor vehicle.

It would seem to me again, Mr. Chairman, that the Minister is very desirous of making the course of administration of justice where a constable—as defined in The Police Act—would think that something has gone wrong, somebody is stealing a car, and making the possibility of arrest of that person a little easier. But surely we would believe, as does Chief Justice Dalton Wells, that the police should get out and do their studying, do their research work, and do their investigations. If they believe that a theft has taken place and somebody has altered a number to ease their way in regard to that unusual course of conduct, they should be dealt with under the applicable provisions of the Criminal Code, not this Minister.

Well then, sections 14(2) and 17(2) are added and those are sections that we talked about at some length on Friday and today. Section 25, subsections 2 and 3, which he continues with in this section, deal with the unlawful possession of a permit or a licence. Again the same reasoning applies.

Section 26, interestingly enough, is operating a vehicle while a permit is suspended. Why does the Minister have to repeat what section 225(3) of the Canadian Criminal Code already says? Does it make it more serious if the Minister keeps it in The Highway Traffic Act while it is still in the Criminal Code—because it is there twice? Section 225, subsections 3 of the Canadian Criminal Code says:

Everyone who drives a motor vehicle in Canada while he is disqualified or prohibited from driving a motor vehicle by reason (a) of the legal suspension or (b) an order made pursuant to subsection 1 is guilty of an indictable offence.

And as the Minister knows—we told him at great length, I hope he knows by now—that where a person has committed an indictable offence or is believed to have committed an indictable offence, a peace officer can arrest on the basis of reasonable and probable cause that the offence has been committed. So why does the Minister need it again? Why does the Minister have to say, in section 26, where the offence is defined in not too different a matter:

Every person who operates a motor vehicle the permit for which is under suspension or has been cancelled, can be arrested without a warrant.

Why is he not satisfied with 225(3) of the code? And what does he really prove by putting it in there twice?

Well then, Mr. Chairman, section 59(12)(d), which he put in, speeding 30 miles over the limit, and has now taken out, is the amendment he introduced this evening. Speeding 30 miles over the limit perhaps has the most merit for arrest without a warrant of any of the ones that he has in there. That is the one he chose to delete. Now, maybe if it made any sense, he could have told us why. But I would think that the same kind of argument we have been putting forward relating to the provisions of the Criminal Code. would relate the offence of speeding 30 miles over the speed limit. That is, being something akin to criminal negligence, maybe that is the reason why he took it out. That is one of the new ones he added and one of the new ones he took out—but why he did it, I do not know.

Section 60 is careless driving. Section 91 is racing on the highway. There are equivalent sections in the code and I have already dealt with those. Section 100, removing or defacing an obstruction, and section 143(a), failing to remain, and section 143(a) subsection (a) is the same as section 221, subsection 2 of the Canadian Criminal Code. Again he repeats himself.

I am going to be very interested to hear from the Minister why he has completely ignored the recommenadtions of Mr. McRuer in regard to all of these offences for which there still can be an arrest without a warrant. I would like to hear him explain to us also just who the constable is that he refers to in this proposed amendment. If, as I say, we are forced to follow our tortuous way through the definitions as set out in The Highway

Traffic Act, it would seem a constable is almost everybody under the sun. If this is what the Minister wants, well, it is quite obvious what the Minister's approach is to these serious matters.

He paraded this afternoon in self-righteousness and beat his breast and said: "We're the defenders of civil liberty". Well, this section, surely, Mr. Chairman, is the complete negation of that false assertion. Surely, Mr. Chairman, the Minister should withdraw the section and bring himself within the reasonable bounds of the recommendations made by McRuer. Let us hope that he will do so.

Mr. J. Renwick: Mr. Chairman, I would like to try to speed this up a little bit. Could the Minister take each one of the 14 retained offences *seriatum* and deal with each one of them and explain why he is retaining it in the Act? That would be one convenient way of doing it. The other one would be for me to recite the particular retained offence and ask the Minister that question.

Could the Minister agree to deal with each one individually?

Hon. Mr. Haskett: Mr. Chairman, I would be glad to say a few words about the remaining sections if that is what the member means.

Mr. J. Renwick: Mr. Chairman, let me do it the other way, so that the Minister will—

Mr. Singer: Start back with constable.

Mr. J. Renwick: Yes, I will deal with some other points. It takes a sort of feat of gymnastics to find just where the sections are at the present time that have been retained with the amending bill. First of all, I agree entirely with the remarks of the member for Downsview on the question of the meaning of the term constable in subsection 2 of section 156. Briefly, as I understand it, it is that as peace officer is defined, one of the persons included in that definition is somebody called a constable—but there is no further reference whatsoever to the delimitation of the person who is entitled to exercise this power of arbitrary arrest.

I think it must, of necessity, be clarified because that is the person and the only person who is entitled to avail himself of the right to conduct this arrest without a warrant. Any citizen is entitled to know that the person who is exercising that right is a constable, and not one of these other groupings or classifications of peace officers that are included in the definition. I think that, in itself, is a proposed, fundamental vice in the bill or in this section which is proposed.

The second point which completely defies me is one of semantics. I am going to leave out the sections about reasonable and probable grounds at the moment, and I am going to read the section the way it reads to me.

> Every constable who believes that a contravention of any of the provisions of the enumerated clauses has been committed—

and then it has these words, "whether it has been committed or not", and then goes on:

> —and who believes that any person has committed such contravention may arrest such person without warrant whether such person is guilty or not.

My question on the semantics is simply whether or not this word, "such contravention" means, in fact, a contravention that has been committed or whether it is sufficient to include in it a contravention which the constable believes on reasonable and probable grounds to have been committed whether or not it has been committed. Frankly, I do not know what it means, and in terms of draftsmanship, the semantics of the bill require specific clarification.

Now on each of the retained offences—the Minister can correct me if I have not found the right clause, whether it is in the consolidation of that statute as it presently exists, or whether it is in the proposed amendment bill—but the first one of the retained offences for arrest without a warrant is subsection (1) of section 7, which is, as the hon. member for Downsview has stated, "every person who knowingly makes any false statement in any application, declaration, affidavit or paper writing required by this Act or by the regulations, or by the departments, is guilty of an offence". Would the Minister say why it is necessary to retain the power of arrest without a warrant in that case?

Hon. Mr. Haskett: Mr. Chairman, perhaps I can start by explaining why I made the amendment I did with respect to deleting the—

Mr. J. Renwick: Mr. Chairman, my understanding is that when we are dealing with a bill in committee of the whole House on a clause by clause basis, that the Minister, if questions are put to him, can either not answer them or answer them. But I think that if, for the proper ordering of the business, he could deal with this in the way in which I have suggested we would make a great deal

more progress. I have put a question to the Minister. The Minister, as I understand it, can either not answer it or answer it.

Mr. Chairman: Surely the Minister has the privilege of answering all the questions in whatever order he chooses? I do not know any rule which says the answers must be given in any specific order as they were asked. For example, we have often had many members rise and speak to a particular section or clause of a bill, and there are many questions. I think the Minister does his best to answer them in the manner in which he can recall them or in which he has made notes of them. I am not sure what the hon. member for Riverdale is driving at.

Mr. J. Renwick: I really do not want to pin it down to some procedural question, Mr. Chairman. There are 14 retained offences, for which a constable can arrest without a warrant under this provision. Now, what I wanted to do was to ask in the case of each specific one, what the reason was. It seems to me that that is the simplest way in which we can deal with the matter in an expeditious manner. I suggest that is an expeditious manner because even to state them properly is a problem because part of them is in the consolidation and part of them in the Act that we have been dealing with.

I have asked a specific question on the first one. I will ask it again and then the Minister can go on and then I will come back if he has not answered it and ask my next question. My first question to the Minister is, why is it necessary to retain as an offence for which a person can be arrested without a warrant, the following offence:

> Every person who knowingly makes any false statement in any application, declaration, affidavit or paper writing required by this Act or by the regulations or by the department is guilty of an offence.

Why does the power of arrest without a warrant have to be retained in that case? Why is it not sufficient to summon a person for such an offence?

Mr. Chairman: Is the hon. member dealing with the questions now in the order in which they appear in subsection (2) of clause 74?

Mr. J. Renwick: Yes, Mr. Chairman.

Mr. Chairman: That is subsection (1) of section 7—is it the relevant one?

Mr. J. Renwick: Yes, Mr. Chairman.

Hon. Mr. Haskett: Mr. Chairman, I will try to accommodate the hon. member for Riverdale. Though, having made an amendment to the section, I thought it only fair that I should explain why I made the amendment I did, and then go on to answer his specific questions as well as I can.

I moved, as you will note, that reference to clause d of section 12 of 59 be deleted and I want to say that it was included without my knowledge, and the mistake was discovered when the bill was being checked. It was clearly indicated in my remarks when I introduced the bill that it was not to be there. I referred to the powers of arrest that were being added as two new ones. They were, namely—

Mr. Singer: Those civil servants "snuk up" on you again.

Hon. Mr. Haskett: —leaving the scene, and failing to identify. That is why I had the motion I put to the House when we reached this section to delete that unwanted section which was there without my knowledge and it was not found until the bill was checked. Now to go ahead with the procedure requested by the member for Riverdale. He asks why we have to include or retain these sections.

Mr. Sopha: You need a broom with the bookkeeping.

Hon. Mr. Haskett: It is quite a bill.

Mr. Singer: One would expect that the Minister would read the Act he introduces before he introduces it.

Mr. Sopha: One would expect somebody to read it.

Mr. Chairman: Is the hon. Minister replying to the question dealing with subsection (1) of section 7?

Mr. Sopha: Apparently nobody in the Cabinet reads them.

Hon. Mr. Haskett: The debate on the sections clearly demonstrates the difficulty facing the government when considering the authority of the police to act without a warrant. I go back to say that the McRuer report on civil rights is helpful in approaching the problem in general. It is a good guide to follow when reviewing police powers.

In most instances the government agrees with the report, and in recognition of this agreement section 156 is amended in section 74 of the bill by deleting from 156 four of

the specific illustrations referred to on pages 729 and 730 of Volume 2 of the McRuer report. Namely, failure to notify the department of change of address, failure to have licence plates attached, improperly attached licence plates and failure to notify the department of a sale or purchase of a motor vehicle. Now for the remaining ones, and the hon. member for Riverdale wants to take them piecemeal. He begins with section 7(1) of the Act, namely, knowingly making a false statement. The offence created by section 7(1) is for the purpose of penalizing a fraudulent attempt of a cheat or confidence man for applying for a driver's licence or vehicle permit.

Mr. Singer: Why would you arrest him without a warrant?

Hon. Mr. Haskett: It is included among those offences for which a constable may arrest without a warrant for the obvious reason of attempting to curb this type of transaction. What type of a person is involved in knowingly giving false information? It is the type of person who, through falsification, has applied for drivers' licences and obtained numerous ones in different names and addresses, so that in the event of one or more of such licences being suspended, he will still have at least one current valid licence issued to him in a different name.

The key in this section and the word that protects the responsible citizen is the word "knowingly". This section has been in the Act for more than 40 years in almost the identical form it is today and has been during that time an arrestable offence without a warrant ever being issued.

Mr. Chairman: Will that answer the hon. member's first question? Does he wish to proceed with the next item?

Mr. J. Renwick: Mr. Chairman, how many instances have there been of arrests under that particular section without a warrant?

Hon. Mr. Haskett: That, Mr. Chairman, I cannot answer.

Mr. Singer: No, naturally not.

Mr. J. Renwick: Well I am going to make a comment and move on to the second part of it. The Minister has, quite rightly, said that the key word in this section is the word "knowingly". That is also the other side of the coin by which the police constable exercises his right to arrest, because the Act says that all a constable has to do is to have reasonable and probable grounds believing that a false statement has knowingly been made.

Whether or not it has been made, if he believes on reasonable and probable grounds that it has been made, then he can proceed to arrest. I simply say that I do not think that there is sufficient justification for keeping the section in the Act.

The next ones are clauses a, b, c and d of subsection 1 of section 9 which says:

> Every person who (a) defaces or alters any number plate furnished by the department; (b) uses or permits the use of a defaced or altered number plate or a number plate issued by the department for another motor vehicle, trailer or conversion unit; (c) without the authority of the owner removes a number plate from a motor vehicle, trailer or conversion unit; and (d) uses or permits the use of any number plate upon a motor vehicle, trailer or conversion unit except the one issued by the department for the motor vehicle, trailer or conversion unit, is guilty of an offence.

Could the Minister answer why he has retained the power of arrest in those instances?

Hon. Mr. Haskett: Mr. Chairman, in section 9(1) a, b, c, and d, those powers are retained, whereas section e of the same subsection has been dropped. Let me now deal with these offences under a, b, c and d, which are included among the arrestable offences and as such are objected to in the McRuer report.

Mr. Singer: He objects to all those.

Hon. Mr. Haskett: I just said which are objected to in the McRuer report.

Mr. Sopha: Yes, they are all objected to.

Hon. Mr. Haskett: I listed the four and said they were objected to in the McRuer report. The offences deal with the defacing and altering of licence plates and the use of such plates, removing of licence plates without the authority of the owner, or the use of a plate on a vehicle for which it was not issued.

Now consider the sort of person who would be involved in these—

Mr. Sopha: We should throw him in the clink.

Mr. Singer: Off with his head.

Hon. Mr. Haskett: Consider the sort of person who would be involved in these subterfuges and whether a constable, having reasonable and probable cause to believe that a person has committed this type of offence, should be able to arrest such person without a warrant That is the question the hon. member raises.

It is the car thief, the smuggler and the person fleeing from the police, who would be involved in these types of offences. These offences have been in The Highway Traffic Act, I might mention also, for more than 40 years and during that time they have been offences for which a constable can arrest without a warrant. There is no instance known to me that there have been any abuses of this power by the constables. There is the history of it—

Mr. Sopha: Mr. McRuer said he would take them out.

Hon. Mr. Haskett: That is right.

Mr. Sopha: Why do you not do it then?

Mr. J. Renwick: Mr. Chairman, I assume that there are no statistics about the extent to which persons have been arrested without a warrant for these offences.

The next one is similar to the first one of the last group, and that is the offence in subsection 1 of section 10 which states that

> No number other than that upon the number plate furnished by the department shall be exposed on any part of a motor vehicle, trailer or conversion unit, in such a position or manner as to confuse the identity of the number plate.

Would the Minister comment on why that is retained as an arrestable offence?

Hon. Mr. Haskett: Mr. Chairman, as the hon. member points out, it is very similar in mis-use for the same purpose to which the other sections are directed.

Hon. R. S. Welch (Provincial Secretary): Mr. Chairman, I would like to move that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs leave to report progress and asks for leave to sit again.

Motion agreed to.

Hon. Mr. Welch: Tomorrow we will return to the estimates of The Department of Social and Family Services and if by any chance we complete them, we might start the estimates of The Department of Mines.

Mr. Singer: No chance of getting back to this exciting bill?

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 o'clock, p.m.

No. 115

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, May 13, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, May 13, 1969

Seventh report, standing legal and municipal committee, Mr. Demers 4297
Second report, standing agriculture and food committee, Mr. Hamilton 4297
Securities Act, 1966, bill to amend, Mr. Rowntree, first reading 4297
Motorized Snow Vehicles Act, 1968, bill to amend, Mr. Shulman, first reading 4297
Trust companies and other financial institutions, question to Mr. Rowntree, Mr. Nixon 4298
Damaging effects of Mace, questions to Mr. Wishart, Mr. Nixon 4300
Use of firearms by police, questions to Mr. Wishart, Mr. MacDonald 4301
Conduct of local police chief, question to Mr. Wishart, Mr. MacDonald 4301
Alleged police brutality, questions to Mr. Wishart, Mr. De Monte 4301
Nanticoke power station, question to Mr. Dymond, Mr. Haggerty 4302
Age Discrimination Act, questions to Mr. Bales, Mr. T. Reid 4302
Health education re venereal disease, questions to Mr. Dymond, Mr. T. Reid 4302
Collection of education taxes, question to Mr. Davis, Mr. T. Reid 4303
Public libraries in Ontario, questions to Mr. Davis, Mr. T. Reid 4303
Separate Schools Act, question to Mr. Davis, Mr. Lawlor 4304
Purchase of lots, question to Mr. Rowntree, Mr. Burr 4305
Highway marking signs, questions to Mr. Gomme, Mr. J. R. Smith 4305
Rear bumpers on commercial vehicles, questions to Mr. Haskett, Mr. B. Newman 4305
Consumer protection branch, question to Mr. Rowntree, Mr. B. Newman 4305
Sulphur dioxide in Sudbury area, question to Mr. A. F. Lawrence, Mr. Martel 4306
Weight of loads on highways, question to Mr. Gomme, Mr. Martel 4306
GO transit, questions to Mr. Gomme, Mr. Deacon 4307
Commercial fishing at Lake Nipigon, questions to Mr. Brunelle, Mr. Stokes 4307
Claremont Hill project, questions to Mr. Gomme, Mr. Deans 4307
Death of Beryl Higgins, question to Mr. Wishart, Mr. Shulman 4308
Royal assent to certain bills, the honourable the Lieutenant-Governor 4308
Estimates, Department of Social and Family Services, Mr. Yaremko, continued 4309
Recess, 6 o'clock 4338

LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 13, 1969

The House met today at 2 o'clock.

Prayers.

Mr. Speaker: Today as our guests in Mr. Speaker's gallery are members of the Progressive Conservative Women's Association in Niagara Falls; in the east gallery students from George Harvey Secondary School, Toronto, and Markham District High School, Markham; in the west gallery students from Richview Collegiate Institute in Islington and Bayview Junior High School in Willowdale. Later this afternoon we will have with us students from King Edward Public School in Barrie and Bayview Secondary School in Richmond Hill.

Petitions.

Presenting reports.

Mr. Demers from the standing legal and municipal committee presented the committee's seventh report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 124, An Act to amend The Legal Aid Act, 1966.

In the absence of Mr. Whitney, Mr. Hamilton from the standing agriculture and food committee, presented the committee's second report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 98, An Act to amend The Dog Tax and Live Stock and Poultry Protection Act.

Your committee begs to report the following bill with certain amendments:

Bill 140, An Act to provide for the Establishment, upon an Opinion Poll by Secret Ballot of the Farmers in Ontario, of a General Farm Organization.

Mr. Speaker: Motions.

Introduction of bills.

THE SECURITIES ACT, 1966

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs) moves first reading of bill intituled, An Act to amend The Securities Act, 1966.

Motion agreed to; first reading of the bill.

Hon. Mr. Rowntree: Mr. Speaker, the purpose of this amending bill is to bring certain sections up to date with the knowledge gained over this past operating year.

It provides for a simplified method of defining registrants under the Act. It makes provision for implementing recommendations of the Beatty report dealing with the form of prospectus required for certain mining development companies and the regulation of the over-the-counter market.

Mr. Speaker, during the debate in the House on the Toronto Stock Exchange bill, some of the members expressed some doubt with respect to the right of appeal from disciplinary action taken by the stock exchange against its members. It had been my view that the existing legislation did cover that point and that it was currently effective. However, in order that there might be no doubt in the matter, this bill clarifies that the specific right of appeal from such action to the Ontario Securities Commission does exist.

THE MOTORIZED SNOW VEHICLES ACT, 1968

Mr. M. Shulman (High Park) moves first reading of bill intituled, An Act to amend The Motorized Snow Vehicles Act, 1968.

Mr. Speaker: Until I ascertain when notice was given of this bill's introduction, I shall not put the motion.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, this bill is modelled on similar bills in some eight or nine other jurisdictions. The purpose of this bill is to prevent the shooting, driving or pursuing of deer or bear from motorized snow vehicles.

Mr. Speaker: Before the orders of the day, I would like to call to the attention of the members, as I mentioned in the House some weeks ago, that when there is a division in the House or in committee, the doors will be

locked when the division bell ceases ringing and will remain locked until the count has been announced by the Clerk or the Assistant Clerk. If there is any complaint from the members with respect to the doors being closed at an improper time, it will be made to me. The door will not be forced, as unfortunately happened last evening, and I would not like to have another occasion such as that.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question for the hon. Minister of Financial and Commercial Affairs.

Does the Minister intend to introduce legislation at this session which will change the situation of trust companies and other financial institutions in broadening their ability to lend money, as has been introduced in the Parliament of Canada?

Hon. Mr. Rowntree: Mr. Speaker, it is my view that in these matters there should be conformity between the federal and provincial legislation and that there should be a single standard rather than a double standard.

I am sure the hon. leader of the Opposition will appreciate that the bill before the House of Commons has been projected only and has not been declared law as yet. I think we must wait until it reaches its final stages before we initiate some steps of our own.

In the meantime I and my officials have been personally in touch with the federal authorities with respect to their legislation over a period of many months. We are also, at the moment, studying the details of the bill as published by the federal authority with a view to recommending legislation for this Legislature at an early date.

Mr. Speaker: The hon. member for Sudbury.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, I rise concerning the privileges of the House. And the privilege that I wish to draw attention to, your honour, is the one which relates to the clear and distinct separation between the legislative function and the judicial. And I refer to what I allege to be the extra-judicial comments made by one of Her Majesty's judges about certain legislation passed by this House. That legislation, I might add, was passed unanimously by the House and each member of this Legislature takes responsibility for its form, its wording and its operation.

Yesterday when the attention of the Attorney General (Mr. Wishart) was directed to the fact that the hon. Mr. Justice Stewart made some extra-judicial comments by way of some form of press conference following a decision in the case of Bell against Tarnopolsky, the Attorney General of Ontario quite properly said, in very measured language, that if he had been a judge he would not have engaged in such communication with the press.

Today, in the early edition of the Toronto *Star*, the difference of opinion continues between the judge and one of the members of this Legislature—and albeit a very senior member, the Minister responsible for the conduct of the government's business in the courts. The judge, Mr. Justice Stewart, rebukes the Attorney General by telling him that rather than direct comments against he, the judge, he should rebuke the employee of his department, one Marshall Pollock, whom the judge alleges himself carried on some form of communication with the press following the hearing of the application referred to.

Now, sir, it is perfectly clear and indeed the product of more than 1,000 years of evolution in our system, that the form of legislation and the declared policy in regard to the legislation is a matter exclusively within the province of this Legislature. On the other hand, Her Majesty's judges, of which Mr. Justice Stewart is one, are called upon to hear matters relating to the legislation, to interpret it and to decide. It is perfectly proper for a judge during the course of the delivery of his judicial opinion—and I emphasize only during the course of his delivery—to make comments about the inadequacy or the unsatisfactory nature of the legislation for the purpose of allowing the Legislature to adopt corrective measures.

It is extremely improper and, indeed, injudicious for the judge to use any other forum to assail the policy of legislation which emanates from this House. It follows that if he, as a judge, does not like the legislation, then it is incumbent upon him to remove himself from the sanctity of that area of the public domain in which he serves and come into this forum in order that the legislation may be changed to suit his own views. He did not do that. Although the observation made here yesterday by the Attorney General was a very restrained one, the judge shows a proclivity to carry on the warfare with the senior law officer of the Crown.

Now, I call this to your attention, sir, because there is a very vital, fundamental principle involved. That principle is all the more emphasized when we remember that the Ontario Human Rights Code was adopted

unanimously in this Legislature. So I ask you, sir, as one of the members of this House who feels that a privilege of ours has been invaded, whether some steps might be taken? Indeed, they ought to emanate and be initiated by the government or by the chief law officer of the Crown himself. This would put an end, once and for all, to these extra-judicial comments made by this judge about this legislation and indeed, to restrain him from using his judicial office in whatever form he chooses off the bench to engage in this soap-box oratory about the policy of the Legislature as discernible in this legislation.

And in order that the record will disclose just what it is that has been offended, I want to put this one comment of the judge in *Hansard*. He says, as reported in the Toronto *Star* of May 13, about the Ontario Human Rights Code, and I quote:

> One of the rights to discriminate that surely must be maintained is the right to say who shall sit at your table and who shall sleep under your roof.

I say to you sir, that that is the most improper comment for one of Her Majesty's judges to make about the legislation. I urge upon you, and indeed, upon the Attorney General—who has now come into the House—that a communication be made to the judicial authorities asking that restraint in language be employed and a recognition be made of the clear separation between the respective functions of the Legislature and the judicial office.

Mr. D. C. MacDonald (York South): Mr. Speaker, I would like to add a few words in support of this question of privilege with regard to the rights of this House as a whole. The hon. member for Sudbury has picked up from what I introduced yesterday, only by way of interjection, but I think he is completely on sound ground. It is a matter of considerable delicacy but it is fundamental to the division of powers between the executive, the judiciary and the Legislature in the operation of Parliament in the British tradition.

The thing that disturbs me, Mr. Speaker, and leads me to underline the comment of the hon. member for Sudbury that the Attorney General should consider exactly what should be done in face of this, is this: The continuing argument on the point by Mr. Justice Stewart is really only an extension of what took place in the hearing in chambers. That hearing in chambers indicated a decision on his part before he had even heard the case.

The proposition of a judge entertaining a case with a closed mind, strikes me as being a little preposterous. He has underlined that closed mind by his willingness to take on, so to speak, the Attorney General and the whole of the Legislature. I think we have a very serious situation, a matter of delicacy, but fundamental, that the Attorney General should look into. Exactly what he should do, I shall look forward to hearing, because I am a layman and I do not know how best this should be handled, but something should be said and done.

Mr. Nixon: Mr. Speaker; I see that the hon. Premier wants to reply to this matter on behalf of the government and the Attorney General is now in his place, but I want to assure the gentlemen sitting opposite that they have the power and certainly the forum here to undertake the action which would set this right; not only in this specific case but as an example to other men on the bench who may feel that it is their prerogative to move into the field that is exclusively ours.

I can say, on behalf of the Opposition that we will support the government if they take a strong stand at this time and in this particular position.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would first say in regard to the remarks of the hon. member for Sudbury that he put the point very well and I am delighted that he draws these distinctions. I think very often that some of our privileges are abused, advertently or inadvertently and I think we should be alert to the protection of our own position as legislators here. After all, we carry the responsibility in one respect and we should have the privileges that exist in order that we may carry that responsibility.

As far as this specific matter is concerned, to date we are dealing with newspaper reports. We will, of course, check into what was said and what was reported to have been said. The reasons for the order have not yet been received by the registrar at Osgoode Hall. We will want to look at those, but I can assure my hon. friends opposite that we do not intend to permit the privileges of the members of this House to be impinged upon in any way. On the other hand, in fairness to all concerned, we had better be quite certain that they have been impinged before we make any comment.

Mr. MacDonald: How can the Prime Minister do that without official records?

Hon. Mr. Robarts: There will be in due course, that is the point.

Mr. MacDonald: No there will not! None was taken.

Hon. Mr. Robarts: Why not?

Mr. MacDonald: That is the point I raised yesterday.

Hon. Mr. Robarts: If there is not going to be an official record, we will find out why. But these are the matters of which I would like to assure myself before we take any positive action in the matter one way or another. However, I think it is a completely proper matter for this House with which to concern itself.

Mr. Speaker: I say to the hon. member for Sudbury that my response to his point of privilege would have been very similar to that of the Prime Minister, and that is that I would wish to look into what actually did transpire and not what was reported. I would, therefore, now ask the Minister of Justice, when he has made his inquiry, to let Mr. Speaker have the facts of the case as he ascertains them. And then, on behalf of the House, Mr. Speaker will take such action as the House may direct and will ensure that there is a full report given to the House so that we may all, as all leaders have agreed, ensure that the judicial and legislative functions of persons in this province are kept separate and distinct as they should be.

The hon. leader of the Opposition might wish now to place his question to the Minister of Justice.

Mr. Nixon: Mr. Speaker, the hon. member for Sudbury has a question that follows directly from the recent discussion and I would ask him to put that question, if that is permissible.

Mr. Sopha: Thank you, I am grateful for the courtesy extended. A question of the Attorney General. In view of the fact that this Legislature unanimously passed and accepted responsibility for the Ontario Human Rights Code, would the Attorney General inform the House whether in the proceeding brought by Bell before the hon. Mr. Justice Stewart to prohibit Walter Tarnopolsky from holding a hearing into the alleged discrimination by Bell, the Minister of Labour (Mr. Bales) was served with notice of the hearing?

Was the chairman of the human rights commission served with notice?

Was the Attorney General served with notice?

Two, would the Attorney General supply each member of the House with a copy of the response of counsel for Walter Tarnopolsky to the affidavit made by Bell, or on his behalf?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I would have to take that question as notice. A good deal is required in answer. I will get it quickly and make an answer in that way.

Mr. Nixon: Mr. Speaker, I have a question on another matter for the Attorney General.

Did the Attorney General commission the study on the effects of Mace by Doctors W. G. Macrae and Michael Willinsky of the department of ophthalmology at the University of Toronto?

Second, now that the department of ophthalmology has completed studies on the eye-damaging effects of Mace, is the Attorney General considering regulations which will control its use by the police forces of the province?

Hon. Mr. Wishart: Mr. Speaker, the Attorney General or the Ontario Police Commission did not commission the study, although I believe the Ontario Police Commission had some part in it, perhaps furnished some material in connection with the study. I have indicated, I think previously in the House, Mr. Speaker, that while we have no legislation at the moment, this matter is under discussion. It is under study with the police forces in this province. While I would point out to hon. members that I have not presented yet to this House the legislation which would ordinarily be in the amendments to The Police Act, I can assure them that the matter is under very definite study and discussion at this time.

Mr. Nixon: I wonder if the Attorney General could tell the House if he knows whether the study was initiated independently or whether some other level of government was perhaps involved?

Hon. Mr. Wishart: I do not know, Mr. Speaker. We were aware of studies that were being carried on. One was being carried on by the National Research Council and, I think, initiated perhaps—although I am not certain of this—by the RCMP. That was the study which I referred to previously, of which we were awaiting the results.

It was in connection with our concern about the effect of Mace that I had some months ago strongly urged police forces not to use it until the effects of it were known, particularly the possibility of a permanent

injurious effect. Those studies are now appearing and, I think, indicating that Mace is a substance which may have quite serious or quite permanent effects, especially on the eyes and other parts of the body.

But we did not initiate the study. We have been aware of the studies that are going forward. We have received one, which I mentioned to the House some time ago, and discussions with the police forces have certainly been continuing steadily for some months.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: Mr. Speaker, I have a question of the Attorney General in two parts.

First, where does the jurisdiction rest for change of the law and/or regulations regarding the policeman's use of firearms during the course of his duties—with the Ontario Legislature, the Ontario Police Commission, local police commissions, or some combination of the three?

Secondly, with reference to the Nobrega shooting, could the Minister ascertain, through the government-appointed majority on the Metropolitan Toronto Police Commission, why Chief Mackey refused to meet, even privately, with responsible representatives of the Portuguese community?

Mr. Speaker: Perhaps the hon. member for Dovercourt would place his question about the same incident at this time?

Mr. D. M. De Monte (Dovercourt): Yes, Mr. Speaker. Thank you. Has the Attorney General taken cognizance of the allegations made by Jose Raphael, president of the Portuguese Immigrant Aid Society of Canada, to the effect that he has a file on the instances of police brutality towards members of the Portuguese community in Toronto?

Has the Attorney General requested that the Ontario Police Commission investigate these allegations? If not, why not?

Hon. Mr. Wishart: Mr. Speaker, answering the question asked by the hon. member for York South, I would say that the jurisdiction for the law or regulations regarding policemen's use of firearms, and the change in those, rests with the local board of police commissioners. There is no law, no statute law in Ontario, governing that area as yet. This is one of the matters we are considering in our approach to The Police Act in any amendments we may make in the law or the regulations.

The second part of that question: I do not believe it is, perhaps, a proper matter for the Attorney General to be asked to inquire about the conduct of a local police chief. I think persons inquiring as to why he does not want to meet with certain persons should inquire either directly of him or of his board of police commissioners. I do not want to appear abrupt about that, but I do not think the Minister of this department can be asked to check this type of conduct in the individual police chief.

Mr. MacDonald: Could I ask a supplemental question on that?

Hon. Mr. Wishart: Yes, but let me continue, if I may.

With respect to the question asked by the hon. member for Dovercourt, I have had no knowledge of what Mr. Jose Rafael has stated on his file as to police brutality, nor has any complaint, that I am aware of, been made to my department. I would certainly be ready, willing and anxious to investigate if any complaints were brought to my attention. We may look into the matter but I have just heard of it at this time. I have only heard of it through the hon. member's question and I have not had an opportunity yet to see the newspaper article that is referred to. But, if complaints were made to the Attorney-General, you may be sure they would be investigated.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: Mr. Speaker, may I ask the Attorney General a supplementary question? His reply is consistent with an earlier reply when I asked him why he would not inquire into the action of the police *vis-à-vis* the visit of certain NDP members to Peterborough on a certain occasion. He said that he did not think this was within his jurisdiction.

What is the purpose of the Lieutenant-Governor-in-Council appointing the majority of the police commission if the Minister is going to cut himself off from that police commission in terms of finding out what it is doing?

Hon. Mr. Wishart: No, I do not take that position, Mr. Speaker. We do establish under our Police Act a board of police commissioners which is one of the ways in which police are governed at the local level—either that way or by the committee of the council. Just to refer to the board of police commissioners, I am not even sure we appoint a

majority, if you take it in this light that the Act calls for the head of the municipality, a judge of the district or county court—the Act names him, he is an independent official. We pick out a judge, that is done through the Lieutenant-Governor-in-Council, by Order-in-Council. And there is one other person appointed by the Lieutenant-Governor-in-Council. I think it gives a rather independent attitude to that board of police commissioners, but I do not say that we should exercise a control through that board. I say that this type of—

Mr. E. Sargent (Grey-Bruce): They do with everything else—

Hon. Mr. Wishart: I say that the conduct of a local chief of police, in a matter of this kind, when he does not want to see anybody, does not want to hold a press interview and does not want to do certain things—I do not think that necessarily comes back on the immediate personal doorstep of the Minister of Justice and the Attorney General. I do not think that it was ever intended that it should. I am simply suggesting and trying to be courteous in saying this, that that request should be made to his board of police commissioners for that inquiry to him, instead of coming straight up to the Minister and saying: Why does the chief not see the press, why does he not see me?"

I do not think I can be expected—I should not say I, I do not think a Minister can be expected to follow that detail to that extent in these situations.

Mr. De Monte: May I ask a supplementary question of the Attorney General? Did the Attorney General say that he is considering legislation in connection with this matter in his reply to my friend from York South or a change of the regulations?

Hon. Mr. Wishart: I said the matter had been discussed for some time and that it was still being discussed. I did draw the attention of the members to the fact that amendments to The Police Act had not yet been introduced to the House.

Mr. De Monte: Would complaints against the Attorney General then consider a civilian review board for all complaints against acts of the police?

Hon. Mr. Wishart: Mr. Speaker, I am not going to comment in reply to that. That would be a matter of policy which I would have to discuss with my colleagues and I am not going to express an opinion at this time.

Mr. Speaker: The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I have a question of the Minister of Health. What will the effect of the emission and dispersion of effluent gases from the 750 foot stack of the Nanticoke power station be on the health of my constituents?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, this same question was also asked by the hon. member for Niagara Falls (Mr. Bukator) and one related was asked by the hon. member for Humber (Mr. Ben).

Mr. Speaker: The hon. member for Niagara Falls has withdrawn his question and the hon. member for Humber is not here. Perhaps the Minister would—

Hon. Mr. Dymond: The stack of the Nanticoke power plant has been designed to reduce ground level concentrations of pollutants from the plant to a level in line with the standards set in Ontario Regulation 449-67, under The Air Pollution Control Act.

These standards were set to avoid hazards to health, vegetation and property.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Speaker, I have a question for the Minister of Labour.

Does old age discrimination by a university in its admission practices constitute an infringement of the Ontario Human Rights Code or The Age Discrimination Act; for example, the practice of some medical faculties not to accept academically qualified applicants because they are over 30 years of age?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, in reply to the question of the hon. member, the answer is no. The Age Discrimination Act relates to employment, and university admission would not constitute employment.

Mr. T. Reid: Might I ask the Minister, Mr. Speaker, if he would consider amending the code to prohibit such discrimination in the admissions policies of universities?

Hon. Mr. Bales: Mr. Speaker, I think that is a matter that I would want to consider with my colleague, the Minister of Education.

Mr. T. Reid: I have a question for the Minister of Education.

Will the Minister of Education take note of the recommendation of the Ontario Medical Association that the province should prescribe an information programme for all high school students on the growing incidence of venereal disease and its prevention?

What provision is made in the current health curriculum for such instruction, and how many teachers are qualified to give it?

I would like to withdraw the final section of the question.

Hon. W. G. Davis (Minister of Education): Yes, Mr. Speaker, I was going to comment on the phraseology of the final part of the question.

We have taken note of the recommendations of the OMA. The subject of venereal disease is included as an area study in the new curriculum guidelines. I have a draft copy here. They have not been distributed yet to the schools. As soon as they return from the printers—and they are being finally edited now—I shall make a copy available to the hon. member.

The age level at which this information might be introduced—there is some flexibility here—will depend upon the needs of the students and, of course, related to the community.

Perhaps the maturity of the student should be considered; the expressed interests of students. These are some of the criteria. And I think there should be some involvement of the local board officials in making the determination as to when this type of information should be made available.

There are programme consultants available to the schools to assist the local curriculum committees. And teachers who are involved in health education programmes receive some of this information in the colleges themselves. I will get a copy of the new guidelines just as soon as they are available from the printers.

Mr. T. Reid: Could I ask the Minister, Mr. Speaker, whether the new curriculum guideline will be for the coming school year, or will it be a year from this September?

Hon. Mr. Davis: It will be, hopefully, available, Mr. Speaker, within the next two to three weeks, so the schools can then use it for next September.

Mr. T. Reid: Another question to the Minister of Education.

In view of the report in this morning's *Globe and Mail* of the Minister's statement last evening, that he might tell school boards to levy and collect their own taxes, has the Minister calculated the additional administrative cost, and the corresponding additional taxes, which would result for each of the 233 school boards in the province, if they should be required to do this?

Hon. Mr. Davis: Yes, Mr. Speaker, in fact I really did not make a statement. I was involved in some discussion at a meeting in Oakville last evening, a very pleasant meeting, when the question was raised with respect to the dialogue that goes on at this time of the year between local councils and school boards, sometimes a continuing dialogue.

Actually, I think a question came from the audience relating to a report in last evening's Toronto *Star*—which, quite frankly, I have not seen—where my colleague, the Minister of Municipal Affairs, expressed the same possibility.

This has been discussed for two or three years now—as to whether or not it would make sense to have the school boards actually levy their own taxes. We have done no study relative to what the cost would be. I indicated last night it was strictly a thought as to perhaps a possible solution and really that is all that was said, and as far as it had gone.

Mr. T. Reid: Mr. Speaker, I have three further questions relating to the public libraries in Ontario. Perhaps I should place all three at once to the Minister.

Will the recently appointed commission on post-secondary education in Ontario examine public libraries in Ontario in their role in continuing education?

The second question on the public libraries: Is the Minister intending to establish minimum standards for public libraries in Ontario, with regard to physical plant, accessibility of library services, library materials, numbers and qualifications of staff needed for all levels of service?

Thirdly, what consultation, if any, has the Minister had with the Ontario Library Association, the provincial library council and representatives of the directors of the regional libraries of Ontario concerning changes in the organization and financing of public libraries in Ontario? Has the Minister made an undertaking to consult with these bodies before any definite action is initiated by his department?

Hon. Mr. Davis: Mr. Speaker, to deal with these questions in reverse order, I think I

replied to a similar question from other members on three or four occasions in the House. It is true, I have met with various organizations in the library field. I have indicated to them that before any changes are proposed with respect to the structure of library service in the province of Ontario we shall indeed have consultation and seek out their thoughts relevant to this and this has indeed been a commitment made to them.

With respect to the second question as to whether we intend to establish minimum standards for public libraries with respect to physical plant, accessibility and so on, we are in the process of gathering a great deal of statistical information relevant to this. But I think the hon. member will agree, Mr. Speaker, that the decision relevant to the structure perhaps should be considered prior to the establishment of standard service, and so on. The two, I think, probably would have to go hand in hand.

With respect to the question as to whether the commission related to post secondary education have been instructed or requested to deal with this specifically, I think the hon. member has probably read the terms of reference in the order-in-council now fairly carefully himself. They are very broad in their scope.

I am not sure that this means they will get into the library service as it exists in the elementary and secondary system. They will probably get into library service as it relates to the universities and other post-secondary institutions and, of course, this could flow or evolve into the study related to the field of continuing education although it is not specifically set out in the order-in-council itself.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): To the Minister of Justice: How many complaints have been filed with the Ontario Human Rights Commission since its inception?

How many of the complaints were formal and how many informal?

How many were dismissed? How many were settled directly by the commission? How many were referred to boards of inquiry?

In how many cases did the board find in favour of the complainant? In how many cases did the board find in favour of the respondent? Did the respondents have the benefit of counsel?

In how many cases was provision for Ministerial order of compliance exercised?

How many cases have come before the courts? How many convictions were there? How many appeals?

What is the procedure when a respondent chooses not to comply with a Ministerial order?

What are the names of those who have served as chairmen of boards of inquiry and what are their professions?

Hon. A. Grossman (Minister of Correctional Services): Yes, but what information does the member want?

Hon. Mr. Wishart: Mr. Speaker, if I were to answer this question, I would certainly place it upon the notice paper because so much is required by way of answer. But I would suggest to the hon. member that since the human rights commission and its administration comes within The Department of Labour, that the question should be directed to my colleague, the Minister of Labour.

Mr. Lawlor: If the Attorney General so feels, may I read the rest of the question to the Minister of Labour and ask him to take it under advisement?

Hon. Mr. Bales: Mr. Speaker, I would ask that it be put on the order paper and we will be glad to deal with it.

Mr. Lawlor: A second question, to the Minister of Education:

Since no dissenting voice was heard in the Legislature during debate on section 47 of The Separate Schools Act, seeking an amendment to provide justice for non-Catholic fathers of children attending separate schools, is the Minister prepared to introduce the necessary amendments on behalf of the government during this session?

Hon. Mr. Davis: Mr. Speaker, we have been studying this matter. It is not new, as the hon. member is fully aware. It is doubtful that there will be legislation this current session dealing with the problem specifically.

The hon. member is aware, of course, of the case in Middlesex—I believe it was the MacDonald case in 1964—which I think provided a partial solution at least to this problem. But, as I say, it is doubtful that we will be introducing legislation in this session.

Mr. E. W. Martel (Sudbury East): That is a Machiavellian statement.

Hon. Mr. Davis: It is not Machiavellian, it is a statement of fact.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Financial and Commercial Affairs:

Is the purchaser of a building lot protected in any way by The Consumers Protection Act when it turns out that the necessary building permit, for example for a septic tank, cannot be secured from The Department of Health?

Hon. Mr. Rowntree: Mr. Speaker, is that the end of the question?

Mr. Burr: That is the end of the question.

Hon. Mr. Rowntree: I seem to have a fairly lengthy question from the hon. member.

The example described by the hon. member does not come under The Consumer Protection Act. However, Mr. Speaker, when a lot is being purchased through a broker registered under The Real Estate and Business Brokers Act, it is part of the broker's duty to the purchaser either to make the necessary inquiries beforehand or make the purchase agreement conditional on the purchaser being able to get the necessary permit or permits.

In the event that a prospective purchaser does not use the services of a registered broker, the normal practice would be to retain a solicitor who would make the required investigation under Ontario law to protect the interests of his client.

If neither of these situations prevails, then the purchaser himself may obtain all the necessary information simply by calling on the municipality involved to ascertain the existence of any relevant building requirements for the purpose for which he intends to use the realty in question.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, I have a question of the hon. Minister of Highways:

When is The Department of Highways going to erect an adequate number of signs directing motorists to the Hamilton Municipal Airport at Mount Hope?

An hon. member: Why?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, since the Hamilton Municipal Airport is now served by commercial airlines, The Department of Highways appreciates that more adequate signing is required from downtown Hamilton to the airport. These signs are presently being designed and it is expected that they will be erected within three weeks.

Mr. J. R. Smith: Will the Minister accept a supplementary question? Will the department also investigate the possible need for marking signs on the Queen Elizabeth Way and Highway 403?

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transport.

When did the department undertake to consider the desirability of legislation which would require rear bumpers on commercial vehicles as a safety feature?

When did the department receive the proposals of the United States National Highway Safety Bureau regarding this?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the problem of rear bumpers on commercial vehicles has been under consideration for some time and we have had discussions with the automotive transport association seeking practical criteria for all types of commercial vehicles. The U.S. National Highway Safety Bureau's proposed standards for rear bumpers for new vehicles appeared in the Federal Register of March 19, 1969, and these have been distributed for study and comment.

Mr. B. Newman: Mr. Speaker, if I may ask the Minister a supplementary question: May we expect legislation during these sittings of the Legislature regarding this topic?

Hon. Mr. Haskett: No, I do not think there will be legislation. If we were to take action, it would be by way of regulation under a section of the Act.

Mr. B. Newman: May I then rephrase my question and ask if we can expect regulations to cover this?

Hon. Mr. Haskett: Mr. Speaker, I would not want to promise a date on which we could bring out suitable regulations.

Mr. Speaker: The hon. member for Windsor-Walkerville has a question of the hon. Minister of Financial and Commercial Affairs.

Mr. B. Newman: Thank you, Mr. Speaker. To the Minister of Financial and Commercial Affairs. In view of the report in the Windsor

Star of Monday, May 5, 1969, that the consumer protection division of the Michigan Attorney's General's office is investigating a cosmetic distribution system which has now spread in to the Windsor area, what action is being taken by officials of the consumer protection branch to pursue complaints which the Ontario Provincial Police say they have received in connection with this scheme?

Hon. Mr. Rowntree: I take it that the question, Mr. Speaker, is taken to suggest that there is something basically and fundamentally wrong with that particular scheme?

Mr. B. Newman: Just to ensure the investor in the local area.

Hon. Mr. Rowntree: Mr. Speaker, I am informed that while the Ontario Provincial Police has received some enquiries on this matter, it has not received any complaints of the nature cited in the question.

However, I would like to assure the hon. member that it is our intention in the consumer protection branch of my department to keep the matter under surveillance. The personnel in the consumer protection bureau have established liaison with the necessary agencies in Windsor and in Michigan for this purpose.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: I have a question of the Minister of Mines from last week.

Did an inspector from The Department of Mines question a man or men in the lunchroom on 6600 level at Creighton who overheard the instructions given by the junior shift boss to Mr. Jeffrey P. Moe shortly after midnight in the morning he was killed?

Did Mr. Jeffrey P. Moe object to these instructions? Was he instructed to go on a muck pile with a scoop tram? Is this not contrary to regulations? Was the man working alone at the time of his death? Is it not time that the practice of men working alone underground be discontinued?

Did divisional foreman Roger Stabback find the body? At what time? At what time were the OPP and the mine inspectors notified of the fatality? At what time did the OPP and mine inspectors reach the scene of the accident? Was the body removed from the accident site before the arrival of either the OPP or mines official?

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, we are gathering the information required for this question, but I think a question like this really should be one that should go on the order paper, if I may suggest it.

Mr. Martel: It will get lost in the shuffle, Mr. Speaker.

Hon. A. F. Lawrence: Nothing gets lost in the shuffle.

Mr. MacDonald: Not unintentionally, anyway.

Mr. Martel: Another question to the Minister of Mines. Will copies of the report "Sulphur Dioxide Levels and Resultant Injury to Vegetation in the Sudbury Area during the 1968 Season" by B. R. Dreisinger and P. C. McGovern be made available to those members who want copies before the start of the Mines estimates?

Hon. A. F. Lawrence: Mr. Speaker, I think the House deserves an explanation of the difficulties some of the members have been having in respect to that particular report. I gather that the first request was made about Thursday of last week in my absence. I think the hon. member for Sudbury also requested a copy of the report. I knew nothing of these requests until yesterday morning.

I must confess to the House that I have not seen the report either and there has been some mass confusion in the department about it. The only available copies are in the hands of Mr. Dreisinger in Sudbury. I immediately despatched a signal to him yesterday morning to get six copies of it down here immediately. They have not arrived. Another signal has gone off to him telling him to send another six. Somewhere between Sudbury and here there are twelve copies in transit. As soon as they arrive I can make sure that the hon. member, or any other member who wants a copy, will get one.

Mr. Martel: A question of the Minister of Highways. Without weigh scales in the Sudbury area how can we be assured that our highways are not being subjected to overloading? When will weigh scales be installed in areas near Falconbridge and INCO holdings to make sure that trucks carrying ready-mix cement or gravel do not carry excess loads, thereby damaging the highways.

Hon. Mr. Gomme: Mr. Speaker, the control of weights of loads on highways is provided for in The Highway Traffic Act and this Act is administered by The Department of Transport. The location of weigh scales and their

operation is the responsibility of the Minister of that department.

Mr. Martel: Would the Minister of Highways then direct that question to the proper Minister so I could ask it tomorrow?

Mr. Speaker: Mr. Speaker will be pleased to do so and since the Minister of Transport is in the House at the moment he will have knowledge that it is coming. The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have a question for the hon. Minister of Highways. Can the Minister inform this House if his department was solely responsible for preparation of his report evaluating GO transit and its future? If not, who assisted?

Is the Minister prepared to commission DeLeuw, Cather and Company to update his 1963 report on the track and signal modification required to implement rush hour service on each of the railway lines radiating out of Toronto?

Does the Minister have an agreement with the CNR, if not, when will one be concluded? Will the Minister table a detailed financial statement on the operation of GO for the period covered in this report, showing a breakdown of the CNR charges for operation of the system?

When does the Minister consider that the first models of the 190 mile-per-hour trains referred to in press reports by the Deputy Minister can be placed in service?

Hon. Mr. Gomme: Mr. Speaker, the answer to question 1499, one, the department was solely responsible for its preparation using material from many sources and studies.

To number two, this report was prepared for MTARTS from material provided by the railroads. Since our use of the railroad line is dependent upon the availability of track and our compliance with railroad requirements, the material we have on which the figures in the latest reports are based was provided to us and approved by the railroad.

Yes, we have an agreement with the CNR; yes, as soon as it can be prepared in the proper form.

The answer to question 1513. The timing of this depends on their development, our investigation into their feasibility for our conditions and their application in this area. We are taking this into consideration along with all other modes. The timing will be determined by the results of these considerations. The speed referred to in the question is a maximum speed under most ideal conditions and would not be an operational speed.

Mr. Deacon: I would like to ask him a supplementary question in relation to that same statement. Would super buses referred to in that same article require a separate right-of-way on some highways?

Hon. Mr. Gomme: Mr. Speaker, I wish to tell the hon. member that I have not seen the press report. I have had a lot of other things to do today rather than read the newspaper, but I think there are two avenues these buses could be on—either on the ordinary right-of-way or a special one.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question for the hon. Minister of Lands and Forests. How many commercial fishing licences have been issued for Lake Nipigon? How many are being fished at the present time, and how many tons of fish are allowed on each licence?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member: question number one—in 1968, 16 fisheries operated under the authority of 23 licenses, 19 gill net licenses, two net licenses and two pound net licenses.

Question number two—13 fisheries have renewed 19 licenses to date and only five have reported fishing up to April 15, 1969.

Question number three—annual quotas only apply to sturgeon, whitefish, pickerel and lake trout taken in gill nets and are as follows:

(a) 24,000 yard gill net license—six licenses are allowed, 50 tons each;

(b) 12,000 yard gill net license—five licenses are allowed, 25 tons each;

(c) 6,000 yard gill net license—eight licenses are allowed, 20 tons each.

No quotas are assigned to other species or to the trap or pound net licenses. The total quota of prime species is 585 tons.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, a question for the Minister of Highways.

Will the Minister explain the position of his department as reported in the press when it said that the government will pay its share

to lower the Claremount access in Hamilton while believing the work to be unnecessary?

Hon. Mr. Gomme: Mr. Speaker, the city of Hamilton made a proposal to the department to change certain aspects of the Claremount Hill project. This was originally approved by the department.

While the department, if this were its own project, would not have made these changes, it was felt that as the city indicated that these changes—which were somewhat more costly—were necessary to the proper completion of this project, the department would subsidize its share under normal subsidy arrangements.

Mr. Deans: Might I ask a supplementary?

Is the Minister aware that this was initiated by eight persons in the area who just were about to lose part of their view and in order to sustain the view that they had previously, it is going to cost them in excess of $200,000? And that these people are wealthy Tories? Does the Minister think this has any influence on the decision?

Hon. Mr. Gomme: Mr. Speaker, absolutely not. The only contact that we have had is with the city of Hamilton on this.

Mr. Speaker: The member for High Park.

Hon. Mr. Grossman: Do they have to be wealthy NDPs?

Mr. Deans: If this was an apartment building next to lower class homes, no consideration would be given.

Mr. R. Gisborn (Hamilton East): It is an abuse of public moneys; that is what it is.

Mr. Speaker: Order!

Mr. Shulman: Mr. Speaker, I have a question for the Attorney General.

Mr. S. Lewis (Scarborough West): They will not hold those seats anyway.

Mr. Shulman: Inasmuch as the transcript of the inquest into the death of Beryl Higgins has not arrived, in spite of the Minister's assurance it had been mailed, would he kindly supply me with a copy by hand?

Hon. Mr. Wishart: Mr. Speaker, I will not do that but I have furthered this investigation and I am advised that the document was mailed. I am sure it will arrive and I will check to see why it has not.

Mr. Shulman: Mr. Speaker, before the orders of the day, I would request permission of the House to withdraw resolution No. 8 standing in my name.

Mr. Speaker: The hon. member for High Park requests the unanimous approval of the House for the withdrawal of resolution No. 8 standing in his name on the order paper.

Agreed.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day, His Honour is standing by, and with your permission I would ask him to come in and give Royal assent to several bills.

The Hon. the Lieutenant-Governor of Ontario entered the Chamber of the legislative assembly and took his seat upon the Throne.

Hon. W. Ross Macdonald (Lieutenant-Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

The Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 101, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Bill 102, An Act to amend The Registry Act.

Bill 103, An Act to amend The Land Titles Act.

Bill 106, An Act to amend The Public Vehicles Act.

Bill 116, An Act to regulate The Marketing of Freshwater Fish.

Bill 117, An Act to amend The Fish Inspection Act.

Bill 121, An Act to amend The Medical Services Insurance Act, 1965.

Bill 123, An Act to amend The Division Courts Act.

Clerk of the House: In Her Majesty's name, the Hon. the Lieutenant-Governor doth assent to these bills.

The Hon. the Lieutenant-Governor was pleased to retire from the Chamber.

Mr. Speaker: Orders of the day.

Clerk of the House: The 35th order; House in committee of supply, Mr. A. E. Reuter in the chair.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES

(*Continued*)

On vote 2004:

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, very briefly I want to take the House back to April 1, when this debate started on this side. I want to point out to the House that in my comments in reply to the Minister's speech, I made reference to the fact that, in the United States of America, in certain states, they had already started a plan whereby the children's aid societies were assisted and moneys were made available for the payment to meritorious families, or couples. These moneys are to assist in the adoption of so-called unadoptables and to assist in cases where funds were needed by the couple and where therefore adoptions would not ordinarily occur.

The Minister did not pick this up or reply. I am mentioning it at this time, Mr. Chairman, because I noticed on Saturday, May 10, 1969, in the Toronto *Star* an article which states that the Ontario Association of Children's Aid Societies is going to request of the provincial government a system of grants that would encourage more people to adopt children.

Apparently the feeling is that the amount of $270,000 in a year in welfare payments could be saved if some sort of a plan were put into effect, similar to the plan referred to in my own comments at the beginning of this debate.

Apparently, Mr. Chairman, at present there are something like 12,000 children who are boarded out by this department, and the children's aid societies, and an amount of $80 a month is paid to foster parents. Joseph Messner, the executive director of the Ottawa Children's Aid Society, states that the overhead costs could be cut to about $30 a child under a plan of routine payments for adopted children. He further states that if only five per cent of the children in foster homes were adopted, this would mean a saving of $270,000 annually to the government.

Now the hon. Minister, Mr. Chairman, when we talked about the guaranteed annual wage and negative income tax and things like that, was quick to point out that these have not been proved; and that therefore there is no definite proof that moneys could be saved. But this suggestion, made by this side, and buttressed by the Ontario Association of Children's Aid Societies request, could definitely save the department more than a quarter of a million dollars a year.

If we look back, we will see that we have had debates in this House over the fact that children have been exported from the province of Ontario because they could not be adopted—and I am quoting now, from an article in the Toronto *Telegram* of February 1, 1969, which states: "Eighty Metro Children Were Exported."

Now, is it a known fact that most of the children who are exported—and I think it is a crime—were exported because they are unadoptable because of their race. Or because of religion, or because of some physical disability. These children could easily be adopted, Mr. Chairman, by the people right here in Ontario. And I am certain that many people, who could give these children the love that they require right here in this good province of ours, would be glad to do so if they could afford to.

Now in the light of the Ontario Association of Children's Aid Societies request, I wonder if the Minister has had an opportunity to secure some information on this. I would like to hear his comments on whether his department thinks this is feasible; does he have any plans to go about this?

I notice when we talk about anything difficult, such as improving the situation of Indians, or anything else that is really difficult, the Minister always claims: "Well it cannot be changed in a day, or it is much too difficult a problem, we would have to study it".

I would like to point out to the House, Mr. Chairman, that when you are talking about a child that is one or two years old, a study lasting three or four years could mean this child's ruination simply because he would be denied the love of a home at the very time when he needs it most.

So, I point out to the Minister, Mr. Chairman, that there is no question of the fact that money could be saved—and we would not like him to say that he has to study this, that he cannot do anything about it.

I would like to hear if he has anything constructive to say about this most important problem.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, it is not my intent to continuously get into a harangue with the hon. member.

The fact that a member of the Opposition states something, gives it no more validity

necessarily, than if anybody on this side states it. And the fact that something is being researched and studied is quite a proper attitude. It is an attitude to which I have been committed all of my life. It is an attitude which I intend continuing.

Now, with respect to the sugestion that has been made about paying adoptive parents. On the face of it, like so many ideas, it appears to have some merit; and I do not discount any of the merit that Mr. Messner or anybody else would put forward in relation to it.

Already, our director of the child welfare branch is on record as to her observations on the matter. Our department is committed to this kind of an approach—we intend to use all our facilities, upgrade them, streamline them, pour in more resources by way of money and people to make our present programme work, to reduce the number of so-called unadoptable children.

I know the problem that the hon. member raises in the House. We are attempting to place the so-called unadoptable children. I do not like some of the terms we are compelled to use by way of trying to delineate programmes.

I recall on February 15, the comment in Today's Child that: "Bobby's Needs Are Special".

It was the fact that we were placing Bobby for adoption and he had cystic fibrosis. I do not know whether Bobby was placed or not. But I understand he was placed. The director of the branch did prepare for me—and I have it available to me—a list of children who, years ago, would have been classified as the hard core of unadoptables; and they have been adopted.

So without discounting any merits there may be in paying adoptive parents, because there are certain psychological aspects to adoption which we have adopted on principle, there is never any financial consideration paid. I think one of the questions in relationship to the forms asks: "Have you received or will you receive financial consideration from anybody for the adoption?" because we try to place the adoptive parents, who legally become entitled to all the rights and prerequisites of being parents, as much as possible in the same status as a natural born parent.

Of course, with natural born parents, there are families that have children born into them who are not perhaps the same—who are handicapped, or disadvantaged, in relationship to other natural born families.

So far, I think the psychology appears to be that if you can establish an adoption relationship between parent and child as close as possible, in all legal and physiological and psychological aspects, then that is the best adoption that can take place.

In the immediate future, without discounting the problems faced by paying adoptive parents, and the foster home that might adopt, without discussing the pros and cons of international placements, we intend to place all our resources to adopting as many children as possible in Ontario to bring that number of unadoptables to an irreducible minimum. And then, we will take on from there.

But we have a great deal to do yet, we feel, even though our adoption programme has been successful in this field, without going off onto these new ventures.

Mr. Braithwaite: Mr. Chairman, I appreciate everything that the Minister has to say. I give the workers in his department, particulary, the graduate workers, a great deal of credit for the attempts they are making to adopt some of these difficult cases.

But I bring to the Minister's attention the type of case where ordinary, and even extraordinary, effort will not suffice. I am asking, would the Minister not consider a pilot project whereby some of the most unadoptables could be, in some way, adopted out, even if the province does have to pay?

I think we all realize the dangers of paying. I do feel that when you weigh these dangers, Mr. Chairman, against the fact that the particular child, or children, in question are the very ones whose lives are going to be harmed—irreparable damage will be caused. You are going to find that some of these very children, because they cannot be adopted, are going to grow up in foster homes. When they reach their majorities, I think they are going to cost the province an awful lot more money than it would have cost to put them in a private home, even if there is a chance—a gamble—in putting them there.

I do feel that the circle of a family and the love of a family cannot be replaced. I think that the Minister should reconsider. I would like to hear whether or not he is interested in considering a pilot project, even on a few of the very worst and most difficult cases, to see how it works. You can always say: "We are doing this and we are doing that"; but there are some cases which stand outside the ordinary case with which everyone is familiar. These cases will not be

taken care of by the best efforts of the department.

I suggest to the Minister that there is nothing to be lost by trying a pilot project. I think I speak for anyone who is interested in children. It is much better for us to try a pilot project, even if it fails, rather than to have our children exported from this country. I would like to hear what the Minister has to say.

Hon. Mr. Yaremko: Mr. Chairman, I do not know whether a formal resolution will be forthcoming from the Association of Children's Aid Societies or not. No formal resolution has yet been placed before me and when it does, of course, I will pay attention to it. It may be that further discussions will be held with either individual children's aid societies or with the association with regard to this matter. But to make a commitment with respect to this in a specific way, I do not do so at the present time.

Mr. Braithwaite: One more question, then, Mr. Chairman, before I yield the floor and that is this; in my speech I have already mentioned the difficulties that the average children's aid society has and the fact that not only do they get too little money, they get the money too late. On top of that, they are finding themselves in legal and financial straitjackets. I wonder, in view of all these facts that the Minister, I am sure, is aware of, if his department is considering any new method or any new way of financing and assisting children's aid societies, not only in their day-to-day operations but in their role in preventive work.

I would like to hear what the Minister has to say about this, because I think this is a most crucial area.

Hon. Mr. Yaremko: Mr. Chairman, I think we have to look at this question in an historic way. The Act came into being in 1966. There was a very fundamental change in the financing of societies in 1967 and 1968, when it changed from an organization supported to a great extent by private sources in the community to the one that exists today, I think, 100 per cent supported by government moneys from all levels.

I think the percentages now are that the municipalities pay an average of about 20 per cent, and there is a payment from the provincial level of the balance of 80 per cent.

So, fundamental change took place in the financing of societies. Now this change brought about a fact that a new *modus vivendi* had to be developed between the societies and the governments. These two years have seen that transition take place. I think there is a very good relationship between the societies and the government that developed in the last year in particular.

When, of course, there came this fundamental change in financing, we were confronted with the implementation and some of the administrative matters related thereto. The question of timing of budgets, the approval of budgets. When you move something along and there are various parties involved, there is a time lag involved. We believe that we have come to grips with that problem to a degree.

We started a much closer consultation process at the top level between the societies and the department in the processing of budgets. We issued guidelines and indicated in advance what our own thinking was and asked the societies to think in terms of that. So we have reached the point where, I believe, as of today, I have already approved well over one-third of the budgets of the children's aid societies. We are moving apace on them. The approvals, I think, will be coming forward very rapidly in this regard.

Mr. J. B. Trotter (Parkdale): How much did you cut them back?

Hon. Mr. Yaremko: We did not cut them back at all. As a matter of fact, Mr. Chairman, I think one of the great significant growths in our programmes has been the allocation of moneys through child welfare. I think it has more than doubled in three years' time—the increase last year was about 80 per cent—but the growth of the moneys available to children's aid societies has been almost straight upward as a graph of grants would show.

There is no doubt about it that when these new finances became available every project dear to the heart of every local director was put forth immediately. Everybody had high hopes for all of these projects. The rate of growth has been nothing short of great, but that still does not mean that everybody has received every dollar that they perhaps would like to have in this regard.

I can say that I am confident, by and large, that the moneys made available under this programme will adequately meet our commitments to the societies.

Mr. Braithwaite: Mr. Chairman, before we get into the sums—let me ask the Minister, is he telling us, then, that this year the children's aid societies are receiving their moneys, of their pledges of money, far enough in

advance so that they can plan their own operations realistically throughout the province? Is that what he is telling us, that he has already solved that problem?

Hon. Mr. Yaremko: Our procedure is that we are paying them continuously on the basis of last year's budget so that they are getting moneys continuously. With regard to anything new, above that, we have to have final approval before we can pay the money over but it is our intent and purpose to meet those requirements as quickly as possible.

Mr. Braithwaite: Do I understand then that this is the way the children's aid societies would like it and that they have no objection? They are satisfied by the way the money is dispersed by your department.

Hon. Mr. Yaremko: They have no objections at the present time.

Mr. Braithwaite: And they are receiving their moneys far enough in advance or are they receiving notification far enough ahead so that they can make their plans realistically, is this correct?

Hon. Mr. Yaremko: That is correct.

Mr. Braithwaite: If the Minister says so I accept it. Yet that, it is not what I understood. In any event what about the sums of moneys that these various societies have to pay out to places like Browndale and the Vanier institute, and so on, where they have no control over the amount of moneys and the rates that are going to be charged?

It is one thing for the Minister to talk about the amount of moneys that are being paid to these various societies being increased threefold over the last few years, and so on, when he puts the societies in the position where they find that they have to, out of the moneys that they get, pay out block sums over which they have no control to outside institutions.

The point I am making, Mr. Chairman, is, has the Minister considered taking out from under children's aid societies the responsibility for paying for these institutions and putting it under his own department, so that the children's aid societies could plan on their own and for the preventive services for which they were originally made responsible?

I would like to hear exactly what the Minister has to say on that point. It makes no sense for the Minister to stand here—it sounds great and I know the Minister in his heart is really trying to do what he considers to be the best job, he is all heart—but as far as I am concerned when I look at the picture it is not what you see at first blush. When you start to analyze the figures and you see that various institutions have rates and they have to pay their own staff, and they have to pay their own help. You cannot blame them for raising their rates. On the other hand we find the children's aid societies which ask for X dollars—and sometimes they get X minus Y—but in any event they have to take that money. Then they have to lop off three-quarters of it sometimes and pour it in to some institution over which they have no control. Therefore, I say the Minister is not really answering our question.

I want to know when he is going to take the control of these institutions and the payment of these institutions, from under the children's aid societies and put them under his own wing and let his department be responsible for them?

I would like to hear the Minister's reply to this because I think this is the key to the matter. There is no sense in our talking about how much money they get and when they get it, if they do not really know what they are going to have left.

Hon. Mr. Yaremko: Mr. Chairman, the estimates are approved, and they are approved on the basis of these factors that the hon. member has touched upon. Those factors are taken into consideration in the developing of the cost, and these figures, I think, are deserving of putting on record. I will only use round figures: In 1966 the total costs were $25 million; in 1967 the total costs were $32 million; in 1968 the total costs were $37 million; in 1969 the total costs will be $42 million. There is your graph on the chart of the moneys being—

Mr. Braithwaite: I just finished saying looking at the graph itself is deceptive.

Hon. Mr. Yaremko: Why is it deceptive?

Mr. Braithwaite: Because the graph is in more than one dimension.

Mr. S. Lewis (Scarborough West): That is right; because you are paying for institutional care rather than preventive care.

Mr. Braithwaite: Not you, the children's aid societies—this is the point I am making. You should be paying for that so that when we look at the curve we can look at a curve and we can see truly what it says.

Hon. Mr. Yaremko: The hon. member for Scarborough and the hon. member for Etobicoke are talking about two different things.

Mr. Braithwaite: Oh, no, we are not. You are not answering my question, sir.

Mr. Lewis: You are making the children's aid societies pay for what you should be paying and—

Hon. Mr. Yaremko: Not necessarily!

Mr. Braithwaite: Yes, sir.

Hon. Mr. Yaremko: We are channelling our funds through them, the total cost.

Mr. Braithwaite: Why does your department not pay them itself?

Hon. Mr. Yaremko: The total cost is being channelled through the children's aid societies.

Mr. Lewis: But you are destroying their budgets in the process.

Hon. Mr. Yaremko: I am not destroying their budgets. As their child care requirements have increased we have been providing them with additional moneys. I think the breakdown was roughly in 1966. But, the moneys available to the children's aid societies, which they are paying out, is being given to them. As they have been paying out more with their right hand, we have been giving them more into their left hand.

Mr. Braithwaite: No I do not think that is so, Mr. Chairman. It may appear to be that way but in fact it is not. The question is not answered. I ask again, why does the Minister's department not take over the payment to these various outside institutions and let the children's aid get on with looking after the children for which it is responsible? Why does the Minister not just answer that one question? We do not want to hear about how much money you spent, we do not want to hear about that, we want to hear why.

Hon. Mr. Yaremko: Quite frankly because there is no point in taking up the member's suggestion. You just add to the administrative costs. They are our agents, they are our partners in the field, and they are doing the job. As a matter of fact the relationship between the children's aid society and the department is becoming closer and closer altogether.

Mr. Lewis: Not on this point it is not.

Mr. Braithwaite: No, I cannot agree with the Minister there, Mr. Chairman. I wonder if the Minister is saying that he will not do it because the suggestion comes from this side of the House.

Hon. Mr. Yaremko: Not at all, I just do not see the value in the point. I see no advantage in changing the procedure.

Mr. Braithwaite: Has the Minister not spoken to any one of the children's aid societies that have had to make these payments? If so, I am certain he would get the same reply that I have given him today. They would tell him the same thing. They are not able to plan and they are not able to look ahead, because they do not know what is going to be facing them as far as the money they are going to get from his department is concerned. They do not know what is going to be facing them as far as the requests that are going to be made to them from these various institutions. The Minister has not answered our questions—we really do not know why his department will not take over the payment of these outside institutions.

Mr. Trotter: Mr. Chairman, I want to make a few remarks on this because I have been listening to the Minister this afternoon and on other occasions. On this particular item—worse than the others—he is doing a snow job and the answers just do not add up.

Insofar as the children's aid societies have been able to plan ahead it is utterly impossible for them. I have come upon instances where the children's aid society has spent money, planned ahead and had to cut back, simply because of budgetary cuts by this government. The children's aid societies, particularly the ones in Toronto, simply did not know what they were going to be able to do.

In one instance in Toronto they spent a year planning a community programme sponsored by the children's aid society where the whole emphasis of the programme would be on prevention and also things like supplementary supplies. The welfare grants given out by the government are so low that in truth the children's aid society stepped in and has given extra clothing and given extra food. This is even basically your policy, that you are niggardly and callous, I think, in your welfare grants.

However, in this one particular case, I think it had to do with the area of the member for Riverdale (Mr. J. Renwick)—down in the Trefann area—the children's aid society had to simply cancel out a major programme. The only reason why I happen to know about it is that the children's aid society had to go around looking to other charitable groups in hope that they might get support to carry on.

Voluntary organizations have only got so much money and, believe me, it is impossible for voluntary organizations to carry on so many efforts that are now demanded in the large urbanized society.

I think it is a major tragedy that the plans of the children's aid society in the Trefann area are simply going to be cut back. When I say it is being cut back, it has to do with the preventive programme that has been planned well ahead, in fact it was well organized, and simply because the funds are not there it is cut dead. The responsibility lies directly with this Minister, and if he does not know what is going on, then an awful lot of people who are interested in this field certainly do. I do not want to use names, but I could direct–

Hon. Mr. Yaremko: Which society was involved?

Mr. Trotter: The children's aid society.

Hon. Mr. Yaremko: Which one?

Mr. Trotter: Toronto, where it has been cut back.

Hon. Mr. Yaremko: And they cut out this programme because of that?

Mr. Trotter: They had to cut it off.

Hon. Mr. Yaremko: They did?

Mr. Trotter: Well, it is either going or it will go, I do not know in what stage it is. I know they are looking for money because they cannot carry on and they have just cut it dead. And I just happen to know of one group they went to. And it was caused by the budget cut, that is my understanding. It certainly tries my patience–

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, there has been no budget cut. People have not got as much money as they would like to have, but my understanding is that, by and large, they have continuously been getting more.

Mr. Trotter: Of course, and they are going to have to continue to get more with the growing population and growing demands made upon them. Certainly, they are going to demand more money. They are going to have to have it with the people they have. And if the Minister does not realize that these services are going to need more money this year and next year, he certainly has no conception of his job. I do not know how a caseworker or a civil servant in this department can literally tolerate the political leadership they have, because if the Minister sits there and says they are not getting more, I am telling him they are not going to be able to carry on.

I used to believe that staff was not available. The one big excuse was: because there was a shortage of staff, they could not carry on many of the services they wanted to. Well, no question, it is always difficult to get trained staff. But today there is trained staff around and they simply have to look for other jobs–or they are going to be put in different work within the children's aid societies–simply because of the budgetary programme–whether the Minister wants to call it cuts or not. So, I must say to the Minister that he is like his predecessor, completely ignoring the demands of social services that are required in this growing province of Ontario.

Hon. Mr. Yaremko: Mr. Chairman, that programme has not been cut out because of lack of funds. My understanding is that the programme is being evaluated.

Mr. Trotter: Evaluated? Oh, come on, I have been around too long to get thrown off by those weasel words. I am telling the Minister right now: It is cut dead. And unless some dramatic change has taken place in the last 48 hours–I will tell the Minister right now, he can use the word "evaluate" or anything he likes–it is cut dead, unless the money is found. I am quite certain the money is not going to be found, certainly not under private auspices. Do not use weasel words with me.

One other thing disturbs me. It is a major item that has gone on over and over again through the years about the subsidies that are given to the children's aid societies having to do with the Browndale Camps–or any place –in order to give some type of training or treatment to emotionally disturbed children. This is a direct responsibility of the provincial government and I think the children's aid societies are being asked to carry too great a load when they are being asked to place the emotionally disturbed children in what institutions there are in Ontario.

I probably disagree with many of the policies of Browndale Camps, maybe they are right and maybe they are wrong but I do not want to get into that argument, I am not an expert on the subject. But this I do know: The situation has got out of control in this province simply because the government has provided no place whatsoever when

you consider the number of children who need treatment. There is no place for these children to go.

To suddenly dump them into the lap of the children's aid societies and say: "Aren't we kind, we are giving you subsidies" is just not good enough. One of the great contributions the children's aid societies have made over the years is in the field of prevention and, as they have learned more, they have attempted—at least in theory—to emphasize the importance of prevention.

But, how in the world can they carry out any reasonable new advances in preventative services as long as they are given the so-called guidelines from this government. The guidelines that you get from this government are nothing but restrictions and, in some cases, almost like a rope around their necks.

I feel that this Minister is still living in the 19th century. The member for Etobicoke was kind enough to say the Minister was all heart, but being all heart just is not good enough. I hope the Minister is all heart and if he is all heart I wish he would apply both his heart and mind to this problem much more than he has in the past.

Now, I have been reasonably quiet on these estimates throughout. Here and there I have had something to say, and always have been answered: "The Minister will look into it". I really doubt that the Minister will. I do not think he will take the time or I think he will forget—but, I have made a note of two or three things he says he is going to look into and I am just going to keep asking questions on the order paper.

Hon. Mr. Yaremko: I have made a note of every one.

Mr. Trotter: Well, but nothing is done, you get no answers on his stuff. It wastes the time of not only every member here, but of every member of the civil service who sits around waiting. You have to put on the prolonged hearings that we have had in this department. This department has set a record on the estimates for time taken in this House simply because the Minister does not know his department. I do not think he knows what the guidelines are for the children's aid societies, other than: "Well, we are going to have to cut back."

There is no question in my mind, Mr. Chairman, that when the Treasurer (Mr. MacNaughton) of this province bragged how they cut $400 million off the budget, the people who really are suffering are the children under this particular estimate and our old people in the hospitals. It is this department that has suffered and maybe the Minister has been left with the unhappy political job of defending a pretty sad state of affairs. Again, I hope we may get a break, I think the government found $50 million suddenly for education and suddenly at least another $12 million under the OMSIP payments. The budget has already gone—

Mr. E. W. Sopha (Sudbury): They got it out of the sock.

Mr. Trotter: The so-called balanced budget. I think with some of the Tory socks around here, you might find a little bit more for this estimate to see to it that the cutbacks in planned programmes in children's aid societies do not happen. The Minister is not kidding me; I am telling him that these programmes are being cut from what was planned sometime ahead for this year. The unfortunate part about it, is this: It is almost completely in the field of prevention. And the Minister, who has a tremendous opportunity to pioneer, is just sitting there like some 19th century, old Tory seeming to do everything he can to stop any change.

Hon. Mr. Yaremko: Mr. Chairman, I just want to add a word or two. Of course the programme that the Minister of Health and The Department of Health are involved in will have a very important bearing in the future of this aspect. Some of the matters that have been touched upon by the hon. member for Etobicoke and the hon. member for Parkdale will be dealt with in that fashion. I may say that.

Mr. Trotter: He is not doing much either.

Hon. Mr. Yaremko: I may say, if the hon. member for Parkdale will give me the opportunity to say it, that I am completely committed to the idea of prevention and rehabilitation in all its forms in all the departments, in all the branches.

Mr. Lewis: I would like to help sort some of this out and to concur in what has been said by my colleagues; odd though that may seem. I concur in total with the proposition that the moneys for institutional placement should not be filtered through the children's aid societies, but should come through the hands of government, for the reason I would like to point out in a minute, just demonstrates the fallacy in the Minister's argument.

But he has raised an interesting point with respect to children's aid societies, Mr. Chairman, and perhaps we could clear it up at this

stage. What does he mean when he says that the Minister of Health's bill is going to have some considerable effect in this area? Is he saying that children who are subsequently referred to these various treatment centres or institutions of care will be paid for by the Minister of Health? Or will, in fact, the children's aid societies continue to pay for the wards which they refer? This is a fairly important question.

Hon. Mr. Yaremko: Mr. Chairman, I did not use the words "Minister of Health's bill". I talked about the Minister of Health's programme, and when he is dealing with the programme the Minister will then deal with that aspect.

Now I can say, with respect to dealing directly with institutions, with the recipients, the one advantage that I have always seen is that when there is a direct relationship between the government and the recipient of the tax dollar there is invariably far more control and supervision and knowledge of how that tax dollar is being dispersed, than when you have a middle man.

Our financial relations with all the institutions we deal with, with respect to audit service and accounting, are much more intimate than when there is a third party once removed.

Mr. Lewis: Then why do you resist it on this occasion? Perhaps out of your own mouth has come one of the reasons why there might be more value to it? Maybe there is more value in government having an idea precisely how the money is spent in these various institutions, because I think when members raise the *per diem* rates they raise a very valid question.

I am aware that the *per diem* rate at one of the institutions that has been referred to—Browndale—is at the level of $29.60 at the moment. I am also aware that in the last year the *per diem* rates of places like Sacred Heart Children's Village and the Vanier Institute have risen to $40 a day, and that in Thistletown they are $55 to $60 a day, and that in the Children's Psychiatric Research Institute they are approximately $50 a day.

These are rates which, in terms of public control over money expended, are worthy of some analysis. I would be the first to recognize that. I would not argue with that for a moment. But I want to come back to the point you were making earlier. I want to come back to the programme of the Minister of Health (Mr. Dymond), because I think it bears directly on the arguments that are being put to you. Are you saying that the children's aid societies will no longer pay for the direct placement of children when the health programme is implemented?

Hon. Mr. Yaremko: I made no such statement. The details of that will of course be given by the Minister of Health.

Mr. Lewis: Let us not play games, I beg of you. Will this department continue to funnel money to the children's aid societies to pay for their wards who are placed in residential treatment centres? Is that the programme that you have for this year, and the year after? Is there any change planned for that?

Hon. Mr. Yaremko: These estimates which we are in the process of discussing include payments of that kind. There is no change in these estimates.

Mr. Lewis: Right. Is there any change in policy imminent in that regard? Will children's aid societies still continue to pay for their wards?

Hon. Mr. Yaremko: We have not discussed any change.

Mr. Lewis: You have not? Well, is that not the central point? Because if the Minister does not know it, Mr. Chairman, let me tell him—and it is a field I am reasonably familiar with—that over 95 per cent of the children in the various children's institutions which we are discussing come from the children's aid society. Over 95 per cent are paid for by the children's aid societies and the others, who are paid for by The Department of Health—or may be assumed under the new legislation on the basis of direct referral from a family to an institution—amount to an infinitesimal sector of the total referral load.

So you say no change is imminent—and I knew no change was imminent. I knew when the bill we will shortly be discussing in the House came out that the great fraud in it was the implication that The Department of Health would assume costs. It has no intention of assuming costs. You will continue to bear the costs; the children's aid societies will continue to bear the costs. It has always been the case, and I am glad it has been confirmed this afternoon because I think it is important that the members of this House know what is planned.

The fact of the matter is that when you load the children's aid society with that burden, you are destroying the budgets of the children's aid societies. You are making

them take the rap. Mr. Minister, you say to us on this side of the floor, "How is that?" You asked the member for Etobicoke. Well, Mr. Chairman, it is simply this: The one area of a budget which it is absolutely impossible for a children's aid society to control is when a retarded child, or a physically disabled child, or a severely disturbed child lands on their doorsteps and requires immediate placement. And so the societies suddenly have an annual cost ranging from $7,000 to $12,000 in any of the institutions; just with a snap of the fingers.

There is no margin of flexibility there at all, because they understand that these are crisis situations over which they have no control. And because they are not, after all, Solomons and have not budgeted to the dollar the cost of institutional placement, when they need the additional dollars for such children it comes out of the total budget. And which part of the budget gets shafted in the process? The preventive care part of the budget. That is why Trefann Court goes down the drain and that is why all kinds of other preventive programmes go down the drain.

And that is why, Mr. Chairman, when you take a look at the budget for the Catholic Children's Aid Society of Metropolitan Toronto, you find that something like ten per cent is going towards what the Minister says is his lifelong commitment—preventive care. Ten per cent! The vast percentage of the budget goes for institutional placement so that the children's aid societies can take the rap because the government does not want to be in the position of having to pay the extra money which it might get from the consolidated revenue fund or from some other source in order to fund such placement.

Mr. Chairman, what makes it even more reprehensible—sir, I am really not in a mood to be acrimonious or worked up this afternoon, although I could be provoked—but what makes it even more reprehensible is that when we passed The Child Welfare Act in 1965, the major qualitative change embodied in that Act was a clause in the regulations which made the provision of preventive services mandatory. The children's aid society had always had a permissive scope prior to that, but they were then charged with a mandatory responsibility.

I do not know which CAS directors the Minister is speaking to, but the directors that I speak to—and that obviously members of the Opposition speak to—are consumed with frustration, and indeed guilt, over the fact that the parts of their programme which are always severed are those "preventive services" aspects.

If the Minister is to understand why one argues for taking the residential treatment and institutional placement costs into his own hands, preventive service is really the basic argument, Mr. Chairman.

If we have charged children's aid societies with the responsibility for providing preventive services to the community as a whole then in heaven's name let us allow them to do so. That they should only be able to appropriate 10 or 15 per cent of their budget for the purpose, when it should be well in excess of 50 per cent, indicates that we are seriously undermining the work that they can do in society. I think, Mr. Chairman, that is a legitimate argument that is being put from this side. I do not think the Minister should slough it off. I think that phone calls to Lloyd Richardson or to Ward Markle or to Joseph Messner or to any of the directors of the larger children's aid societies in the province of Ontario will elicit this immediate reply: "Gentlemen, you are destroying our budget because you insist on making us pay the institutional costs over which there is very little control."

Mark you, Mr. Chairman, there is this control; that if the children's aid society, a reputable agency, does not believe that a given centre is providing adequate service, I assume they do not place the children there. They have their social workers in the field all the time, they are making their appraisals, they are making their "evaluations" so they do not place the child if they do not think it is appropriate.

But once they have deemed the service to be appropriate, they have (a) no control over the *per diem* and (b) they have no control over contingencies which, in any given year, can completely destroy a budget.

If the Minister is faced, on his doorstep, with the possibility of a preventive programme in Trefann Court involving the relocation of families, on the one hand, and five schizophrenic children on the other, which does he choose as a priority? He knows very well. He chooses the five schizophrenic children and he gets them into the residential centre which can somehow contain them and perhaps provide treatment over a five- to seven-year period.

Why, in the process, should Trefann Court have to be abandoned, because that is the balance of choice which you leave to the children's aid society? Why should they have

to cut savagely into their preventive care budget in order to satisfy the false priorities of government which, in a phrase, will simply funnel the money to them so that they are faced with the dilemma? We here are never faced with that dilemma. And so when the community is exercised about preventive care for children, let them impugn the integrity of the children's aid society! We will just reply that we gave them $25 million in 1966, $32 million in 1967, $37 million in 1968, $42 million in 1969. We increased the absolute amount.

Now if there was ever a more facile and specious reply, it has not been given to members of the Opposition. I do not know why the Minister is so sanguine about it. I can remember when I first entered the House, in 1963-64, replete with all kinds of socialist prejudices. I had certain anxieties and qualms about the nature of children's aid societies and what they were doing. I have learned in five or six years of intense, close scrutiny that they do an absolutely indispensable job in this society, and without them the department would just go to pot. They have saved the department in more situations than one can possibly describe and yet the Minister quite happily makes it impossible for them to perform the function which he prescribed by statute—mandatory preventive services.

The whole situation, Mr. Chairman, is so unfair and yet has such an impact. We cannot get the Minister to recognize it. The Minister just does not seem to comprehend it. I say to him again, let him sit down—if this is not presumptuous of me—before the end of the week for lunch with two of the most preeminent men in the field who happen to be in the Toronto community, Lloyd Richardson and Ward Markle. I cannot think of two better men. Let him sit down and ask them about what is happening to their preventive services because of the way in which their budget is organized. If he can walk back into this Legislature and say he sees no reason for making an adjustment, then he is more impervious to reason than any other man I have ever met.

Mr. Chairman, I will not prolong it. I think the case is, if I may say, collectively made. We can discuss under the next subestimate the question of the institutions themselves and the numbers that were raised by the member for Parkdale, and some of the dilemmas. I simply would ask this, Mr. Chairman, of the Minister: How much of the money, which is paid to children's aid societies is recoverable from the federal government?

Hon. Mr. Yaremko: It is about 45 per cent.

Mr. Lewis: Right. Mr. Chairman, can I round off the argument, then, by indicating this? Before The Canada Assistance Act, there was no federal money at all. You have received a 45 per cent bonanza in the last three years and you still will not permit yourself to reconstruct the children's aid society budget so that they can function.

The question is why, Mr. Chairman, why? What kind of concept is there in The Department of Social and Family Services when it has received a windfall of tens of millions of dollars in the last three years which it never had before? It amends the Act, supposedly to accommodate that windfall by re-emphasizing preventive services, and in the process, it emasculates the children's aid society by refusing to allocate the money in an intelligent and reasonable way. You have got 55 societies in this province—or 54 societies in this province—and they are doing a superb job on balance. The biggest of them has had enormous loads—as big as a government department, in many ways.

You should not hold them to ransom, because that is what you are doing. You structure their budgets in such a fashion that only 10 to 15 per cent can go to those areas which this society most desperately needs and all the rest to the immediate institutional requirements which your department should be picking up. If you ever want to cut the cost of services to children in Ontario, then you have to start doing preventive work, Mr. Minister, because it is killing the department in terms of cost by not doing the preventive work. But you cannot find the money; you just will not give them the money for that.

Mr. J. E. Stokes (Thunder Bay): Ask Herb Dawson.

Mr. Lewis: Whether it is the northwestern society, whose travels in the field of Indian welfare this Legislature is now familiar with, or whether it is the Metro Toronto society or the Catholic soicety in Toronto, or whether it is Guelph or Peterborough or Hamilton, it matters not, Mr. Chairman. Every one of them would like to get out in the community and to close the dike before a whole new generation of disturbed adolescents pours through.

What happens, Mr. Chairman? The Minister holds them to ransom and cross-sections the budget in that kind of way. I do not have the most recent figures but, Mr. Chairman, it is worth pointing out that in 1968,

7 per cent of the total number of children in care of children's aid societies—and that amounted to 1,257 children, of whom 856 were disturbed; 1,257 children were in inappropriate facilities because there were not facilities available for them.

You are not solving it this way in any event. This is not the solution. It is going to require a major government expansion even if you were to reconstruct the budget. Why do you not reform the CAS budget, and then turn your mind to the other related problems, rather than sitting like the inscrutable sphinx and saying in your own cordial way, "I see no reason for changing"—I say, if you want to save the children's aid societies and the work they do, then the Minister should see reason for change.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, I would like to remind the Minister of a text which he delivered to the annual conference of the Ontario Association of Children's Aid Societies on May 7, in which he constantly referred to the partnership that exists between the government of Ontario and the children's aid societies of the province.

He avows that, like all partnerships, this one is not without normal human aspects. I can only presume from that that the Minister means that he chooses to constantly use the phrase that the societies will not get the amount of money they want.

I would say to the Minister that it is not nearly so much the amount that the societies want but the amounts that they need to do the job. Once again we heard this afternoon, from each of the members in their contributions on this particular vote, the fact that actually in Ontario we are shamefully neglecting children, children who are dependent children.

Hon. Mr. Yaremko: Not so.

Mrs. M. Renwick: The Minister says it is not so. But how else can it be, Mr. Chairman, if we have children in care of agencies throughout the province where many of these agencies are expressing their wishes—for group homes, which they do not have, for rehabilitation, where the Minister denied the fact that prevention has not been cut back but we have Mr. Richardson saying that a basic programme that had to be abandoned was the one that the province ordered in new legislation two years ago and it was the provincial order to the society to prevent circumstances of neglect by providing guidance, counselling and other services to families for protecting children and for the prevention of circumstances requiring the protection of children, and Mr. Richardson stated:

> I estimate that, through this programme last year, we prevented at least two thousand children from becoming wards of the society.

Now you know, he states that they were able to get workers to deal with the families, before the breakdown took place, and correct the condition.

Now this is no partnership, Mr. Chairman —with Mr. Richardson saying this on the one hand, and the Minister simply saying, no, everything is fine, the children are not being neglected.

I think if the Minister means they are not being fed, then that is a different thing. But they are not being cared for in the way that people who have the responsibility of this care want to take care of the dependent children of this province.

This is a very serious omission on the part of the government, because these children have no parents to fight for themselves, or to fight them, and they are too young to fight for themselves.

As the good parent of the children of this province that are dependent, it is up to this Minister to fight this Cabinet—if that is what it is going to take in order to put proper prevention services into children's aid.

The Minister referred in the text, on May 7, that all needs have a place in the development of acceptable standards of service, in relation to available budget resources.

Now available budget resources do not mean, Mr. Chairman, what the Treasury Board or the Treasurer tells this Minister is available to him; and that was the battle we sounded out this whole lengthy debate on. The original inception was: did the Minister get what he wanted to run this department the way he would like to see it run?

He said: no, he met the Treasury Board. Now this is no partnership arrangement for the people at the other end charged with the responsibility; and I do not think that the Minister comprehends that if he will refuse to accept the budget limitations from this government—as certainly I would refuse to accept them, and they would know that I refused to accept them—that he might not have to accept them.

If only he would make that joint partnership with the children's aid, a partnership between himself, his responsibilities, and the responsibilities of the children's aid, and turn

that again to the Treasury benches, the Minister may be able to do what the members have been asking here today—that suddenly some extra moneys will come up from somewhere.

Because there is something surely wrong; and surely the Minister will take a good look at it. We could be building a $40 million science centre at the corner of Don Mills road and Eglinton. Yet, we cannot somehow look after dependent children in the province in the way that workers who have dedicated themselves to do this job would like to do.

It is not that they want this money, Mr. Chairman, it is that they need it. They need it in order to do the sort of job that they know, needs to be done.

You do not have to go very far to prove this to your Cabinet. If you are in contact, as I presume you are, with the people throughout the province, you would certainly know from a man like Mr. H. H. Diamond, executive secretary of the Ontario Association of Children's Aid Societies. He says: "That all societies in Ontario were directed by the government in January . . ."—that would be January, 1969—". . . not to increase staffs above the 1968 levels".

And he said:

> This will mean delay in development of preventative services. As a result children unable to obtain guidance could end up in jail, in mental institutions or on welfare, costing the public far more than the services they are now denied.

Mr. Diamond told the association's annual meeting in the King Edward Hotel:

> This is the future for which we have been asked to cut back.

At a press conference later, Mr. Diamond said:

> People in need of services, and children in need of care, should not be asked to wait. If we do not get into the preventative area, there will be no answer to the family problems we have had for the last 70 years.

Diamond said:

> The 1965 Children's Welfare Act authorized societies to set up preventative services but they could not develop these services while subject to financial austerity.

He also said:

> The children's aid societies—and not the government—should decide what help is needed by a child. Surely, it is not the role of government to make this prescription nor should government be allowed to deny the prescription.

He suggested that the children's aid society and other welfare services form an alliance, or an organization, providing complete service for troubled families and children. "The patchwork quilt which is now offered to the public will not cover the problems of the 1970's," he commented.

Now, Mr. Chairman, Mr. Diamond is not someone that is just casually making a public statement like that. It would be with a great deal of thought—and incidentally, in the famous Timbrell inquiry, it was Mr. Diamond that Judge Waisberg brought in as a specialist in the child development field. It was the very person, a man appointed by this government that he turned to for proper guidance.

Hon. Mr. Yaremko: On a point of order, Mr. Chairman. The hon. member has her "Diamonds" mixed up. It was not Mr. H. H. Diamond. It was Mr. Jerome Diamond.

Mrs. M. Renwick: The Minister is quite right. I am sorry.

Mr. Lewis: Jerry Diamond would not agree with you either.

Hon. Mr. Yaremko: Jerry Diamond would agree with me on a great many things.

Mr. Lewis: Not a chance—

Interjections by hon. members.

Mrs. M. Renwick: Mr. Chairman, you know I am not speaking to an interjection—this may be exactly what the problem is, in getting funds from this government for this kind of programme; that it is a question as to how many men there are really interested in these unfortunate children; and I do not think anybody could not be interested in them, if they ever had to deal with them, or were around them.

I feel perhaps that it might not have been the Minister's own personal wishes—it may have been a directive of some sort—but when we had the last struggle for fighting for funds for the children's aid society during the last estimates in May, we were discussing the budgets which had been presented to the department in February.

Now, as late as September, a board of review to arbitrate this had not yet met; and I would like to ask the Minister: why did it take six months, with still no date to be set, for that board of review to discuss the appeals

for additional funds to the children's aid societies?

Hon. Mr. Yaremko: Mr. Chairman, I will not go into the details of that matter. There is no doubt in my mind that regrettably the chain of communications did not function as readily as it had on previous occasions. Because of delays in returning telephone calls, letters, and the time went by. And, there is no doubt about it, the department, and the societies, had reached a bit of an impasse. I had that feeling—I definitely had the feeling, as the Minister had—that there was a testing period going on in this regard, as these new relationships were being established.

However, I am not going to go into that. I am just saying that the good outcome of that incident was that we got together. We have established a far better consultative process, perhaps, not only with those two societies, but with all societies—by reason of that regrettable and unfortunate incident which occurs in the human affairs of people.

Mrs. M. Renwick: Well, I say to the Minister: thank you for an explanation of a communication hang-up. But that particular debate was such an impassioned and flagrant problem, that I do not understand anybody having a delay.

I would ask the Minister: was he not embarrassed when it flared up again in the press, and Mr. Guthrie was not in Toronto? When he was sort of saying: well, he did not know when he was to sit with the people? It just seemed like a very strange way to be doing business, because on the other end of this department, where the Minister does have a partnership—the partnership between the province of Ontario and the federal government—things do not get into such an inefficient state.

It is only in the last estimates that the Minister points out very proudly, and probably rightly so for a job well done, that his administrative director had managed to get "every penny" from the federal Minister to the Ontario government, that they were eligible for, on time. This is government when it wants to be—

Hon. Mr. Yaremko: I wonder if the hon. member would allow me to make an addendum to that. The then very capable executive director, now the assistant deputy Minister, not only saw to it that we got every dollar that we could from Ottawa, but the other aspect is, that she made sure that, as far as humanly possible under the legislation, we paid out every dollar too.

Mrs. M. Renwick: Yet, Mr. Chairman, the children's aid society—and I made a note, in September—was operating on a $750,000 bank overdraft, and needed 12 case workers. It got a go-ahead to hire secretaries from Miss Betty Graham, but the secretaries were to have worked in conjunction with the case workers, so that was negated.

So I just ask the Minister: does he expect organizations like this to operate on an overdraft basis, when people in his own department are working very hard to make sure that they do not have to do that in this province? Do you think it was fair to these agencies to leave them like this for six months?

Hon. Mr. Yaremko: I may say, Mr. Chairman, that I guess the hon. member gets her reports from the newspapers. That clerical staff had already been hired, they were already on staff; we did not say, you can have them, or you must not have them. They had already engaged the clerical staff and we did nothing in respect to them.

So far as that $750,000 overdraft, I think there must have been a relationship that must have covered other matters beside this particular situation. I may say that the society ended up with a surplus of some $180,000.

Mrs. M. Renwick: Mr. Chairman, it may well be that the clerks were hired—and I do not get all my reports from the newspapers, although that particular one was—but the point is that there was no point in having the clerks without having the case workers. And this just does not seem to be the way that you are interested in operating your department, when it concerns you.

When I called the department during the estimates last May—the Minister's department—I asked exactly what the member for Scarborough West asked today: what portion of this money, in the budget at that time, would come from the federal government? I was told that, at that point, the department had not received any money regarding children's aid, because you were, in fact, still negotiating mileage for case workers, the inter-problem of health insurance, which of course comes into their particular operation. So, I would ask the Minister if, at this time, in this year, has he taken into his department, from Ottawa, all funds which are available to him under this particular vote?

Hon. Mr. Yaremko: The answer is, yes.

Mrs. M. Renwick: Could I ask the Minister what his view is on salaries to the children's aid workers? I am taking a look at the salary

survey, which was conducted by the Ontario Association of Children's Aid for the 1968 survey, and looking at a random example: salaries' schedules for social worker 3, social worker 4, social worker 5, and others—

Mr. E. Sargent (Grey-Bruce): Do you realize the House is empty?

Mrs. M. Renwick: Could I have order, Mr. Chairman, please?

Mr. Chairman: Order!

Mrs. M. Renwick: I am just not in the mood to put up with that sort of nonsense today.

The summary of actual salaries being paid was higher than the actual salary recommended for the supervisory position. In master social work, plus three years of experience, the recommended range ran from $9,096 to $11,057.

Now the summary of actual salaries being paid was a high of $12,000, and an average hit, in between, of $10,000.

Does the Minister realize that, even in this regard, the partners are bending over backwards not to ask for perhaps more money than they feel you will approve from this department, for such a class as this. But, on the other hand, they are losing these people because they can go out to, say, the board of education, and begin at a salary of $12,000 a year, with no experience.

I would like to know if the Minister has given any thought to the salary survey that is being done by the children's aid societies in the last year?

Hon. Mr. Yaremko: Well I may say, Mr. Chairman, that my own impression has been —and I have taken a good deal of interest in the status, both socially and economically, of the workers in the social service field, and I think that is carried out—that, over the years, the salaries within the fields that we have to deal with are on a competitive basis with the other agencies.

Now, I have one type of a breakdown which may not be exactly accurate in the total picture, but I would like to give these figures.

In 1966, the social work salaries and benefits were approximately $6,500,000 for 1,100 employees; and that had risen to the 1969 estimate of $11 million with 1,300 and some odd employees. So that the amounts approved in the estimates has increased markedly in this period of time. I believe that all the salary increases recommended by the children's aid societies have been approved for the 1969 budgets, and we do not as a department recommend what should be paid.

Mrs. M. Renwick: Well, Mr. Chairman, I would only say to the Minister that, as a partner in this operation, it might be a very good thing if there were salaries recommended so that they are more realistic with other government departments.

Could I ask the Minister what he would comment with regard to the total number of children in care; that 4.5 per cent are disturbed children without appropriate facilities; a number of those are under 12 years, 390; 12 years and over, 426?

Hon. Mr. Yaremko: I think here again, Mr. Chairman, that when the Minister of Health develops his programme, and gives the details to the House, this discussion would be more appropriate.

Mrs. M. Renwick: Would the Minister comment on the children's aid society of Ottawa where, up to the fall of 1968, they had committed 32 children out of 1,620—actually two per cent—to Ontario hospitals?

Hon. Mr. Yaremko: I would make a very basic assumption that the society, in the discharge of its responsibility, came to the conclusion that that is the kind of service or the kind of need that the child had, and the referral was made accordingly.

Mr. Lewis: A pretty strange conclusion for the society to make.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister if he would take a look at those 32 cases of children being committed to an Ontario Hospital. There were also 21 in a paid institution. But I think it is very important that the Minister realize that where societies are not using their money towards institutional care, they may be forced to put them into or they may be putting them into an Ontario Hospital. I did not come across this in any other correspondence; only from Ottawa.

I would like to ask the Minister if he would comment on the fact that in Lindsay, Ontario, three-quarters of the children, up to the fall of last year, were from unmarried mothers. In Woodstock, Ontario, more than one-half of the children in care are from unmarried mothers; and in Metropolitan Toronto more than one-half of the children in care are from unmarried mothers.

I would be interested in the Minister's tackling of this problem which seems to have

now reached a proportion where we are having a higher increase in illegitimate births than we are in legitimate birthrates, by far; not the kind of increase that really society wants or needs.

Hon. Mr. Yaremko: I may say, Mr. Chairman, that there has been in the last couple of years an increase in the number of children of unmarried mothers, beyond that of the average growth, I think, in the province. In fact, in the last couple of years, it was surprisingly high. But it would appear that that may have levelled off.

I have a figure that of the 18,000 in care, some 7,000 are of unmarried mothers; that is, about 50 per cent of those now admitted are of unmarried mothers. But I believe that that increase has sort of levelled off or is beginning to drop off in recent times. I share—and I think the community as a whole, the province and individual communities should share a concern about this type of thing. Whether we have better statistical reporting, whether it is because we are providing better care that these are more known, I do not know; but the figures did concern me as I saw them coming in.

Mrs. M. Renwick: Is there any discussion in Cabinet, Mr. Chairman, about this type of problem? Working it out with the Minister of Health, or working it out with the problems of instigating a method of birth control in a society where it is illegal to do so? But is there any discussion, is there any concern? Or will the Minister endeavour to get some concern from the Cabinet that 50 per cent of these children—not all of them, because nobody can make certain that somebody takes a pill—but certainly a number of these children might not be there if this government instituted some sort of remedy against this problem. And will he really take a good look at what is happening and recognize the fact that 50 per cent of these children stood some chance of not coming into care. Is there any feeling in the government about this problem, outside of the Minister?

Hon. Mr. Yaremko: I may say that I think the concern quite properly belongs with the parents and in the home in this regard.

Mrs. M. Renwick: Mr. Chairman, those words sound very familiar. I think I have read where the Minister said those before.

Hon. A. Grossman (Minister of Correctional Services): Why did the member ask then?

Mrs. M. Renwick: You know, this would be a discussion which I will take on some other time. But this is just like Hans Andersen to me, to even give that answer, Mr. Chairman; with all due respect, it is so far from the true situation.

A number of the societies have written asking for—

Mr. Sargent: Kind of a nightmare, too!

Mrs. M. Renwick: —units to look after teen-agers, group homes, Mr. Chairman. When we started this vote originally, I started off by speaking about workers who were explaining to me that one of the problems that beset them is that they so often end up with children back from treatment, when the place of giving the treatment says "the treatment is finished; he is not cured and he is yours". The society is left to take him and try to place that child, which is next to impossible.

In the letters which have come forward from the Catholic children's aid society of Metropolitan Toronto, they state that they need resources in all of these categories—foster homes, adoption homes, out-patient and in-patient resources for emotionally disturbed children. In other words, we need a spectrum of resources in order to make the appropriate choices. No one source can be all things to all people and, of course, the need for skilled personnel cannot be over-emphasized.

The isolated deprived children and teen-agers. Group homes were isolated by the children's aid society of Hamilton-Wentworth. They were pointing out, and said they would like to point out, there is a pronounced shortage of resources for children throughout this province; specifically, there is a need for more adoption homes and group care settings.

I would like to ask the Minister, does he know how many group homes there are in the children's aid regional areas of the province?

Hon. Mr. Yaremko: The number in 1967 of children in group homes was 314; and 1968, 470.

Mrs. M. Renwick: That sounds unbelievably small, just looking through these letters and seeing how many children are in group homes in some areas. You see, Mr. Chairman, what is happening is in small areas, or areas where there are few children, such as the county of Haldimand or Lennox and Addington, each of those societies has 16 children.

They are fine; they write they are using Sunnyside in Kingston; they are using Beach

Grove for consultation, and they are not experiencing any pressure for urgent resources, they write from Haldimand. But it does not take much imagination to see that that is only one area of the province that I know of. It is the areas that we are talking about today that are just being absolutely beaten by the government's attitude towards their expansion.

To round this up, Mr. Chairman; in Kent they refer to staff cutbacks due to the directed cut in the budget from the province. This letter was written in the fall of 1968:

> We were unable to consider appointing another social worker, whose position had been approved by our board of directors and whose responsibility largely would be finding foster homes and organizing in-service training for foster parents.

To pretend that somehow they want this money for something other than their work—you know, just that they want it—is certainly not very valid.

Could I ask the Minister about a possible construction cut that appeared in Walkerton in October, 1968? They stated that no funds appeared to be available for capital construction during the years 1969 and 1970, and that their agency had been planning rather extensively to construct a group home for Indian boys on the Cape Croker Reserve. But it appears now that these plans cannot be carried out. Were they carried out, Mr. Chairman, eventually when the budget was finalized?

Hon. Mr. Yaremko: Would the hon. leader of the Opposition help me? Is Walkerton in Bruce county?

Mrs. M. Renwick: Bruce peninsula.

Mr. R. F. Nixon (Leader of the Opposition): It is in Bruce.

Hon. Mr. Yaremko: I think those plans have been withdrawn. Now whether they have been withdrawn for the moment or what the circumstances were—I do not have the details before me.

Mrs. M. Renwick: Would the Minister be kind enough to—

Hon. Mr. Yaremko: I may say with respect to the child care, that is in group homes that the hon. member is interested in, I think one of the yardsticks we can use is it went up from 90,000 child care days in 1966 to 150,000 child care days in 1968. That gives an indication of the growth in two years' time.

Mrs. M. Renwick: Yes, except for the fact, Mr. Chairman, that these are children the workers tell me they cannot get adopted. Those child care days are going to go up until those children are adults and discharged. These are the children that need the hostels or need the group homes; the children that the workers simply cannot place. I think every agency that wants to provide a group home or hostel, rather than an institution for this type of care, must be listened to. Because these children are never going to get into a home setting any other way.

They are never going to get into a home because the people in the areas where they are found have already worked their hearts and souls out to place children by the time they are getting into school age, or they have come to them at this age.

Would the Minister please let me know about Cape Croker and about the group home there? Thank you.

Two agencies specifically mention housing. Will the Minister consider working out an arrangement with the Minister of Trade and Development so that when a family might be saved from government care through housing, somehow this is given some priority, rather than watch the family disintegrate and end up in various government departments?

Would the Minister even attempt to fight with the Cabinet, if it takes that, to point out that his department must have some access to housing in order to prevent the sort of thing that we see happening every day as legislators?

Hon. Mr. Yaremko: I may say the only specific instance that I have in mind was brought to my attention by the hon. member for Oshawa (Mr. Pilkey). I understand that that problem has been somewhat alleviated. I do not know whether it is completely cured but the number in that instance has decreased. I know of no individual problem in the Metropolitan Toronto area that has arisen that is not being taken care of through the Ontario Housing Corporation.

Mrs. M. Renwick: As far as children being broken up from families? Is that what the Minister speaks of?

Hon. Mr. Yaremko: Yes. My recollection is that there may have been a short-term separation from the father in relationship to the placement at the hostel, but that is because of the circumstances of the type of accommodation which is available. But my

understanding is that the family has been looked after from then and reunited.

Mrs. M. Renwick: Mr. Chairman, what I was speaking of, even more than that, is the sort of family that is drawn to the attention of children's aid, just like the families that Mr. Richardson spoke of. They put in a visiting homemaker, they get the family operating as a family unit again after severe family breakdown; not when they are not housed.

I was speaking in terms of prevention; of when you go to see a family where the children's aid have been called in. You look at the place where they live and you say, "My God, how could anyone make a family success in this particular environment?" The children may be crowded; there may be all sorts of strain on the family. This is what I am asking the Minister—if he will endeavour to get into his department, somehow, an allocation of housing for this kind of desperate need?

Hon. Mr. Yaremko: Yes, but I think the problem may be aggravated where there are large families involved and the type of accommodation necessary is either very expensive or unavailable. Here again, it is a problem my colleague, the Minister of Trade and Development, has to deal with at his level and in conjunction with the municipality.

Mrs. M. Renwick: I guess I am asking the Minister, Mr. Chairman, to be more aggressive than perhaps he is by nature, because what I am saying is that the Minister of Trade and Development's assessment of a family's need—

Mr. Lewis: He is a veritable tiger.

Mrs. M. Renwick: His assessment of need is based primarily on the type of accommodation they have, the size of the crowding that is involved, the income and so on. There is nowhere, on his list of points system, that says this family is near desperate emotional family breakdown and that a new place to live and some counselling or day care or homemaking care could at least attempt to make this family operative before one or two of its members, if not all of its members, fall back into the hands of other government branches.

I think in our time, Mr. Chairman, we will see a time when housing—a certain amount of it—is definitely allocated to the Minister's department not only for persons in need but persons who might otherwise become dependent on government.

The Port Arthur area wrote and said:

> I am of the opinion that there is a need here for some type of home to be operated by the juvenile and family court for the purpose of assessment and study of children appearing before the court.

Does the Minister's department go into juvenile and family court?

Hon. Mr. Yaremko: We do not go directly. That is the role the societies discharge by going into court.

Mrs. M. Renwick: Once again, Mr. Chairman, when the society cannot afford to make this type of home, of course, the home will not be made.

Is this the appropriate spot to ask the Minister about his view on the taking over of juvenile training schools and detention homes that is proposed by the federal government on a cost-sharing basis with this government, providing it goes under The Department of Social and Family Services?

An hon. member: We could retire the Minister of Correctional Services.

Hon. Mr. Yaremko: If you could—

Hon. Mr. Grossman: It does not make any difference, the member for Scarborough West's colleague is proving what he says about Parliament is irrelevant.

Hon. Mr. Yaremko: You can make the comment at this time, if the member wishes, if it comes within this—

Mrs. M. Renwick: My comments will be brief, Mr. Chairman, simply because of the lack of research that I have been able to do or that is available to me. But I was struck by one simple example. There is a lady police inspector in Toronto, called Fern Alexander and she spoke on two or three occasions publicly in the last few months, saying that sometimes they put juvenile delinquents into court simply to get treatment for them; simply to get service for them. But a lot of juvenile delinquents do not have to go into court and do not have to be charged.

I would say to the Minister that if somehow we could accept that and look into the Kilbranden report, some of the British reports that have come out recently on juvenile delinquency and see if perhaps we cannot remove from juvenile offenders the whole stigma. Besides the social problem, there is a legal problem and perhaps the Minister

should let us know how the negotiations between this government and the federal government go in that regard. In looking at it, Mr. Minister, from the point of view of a purely sociological improvement, psychologically it would help these children and at the same time provide a service that will not just be available to juvenile delinquents, but that all children who need this kind of service can come to this particular department for and not have to go into a court in order to get.

Has there been any discussion between the provincial government and the federal government since the matter was raised by the Minister of Health and Welfare at the Welfare Minister's Conference, or the Prime Minister's Conference, one or the other?

Hon. Mr. Yaremko: I think there has been direct communication, and I believe Mr. Robarts made reference to that. There has been communication in a general way.

Mr. Chairman: The leader of the Opposition.

Mr. Nixon: Much has been said about the part played by Brown Camps in servicing the needs of children's aid societies, in giving treatment to disturbed children that come under their care.

I wonder if the Minister can tell us what alternatives are available? I understand that Brown Camps facilities—Brown Camp Incorporated and Browndale facilities—fill most of the need. But what are the other alternatives available to children's aid societies across the province when they have brought into their care young persons that require assistance because the child is disturbed?

Hon. Mr. Yaremko: That would come under the next item, Mr. Chairman, The Children's Institutions Act.

Mr. Nixon: Well then, might I ask the—

Interjection by an hon. member.

Mr. Nixon: I will ask it then, but I would like to ask under this vote of $33 million, if the Minister has any way of knowing how much of this particular vote is allocated by the children's aid societies as their responsibility for the care of disturbed children?

Hon. Mr. Yaremko: We do not have a detailed break-down.

Mr. Nixon: Would you have any idea? How much of the money would be used for the provision of services and treatment on a private basis rather than through public institutions?

Hon. Mr. Yaremko: About $5.5 million out of $42 million.

Mr. Nixon: Where does the $42 million come when we are talking about $33? Those are additional funds that are made available to the children's aid societies.

Hon. Mr. Yaremko: The $33 is our share, the $42 is the total cost. We share with the municipalities in this.

Mr. Nixon: Yes. Does $5 million go towards the provision of care for these young people in public institutions or does the $5 million go the private care?

Hon. Mr. Yaremko: The $5 million goes into private care.

Mr. Nixon: Are the services that are provided by Browndale, the only private facility that is available to the disturbed young people or are there other organizations and institutions?

Hon. Mr. Yaremko: There are a number of institutions. When we say private we mean they are private in the sense that they are operated by an independent agency but we regard them as being in the public sector.

Mr. Nixon: They are incorporated?

Hon. Mr. Yaremko: Yes, incorporated, as all our institutions are that act as autonomous agencies, just as every individual children's aid society is an incorporated body. It is a private body, but it operates in the public spirit.

Mr. Nixon: This is almost exclusively public funds?

Hon. Mr. Yaremko: Yes.

Mr. Nixon: I think I made it clear when these matters were discussed in the past that we feel that the government should be moving to provide public facilities in the sense that we understand them as being public, that is, institutions that come under the direct control of the Minister, or his colleague the Minister of Health.

I wonder if the Minister of Social and Family Services could indicate what the policy of the government is? I know that they have been caught in a very serious problem area in the last six to ten years, because there was no preplanning that would make facilities of this nature available in the public sector, and

that the services rendered by these private institutions—although they may be publicly incorporated—have in fact been the only way in which the government can turn in assisting children's aid societies in this very heavy and growing responsibility.

Can the Minister indicate to the House if it is his feeling that the present system is satisfactory, and that he is prepared to see $5 million of public funds go into this direction? Or if in fact he believes we should be moving towards the establishment of institutions under the control of a government agency for this particular treatment?

Hon. Mr. Yaremko: I may say, Mr. Chairman, that I think that these institutions, although you call them private they were in a public spirit, and I think they serve a very useful purpose in the initial stages of providing this type of care.

I do not know what the rate of growth was in this sector, but I imagine that over a period of time they started with a number, and then there were additions to it. Now we have entered into a whole new era, if I may say, with the white paper of the government which sets out the overall policy and then the specific details with respect to any changes will be dealt with by the Minister of Health with regard to his bill and his programme.

Mr. Nixon: I wonder if the Minister can assure the House that it is his understanding of the Minister of Health's white paper, and the direction in which he would like to see policy go, that we are moving toward the establishment of this sort of care on a public basis? Whether or not it means including these private facilities in the public domain or not? Is there a definite plan to do so?

I think the fact that of the funds we are voting, $5 million is spent by the children's aid society in providing, in a sense, an educational care that must be bought from the private sector and this is a negation of our public responsibilities and as we see them here.

Is the Minister satisfied with the direction things are going; and is he prepared to continue in the foreseeable future using the facilities as they are now organized?

Hon. Mr. Yaremko: If I may say, Mr. Chairman, in respect to the last remarks of the hon. leader of the Opposition, there is no negation of our responsibility in our whole programme. A good deal of our programme of the whole department is the utilization of all these resources which have evolved within the various programmes, and—

Mr. Nixon: If the Minister would be prepared to agree that they evolve simply because he and the Minister of Health were not providing them, for the citizens of the province.

Hon. Mr. Yaremko: Oh, no. In our overall programmes. Half of our homes for the aged programme is in the so-called private sector, and they are doing an admirable job. And in this vote, for example, here is a whole host of facilities, a broad range, and here again, I think the public will become more aware of how all these organizations scattered across the province, who do a worthwhile job, invariably have a secret partner, secret not intentionally from the point of view of the department, but from the point of view of the public.

Time and time again I see a half page news story of some very worthwhile social service being rendered, and I send a memo to the branch and get back a memo saying pick up one third of costs, 50 per cent of the cost, 80 per cent of the cost, but you can read the whole half page of the newspaper or the report and not see it.

It is the same in this emotionally disturbed field. My honourable colleague the Minister of Health is in a much better position to talk about it than I am from a technical point of view. Nobody is born with a mark on his forehead "emotionally disturbed", or a classification. So that as this whole programme has been evolving, there will be some of these agencies who will become partners with the Minister of Health. And eventually, in the purpose of the bill, there will be a shift towards public facilities. Now as to the balance between the so-called private/public facilities and public/private facilities, the future will bring that out.

Mr. Nixon: Well I do not think there is any doubt that the phenomenal growth of Browndale and its ancilliary organizations as well as the 43 other organizations—which could be considered minor compared with the work that is being done by Browndale, and its ancilliary organizations—was due only to the fact that the policy of the government was not such to provide these facilities. The government did not even foresee that the facilities might be used; they were prepared to consign many of these people to the tender mercies of some of the institutions that the Minister of Health operates without providing them with the care and the improving treatment—that is obviously a modern need—which the government did not foresee.

Now, am I to take it from the Minister's statement that he is prepared to accept the *status quo*, and that for the foreseeable future we will continue to be spending millions of dollars for the care and assistance of disturbed children who must be cared for and assisted out of the public sector, and out of the jurisdiction of this Minister?

Hon. Mr. Yaremko: No. I may say to the hon. leader of the Opposition, there is no *status quo* that has been accepted by me, there is no *status quo* because we are in a process of evolution and have been for the last couple of years.

Mr. Nixon: That is right.

Hon. Mr. Yaremko: I have been changing the *status quo*.

Mr. Nixon: That is right. The evolution has been that you are spending more and more money in providing these services outside your responsibility and the responsibility of the Minister of Health.

Hon. Mr. Yaremko: No, no!

Mr. Nixon: The only evolution is that you are spending more.

Hon. Mr. Yaremko: No. There has been a change in emphasis and I may say that I think one of the great phenomena of the 1960s is the discovery of the emotionally disturbed child. Whether that is because of urbanization, or whether it is because this decade produces them, I am not in a position to say.

Mr. Nixon: This decade recognizes they could be assisted.

Hon. Mr. Yaremko: This decade certainly saw the emergence of it.

Mr. Nixon: Certainly the children's aid society people who are prepared to discuss their budgets publicly indicate that one of the most difficult situations they have is the imperative need to pay for this sort of care at Browndale and the 43 other institutions. There it can be provided at rates over which they and the government have no control. Do we assume that they are designed to cover the requirements and make a reasonable profit? Do we assume that is why these particular organizations are in business?

Surely it is strange that the government does not accept its responsibility and either buy out those organizations—and the people who have the know-how to operate them—or to gradually bring them into the public sphere so that there is no profit involved in giving this treatment.

There are those here who can take another point of view. They may be able to assure me that there is no profit involved, but I cannot see why Browndale and its board of directors go to the effort of providing this kind of treatment. On the expanding basis, they are equipped with their own aircraft so that they are co-ordinated across Canada. They take the trouble to go into court to defend themselves against zoning bylaws that may or may not be unfair. All of this is built into the cost that we are asked to pay out of this $33 million.

Now the Minister is talking about the *status quo* as not being something that he establishes. He says he is running an evolutionary department. I think he is evolving into more and more of a mess year by year in this circumstance. I think that the time has come when he should be able to assure the House and the people of Ontario, and the parents who are concerned in the children's aid society who have to pay the bill, that he has a programme, and is going to put an end to this mess.

Mr. Chairman: The hon. member for Windsor-Walkerville had indicated previously; the hon. member will be next.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, talking on the same topic, I would like to bring the Minister's attention to an article recently published in my local paper. The headline right across the top of the page says:

> CHILDREN'S AID SOCIETY DIRECTOR RAPS GOVERNMENT—WHITE PAPER TERMED A FAILURE
>
> Two years after an Ontario government white paper outlined progressive steps toward meeting the needs of emotionally disturbed children in the province, little has been accomplished from a children's aid society point of view.
>
> This was the opinion expressed by Mr. Jack Bevin, executive director of Essex county's Protestant Children's Aid Society.

Now Mr. Bevin mentions, and I am quoting:

> an emotionally disturbed child is still believed to be quite synonymous with a neglected child. At the present time, there are 20 children in the care of our society that are diagnosed as emotionally disturbed in varying degrees for whom appropriate resources are not available. This does not

include disturbed children who are with their own families. He said a survey of the Ontario Association of Children's Aid Societies in the summer of 1968 indicated that there were 820 children in care who were emotionally disturbed, and not placed in appropriate facilities.

Now on the local area the society purchases treatment from private institutions for about 30 disturbed children at an annual cost of $500,000. This is eating right into the budget of the local children's aid society and preventing them from going into some type of preventive care.

I am quoting once again, Mr. Bevin's statement:

But the incidence and complexity of emotional illness appears to be increasing; no one agency or branch of government is able to meet this problem.

Programmes outlined in the white paper two years ago would mean that hundreds of children could have been saved, but little has been accomplished from a children's aid society point of view.

Here, Mr. Chairman, you have the comments of an individual, most learned on the subject, one who has been operating the Children's Aid Society for years, and one who is most critical of your department's approach in an attempt to overcome this problem that we happen to be discussing.

So you can see Mr. Minister, you have a long road to travel, you just are not meeting with the problem at all.

Mr. Lewis: Mr. Chairman, in a sense we have come back in a full circle to some of the issues that were raised at the outset of this sub-estimate. I want to make a point or two to follow the observations of the leader of the Opposition. I want to say, Mr. Chairman, that in some very considerable measure, I find myself in complete agreement—as precisely this party found itself in agreement with the members for Etobicoke and Parkdale —in advancing the proposition that money should be coming direct from government and should not be channelled through the children's aid society, both as a point of control—

Hon. Mr. Yaremko: May I say that I understood the hon. leader of the Opposition to suggest that the money should not come from the government to an outside agency, but from the government to the government.

Mr. Lewis: Well, yes, I will get to that in a moment. One should have some closer liaison to the private/public sector as well as developing a public/public sector.

I submit to the leader of the Opposition that there is a variety of reasons for which any given agency burgeons in number. It is not simply a matter of filling the gap, although one would concede that the gap is so great that that is a very real factor. There is also the simple reality of a particular treatment approach which commends itself to children's aid societies. There is also the factor of economic efficiency, and that is a matter which has to be raised in the Legislature too.

I alluded to it before. Browndale may be receiving $30 a day. We should in this discussion, Mr. Chairman, be combining the two items, because I would like to hear the Minister read out some of the *per diem* rates of some of the others, but as I stand here, and as I am informed by children's aid societies, the Vanier Centre and the Boys' Village, and Sacred Heart Children's Village, and I think, Maryvale are all approximating $40 a day.

Mr. Nixon: What is Browndale?

Mr. Lewis: It is $29.60. And indeed the public/public sector—I hear laudatory applause about private enterprise, well I think there is a place Mr. Chairman, for a variety of service in the private/public sector, I have always believed that. But I come right back to the proposition that the public/public sector—we are getting into a peculiar sort of phraseology—the public sector through government, is the most sorely neglected sector in this whole field of treatment to emotionally disturbed children.

There is not one of the agencies listed under The Children's Institutions Act which would not applaud a tremendous growth in this area; there is not a children's aid society which would not applaud a tremendous growth in this area. Nothing is more frustrating for all the agencies in the field than to have to recognize the restrictions in which they are placed on the basis of income and of size because there is no development by government.

Let me point out, Mr. Chairman, that the costs in the so-called private sector for care might be $20 to $40 a day. The costs in the government area are between $50 and $60 a day, and I may say, Mr. Chairman, that—

Mr. G. A. Kerr (Halton West): Always less!

Mr. D. C. MacDonald (York South): It costs more when mismanaged!

Mr. Lewis: —Thistletown Children's Psychiatric Institute for example and I may say, Mr. Chairman, that in many of these instances it does not even include capital expense. These are operating *per diem*. If the leader of the Opposition will allow me a comparison, Browndale to which he refers also capitalizes within the *per diem* rate, but all the government agencies have capital allocations in addition to the operating allocations which are between $50 and $60 a day.

So that when one says an examination of some of the costs is in order, then I submit to you, Mr. Chairman, that that is entirely true, that is an entirely valid proposition.

And I would add that one of the things which concerns me is the dissembling on the part of Tweedledum and Tweedledee, the two Ministers, as they sit adjacent, in response to the leader of the Opposition. It is absolute fabrication to suggest that anything significant has followed from the white paper.

The only thing that The Department of Health has done in this field since the public furore is to add a few beds to Ontario hospitals, to add a few adolescent wings. That is all. And from my own observation, Mr. Chairman—and at least in this field it is modestly considerable—there is no jurisdiction in this country, or indeed on this continent, which believes that by adding psychiatric units to adult mental hospitals one provides appropriate treatment facilities to children and adolescents.

There is no one who would contend that, except under the most extreme circumstances. We can, as a committee or a Legislature, solicit opinions from the Bettelheims, and the Redls and the Herschal Aults: and all the people in the treatment centre field across this continent. They would say it is madness to develop a programme in that direction.

If I may say to the official leader of the Opposition, that is the only significant extension of services at all since the white paper came down and it is a perfidious extension, and if it was not for the herculean efforts of the agencies—all of them, because there are many of them that are very significant, particularly those that provide intensive treatment—if it was not for their effort to extend services and bail out the government, this government would have faced a public scandal in 1967-68 or 1969 which would have humbled them. There is nothing more vulnerable than neglect of emotionally disturbed kids for whom no facilities can be found: there is nothing more potentially explosive. And it was these agencies that bailed you out.

If I may remind the leader of the Opposition—and I am speaking to him as colleague to colleague—one of the most invidious budget cuts, one of the things that hurt most when the Provincial Treasurer spoke, was the quote: "Additional capital grants for psychiatric hospitals and institutions for emotionally disturbed children". That was where the government provided its budget cut. You have severed it right to source, and all the agencies across the province know it. The place that you have decided to truncate services is in this area, yet the place that it could have been developed was through the departments of government, and everyone would support it.

Certainly we on this side of the House, and I think one can speak for both parties, would support it if The Department of Health really went out and began to develop treatment centres as one understands them on the North American continent, run by government. That kind of diversification would be an excellent example. But there has been nothing of that since the white paper came down, and there is now a cutback in the budget, formally and officially for this year. The Minister's legislation which has just been introduced makes no provision at all, other than by regulation, of any extension of facility, and we have already seen what that means because the capital grants have been excised for 1969-70.

So what are we talking of, Mr. Chairman? How does the Minister stand in his place and say to the leader of the Opposition: "The plans are evolving, the plans are in progress"? The only evolution is what the so-called private public sector did in order to retrieve a situation of desperation on the part of children, children's aid society, and government. The government's response has been either negligible, non-existent, or indeed, downright evil, because there is no other way of characterizing this preoccupation with adult mental hospitals as a repository for disturbed children.

Mr. Chairman, I do not think I need add anything else. I think this is an area for some considerable scrutiny and one would welcome that scrutiny, of costs and expansion, and methodology. Indeed, let us ask children's aid societies what it is all about. It might be useful for the welfare and corrections committee or the health committee to bring some of the children's aid society directors. If things are compromised by personal relationships then let the committee bring Sister Mary of the Cross of Sacred Heart's Children's Village, or people from Maryvale, or from the Vanier Centre—and let these people in the

field tell the members of the Legislature what they feel about the knotted noose around the neck of those who would expand services and the refusal of government to enter the field, all the protestations notwithstanding.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: I have a question of the Minister, Mr. Chairman.

Mr. Chairman: Is it on the same topic, might I ask the hon. member?

Mrs. M. Renwick: Yes. The Minister, after the Timbrel enquiry, through an order-in-council appointed a committee to revise the guidelines of the child welfare department. Have those guidelines been revised, Mr. Chairman?

Hon. Mr. Yaremko: Would the hon. member repeat that question?

Mrs. M. Renwick: It seems to me that it was shortly after the Timbrel enquiry or during it, or during my comments on the enquiry, which would be about March, 1968, that the Minister said that he had, through an order-in-council, made a committee to study the guidelines of the child welfare department.

Hon. Mr. Yaremko: The committee was set up to review the procedures relating to adoption and foster care.

Mrs. M. Renwick: I was not saying that, I was saying child welfare department. The department with regard to your relationship with municipalities, with the children's aid societies and their guidelines. Your guidelines, which under testimony in the Timbrel enquiry the gentleman in the Waterloo children's aid said were verbal guidelines, they had no guidelines in writing as to adoption and separation of siblings, and I was urging the Minister that he would put forth firm recommendations on these particular points. That I—

Hon. Mr. Yaremko: No, the hon. member is talking about something else. There are guidelines, and I believe there were guidelines at the time. Now, whether they were redistributed again, I do not know.

Mrs. M. Renwick: That is what I want to know, if they were updated.

Mr. Trotter: Are they in writing?

Hon. Mr. Yaremko: Yes, they always were in writing.

Mr. MacDonald: How do you redistribute guidelines?

Hon. Mr. Yaremko: You issue them, as a directive. I think the technical term is an adoption policy manual, and it is a written one not an oral one, and that is still being used by the societies.

Mrs. M. Renwick: And that was in effect then during the time that Mr. Hansberger testified there were no written guidelines?

Hon. Mr. Yaremko: Yes, it was in effect at that time. I think perhaps there may have been some doubt about clarification, but the adoption manual has been out, and I remember reading the manual shortly thereafter. I think it is appended to the Judge Waisberg report.

Mrs. M. Renwick: Could I ask the Minister if the manual covers the separation of siblings for adoption purposes?

Hon. Mr. Yaremko: My recollection is that I do not think there was anything specifically laid down with respect to the separation. I think the whole question resolved itself into what was best in the interest of the children. I think that was the basic fundamental principle.

Mrs. M. Renwick: Mr. Chairman, that is what Jerome Diamond outlined very clearly at that hearing but that was not what was put forth in the first report on the separation of the two children in the care of Mrs. Timbrel. The first paper filed on those two children said, "one may exist all right without the other." That is not the purpose of the Child Welfare League of America, saying a guide in separation of siblings is not the fact that one can survive without the other, it is that you only separate them when one is detrimental to the other, where there is some real conflict in the two children being adopted together.

I had a particular interest in that section of the hearing that this was not originally set out from your department, Mr. Chairman. And I would ask that after having paid $50,000 for a Royal commission into the problem of separating two children, Peggy and Valerie, we do set out from your department a definite guideline so that this never happens again.

I would like to ask the Minister if in talking about children not being born with emotional disturbance—or you might even expand that to saying slow learners, and so on, the problems that the children's aid workers are

faced with—is the Minister aware, and if he is not would he please look into the fact, that there is coming forth now some research on the fact that pre-natal damage, or lack of development of the brain in the pre-natal state, is now being studied and proven due to malnutrition, lack of proper diet? This, I think, is something that the Minister could well look into in as much as the huge numbers of children that come into the children's aid from the one parent, or from the unmarried mother, that in the case of poor circumstances that mother invariably is not receiving the kind of diet that she requires.

I know as a legislator, Mr. Chairman, I face this every few weeks, that a mother of an infant cannot be given the kind of diet that a doctor has prescribed. Would the Minister look into the studies that might be available? The Minister nods his head silently but I would like to ask for a firm commitment.

Hon. Mr. Yaremko: I do not nod my head in silence. I am making the affirmative.

Mrs. M. Renwick: Thank you because—

Hon. Mr. Yaremko: I check out everything. I do not immediately embrace everything but I check out everything. I do know this, that malnutrition is not necessarily related to income of families. There are a lot of families with excellent incomes in which there are children who suffer from malnutrition. There are these fancy diets of carbohydrates that reduce the amount of protein or something that goes to the brain being used by people who can well afford the finest of food.

Mrs. M. Renwick: Mr. Chairman, already the Minister is beginning to argue that it is not necessarily so but let us face it, the income of an awful lot of the unmarried mothers, whose children end up in children's aid, is certainly not of the level that provides fresh vegetables and beef steaks and so on during the prenatal period.

I do not know why the Minister asked me to discuss the case of Carol Ann Young under this particular vote. Carol Ann Young was an infant whose mother declined to leave her infant with children's aid and went to general welfare assistance. I tried, Mr. Chairman, to discuss the death of Carol Ann Young under vote 2002, but the Minister said he would be prepared to discuss it here and I would like to ask him first of all, why?

Hon. Mr. Yaremko: At the time that the mention was made I know that the mother of Carol Ann Young was receiving full entitlement under the municipal welfare allowances. It was pointed out to me that there was no involvement by a children's aid society in the matter. There is a letter on file from Mr. Richardson to the supervising coroner that Carol Ann Young never did come to the attention of the society and there was no record of her at all.

Mrs. M. Renwick: Mr. Chairman, when I was shocked by this death and by the recommendation of the jury—and delighted to see, I guess, such a strong recommendation, I followed Carol Ann Young from her death at 1316 Queen Street right back to where the mother first came to welfare at Queen and Coxwell. I did trace the case back to the Catholic children's aid where the parental exercise that they go through for the male involved, did not stand up under close scrutiny and, therefore, the mother of the small child went away without any guidance or assistance from that particular source because the parenting could not be proven.

Could it be that somehow I have the wrong information, or perhaps the Minister has, because I followed this up personally right down to the children's aid society until I got a report on what had actually taken place there.

Hon. Mr. Yaremko: I have no note of the Catholic children's aid society being involved in it. I do have a note that the Metropolitan Toronto Children's Aid Society was not involved in it.

Mrs. M. Renwick: Mr. Chairman, the jury said:

> We the jury protest the obvious lack of complete communication and action, particularly in areas where the needs seemingly fall outside the main jurisdiction of the welfare agencies. We consider this death unnecessary.
>
> We urge that the administrative head of the welfare agencies be instructed to recommend and take whatever steps are necessary to improve the communication and resultant actions of the agencies to achieve results more in keeping with the true needs of the individual.

Did the Minister consider that this recommendation was directed primarily to himself?

Hon. Mr. Yaremko: I would think that that recommendation was directed towards the facilities within the community as a whole. I would think that every agency in the field would have made a note of this particular

recommendation of the jury. It certainly seems to have merit that this take place.

I know that communication is one of the great administrative problems to make sure that in a routine regular way there is continuous communication and feed back of information or that if someone comes to an agency that he is not merely turned away. The experience and the knowledge of the person with whom communication is made should realize that perhaps instead of just turning somebody away there should be a positive step and a communication made further up the line, or down the line, or laterally, so that the individual who seeks help will not have to rely on his own information as to the source of help. If he comes to that particular source and it is wrong, that is an indication in itself that the person lacked that knowledge.

I, for one, am imposing the responsibility on social welfare agencies, at least I make the basic assumption, that a social worker in a field should have knowledge which is beyond the limits of his own particular sector of jurisdiction.

Mr. Chairman: On item 4?

Mrs. M. Renwick: Well, Mr. Chairman, I would say to the Minister; I guess it is like the three blind men and the elephant. I saw this completely differently, because the only agency with which the mother had contact was a children's aid agency—I recall it as being the Catholic children's aid, but it might even have been the other one. But the fact of the matter is that, when the decision to assist this 18-year-old mother and her infant was made, it was made in the municipal welfare office at Queen and Coxwell.

It is not enough for the Minister to ever say—and he has not said it yet—but it has been said in the past that this is made up to the municipality. The municipality is presiding over an Act of the Minister and the Act of the Minister requires that municipality to give to this mother and infant only $85 a month allowance for rent and that mother paid $22 a week for two rooms on Queen Street, because her father and mother and brothers and sisters lived in an Ontario Housing Corporation unit, where she would, in fact, be another family in that unit if she were to have tried to live there.

Mr. Chairman, it is not very difficult arithmetic. The mother and the child received $88 for food, clothing, personal care and, in fact, that included the money for utilities. It included the maximum allowed to them for utilities and the maximum of $7 allowed for cleaning equipment. When you take away the $108 from the amount of money the mother received which was $88 for herself and infant to live on, and $85 for rent, making $173, the mother and child had $65 for the month to live on completely.

The mother did not know that she could have received, had the municipality deemed it—and it is a rule of thumb, I understand, in the Queen and Coxwell office, that a crib or layette is all something which a mother could have.

But, you know and I know, standing here and you sitting there, that this child, the child-mother of the infant, did not know she could get a crib and nobody in the welfare office is saying to people like this, "Do you need a crib?" It is so obvious that the baby shared a bed with the mother and the mother's sister who had come along to the new two-room suite to live.

I just ask the Minister that he take a real good look at what is happening when you make recipients like this eat out of their food budget for rent, or when you do not have firm guidelines in the municipal offices, and have people checking them.

I understand from the children's aid workers that every once in a while, college graduates descend upon them, checking through their files, making sure that they are living up to the regulations of The Child Welfare Act. Is that correct, Mr. Chairman?

Hon. Mr. Yaremko: Yes, we do have workers who visit the—

Mrs. M. Renwick: You see this is a form of policing that your regulations are, in effect, being carried out. Apparently, according to what I hear, there are many times when these graduates do not know enough about children's aid work to understand what they are about in those offices. I might draw your attention to this.

But I would like to see someone going into municipal offices to make certain that the regulations are being adhered to in municipal offices. Because this is unbelievable. It is not an isolated case. Today, I am dealing with a case of a mother of three children living in one room, because the welfare would not pay $125 for a three-room flat. The Minister has got to recognize the problem that we would never have had this infant's death if his department had been able to police—that the Act was being carried out the way it was intended.

I have a simple question to wind up, Mr. Chairman. I would like to ask the Minister the policy for adoption. Is it the policy that a family may not adopt, for instance a four-year-old, if they already have a four-year-old, or a three-year-old if they have a four-year-old? That they want that pre-school child to be into school, and another pre-schooler adopted in place of the other child?

I have got mothers asking me why they cannot adopt a pre-schooler—as they would have had them naturally—and have two or three pre-schoolers in their house at one time.

Hon. Mr. Yaremko: Well I have never heard of that type of specific situation, because I have always gone on the basis that it is the needs of the particular child that are the guiding principle.

I do not think we look from the point of view of the needs of the adoptive parent, but from the needs of a child. And, if it is a suitable home, from the point of view of the child, the child is placed. And I do not think it bears relationship to the age factor or the attitude of the parent. But rather does the attitude of the adoptive parents meet the needs of the child.

Mrs. M. Renwick: Could I ask the Minister then, if he would take a look at the three infant deaths. We discussed one here only today. The other one was a child, a 20 month old child, that had to give up his crib to a younger child. This was, once again, the shortage of a crib. The child strangled because the parents tied it into the crib. The other was the infant death of the mentally defective people, and it is very questionable whether they should have had the care of a child.

Would the Minister just take a look at those three deaths, and somehow come out with the conclusion that infants with parents who really need parenting, do merit the assistance of government, and are not to be left out there floundering, like these three cases were?

Mr. Chairman: Is item 4 carried? The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I would like to ask the Minister if provision is being made in the budget for assistance to the organization known as the INN, in the city of Windsor, one that is directed by a Miss Irene Gerrard that has taken—

Hon. Mr. Yaremko: That is under item 5.

Mr. B. Newman: Item 5. May I ask of the Minister, at this time, if, in subsidies to children's aid societies, there is any provision for the hiring of university and senior high school students in an attempt to help the youngsters education-wise? And, in any other fashion, could they, at the same time, assist these university students and senior high school students with summertime employment?

Hon. Mr. Yaremko: The societies establish their own policies with this respect. They get the staff wherever they see fit.

Mr. B. Newman: Is there anywhere, in this total estimate, provision for assistance to university and senior high school students with regard to summertime employment?

Hon. Mr. Yaremko: No.

Mr. B. Newman: Thank you.

Mr. Chairman: Is item 4 carried? The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): I would like to ask, Mr. Chairman, a few questions, regarding the advisory committee, on adoption and foster care. I enquired last fall regarding this committee, when it was first set up under the chairmanship of a professor from Laurentian University—his name eludes me at the moment.

Has this committee been meeting on a regular basis? And what submissions have been made to it? Do they report to you, or will they be operating on a permanent basis? Or are they just bringing in a report to your social and family services department at the conclusion of their work? What is the basis of this committee at the present time? And what have they accomplished up to now?

Hon. Mr. Yaremko: The committee has been meeting on, quite a regular basis. It was set up specifically to deal with adoptions and foster home care, and they are studying the whole realm of the activities and related matters. It is on basis of the studies they have been making in this field that the department and myself will be looking forward to bringing in either legislative amendments to the Act itself, or to the regulations in this regard.

But it is not a permanent thing. They will do a job and then when the necessary amendments are made for this period of study, their activities will be concluded.

Mr. Good: Mr. Chairman, have they submitted any interim report up to this time?

Or when do you expect them to submit a report?

Hon. Mr. Yaremko: They have submitted an interim report to me.

Mr. Good: Will this report be made public or will this report be tabled in the Legislature?

Hon. Mr. Yaremko: Actually, the report is a report to the Minister but that decision would be made when I have received their final report and other related reports. There is another study going on in the same field, but in a different direction. The Urwick Currie firm was engaged to do a particular study. When we get all the reports together, we will be able to evaluate them, see what should be done and take steps.

Mr. Good: Specifically, Mr. Chairman, could the Minister find out for me what actually has been done or what the findings of the committee have been in relation to a submission made to them by W. R. Woods, of Waterloo, last fall?

Hon. Mr. Yaremko: I am not familiar with the submission, but I will check into that.

Mr. Chairman: On item 4? The hon. member for Scarborough Centre was on her feet.

Mrs. M. Renwick: Mr. Chairman, I would like to ask the Minister if he receives a report from each of the children's aid services throughout the province; an annual report, not from the combined areas but from each individual operation?

Hon. Mr. Yaremko: Yes. I know that across my desk the reports come continuously and I make the basic assumption which I think is correct. The director would receive not only the printed reports but the detailed reports required under the Act. I am advised that the reports are monthly reports. I do not see those; I see the annual reports as they come across my desk and it takes some doing to keep up with all the reading.

Mrs. M. Renwick: Yes, I can appreciate that, Mr. Minister. I think what I am trying to get at, too, is that, is this material segregated into some form of research that might be useful to the Minister?

I am looking, for instance, at Sault Ste. Marie who say that they have a problem particularly for school-age children.

The poor folks say that their need, like those of other societies, especially for the teen-age child, is, for group homes and for the services of a mental health clinic. Is there some serious attempt made to isolate these needs into categories so that the problem can be dealt with?

From Bracebridge they write also for school-age children—they have need for far more foster homes. They do have two group homes and psychiatric and psychological services so their problem is different again.

In London they integrated with the family service and they seem to have made some real progress under The Child Welfare Act in the preventative programme. By this merger between children's aid and family service, they seem to have brought in a range of official resources, or agency resources, to the cases.

But I would think that the areas where they have the problems—the older child—are so often the larger areas, and maybe there a concentrated effort could be made to make group homes. Even with all this smoothly-operating assistance in London-Middlesex, they say nevertheless there is still a need for foster family care for the older child. Once again, it is the older child. And if the Minister is getting this type of information every year; if, from his programme, could emanate some answer to it, it seems to me it can fall into three or four categories.

Mr. Chairman: The hon. member for Parkdale.

Mr. Trotter: Mr. Chairman, as I gather from the estimates, the amount allowed for new and required buildings, I total it $1,231,000; they are broken down to $600,000, $160,000, $171,000 and $300,000. I wonder, under this vote, is that the total amount allowed for new and acquired buildings?

Mr. Chairman: Is that not the item on page 156?

Hon. Mr. Yaremko: The $600,000 is the new and acquired buildings for the children's aid society.

Mr. Trotter: Children's aid; then you come down to subsidies to institutions.

Mr. Chairman: That is item 5.

Mr. Trotter: Not including that; that is only $600,000.

Hon. Mr. Yaremko: For the children's aid society?

Mr. Trotter: What I am comparing it with was in the estimates for the year ending March, 1968. We voted $2,470,000. We

spent less than that; we spent less than half that, but is this the same item I am properly comparing it with?

Hon. Mr. Yaremko: Yes, it would be the same item.

Mr. Trotter: In other words, it is $600,000 versus—

Hon. Mr. Yaremko: No, you would have to add the $600,000 to $160,000, to $171,000.

Mr. Trotter: And $300,000.

Hon. Mr. Yaremko: Yes, $300,000.

Mr. Trotter: And it comes to $1,231,000. That is the way I get it. So that when we were passing estimates two years ago, the government was recommending that they spend $2,470,000 and you only spent half of that. If I am reading these figures correctly, I am looking for the places where this great cutback of $400 million came from. I would say this is one major item right here. I want to be corrected in case I am reading these figures wrongly.

Hon. Mr. Yaremko: No, as I stated at, I think it was, the very beginning of the estimates, it was in the capital expenditures that we were not going to be expanding as much as we had in previous years.

Mr. Trotter: It is just on this particular item then, Mr. Chairman. I would like to emphasize, I think, what has been said by my leader here before, and it is particularly in providing facilities for disturbed children. I do not approve of the system, as other speakers have said, of giving the children's aid society the responsibility of having to provide for these children.

I think it is unfair in particular to the children's aid society and the role of government must be in taking care of the emotionally disturbed children. You are simply going to have to invest in this field. There has been a lot of acrimonious debate between the government particularly; The Department of Health on one side and the Brown Camps on the other. I say to you quite frankly that I do not believe that private enterprise should, in the main, be in this field. I think this is primarily of government concern and that present government policy has been, more or less, to let the private enterprise take over.

Now I must say, in all due respect to the Brown Camps or to the children's aid, there is no other place for them to go under the present circumstances. I am also well aware of the debate; I know the hon. member for Scarborough West quoted the difference in day rates and the Brown Camps are that much lower. Some Tory over there, happily said, "Well, of course, private enterprise is more efficient." The question is, which is the better system?

There is a great debate going on again as to what kind of treatment the children get at Brown Camps. If you are an advocater of Brown Camps, they say it is excellent; if you are not—and I assume that the Minister of Health is not an advocate if Brown Camps—they are not getting the proper treatment.

I do not believe the salary of the staff at Brown Camps is nearly as high because they use people who do not necessarily have degrees or have the same amount of training.

Hon. Mr. Grossman: They do not have a union shop.

Mr. Trotter: They do not have a union shop, that may be the case.

Mr. Sopha: Are you serious? They do not have a union?

An hon. member: No—

Mr. Sopha: They do not have a union!

Mr. Trotter: This is a situation—

An hon. member: You invited it.

Mr. Trotter: This is a situation involving a good many hundred children, if you are to believe it—and I am going by various references I have heard the Minister of Health make. You go by some of his references, or maybe his attitude toward Brown Camps, and this department is permitting a situation to exist where the majority of the emotionally disturbed children are being treated under a system which The Department of Health disapproves of.

I think it is about time the two departments got together to do something about it, and with the kind of budget that you have here, even for new and acquired buildings, obviously you do not have the slightest intention of doing anything. When we brought this problem of the emotionally disturbed children before the estimates of The Department of Health on one occasion, the Minister of Health was quite pleased that no money from his department went to Brown Camps. I think he was quite pleased about it. But that does not solve the problem.

The truth of it is the problem lies both with the Minister of Social and Family Services and with the Minister of Health. Both of them are throwing the ball around and nothing is being done in this particular situation. But I want to speak categorically here, Mr. Chairman. The main principle involved in treating emotionally disturbed children is that it is essentially a government responsibility. It is the responsibility primarily of this department, but certainly with the co-operation of The Department of Health.

On this vote I want to register my protest of the lack of interest and the lack of effort on the part of this Minister in the treatment of the emotionally disturbed children. It is long overdue. This debate on how these children should be treated has gone on now literally for years. Strong and overt action by this government is long overdue.

Mr. Lewis: What I think we are doing is virtually removing the vote on item 5, so I do not think it is proceeding quite as slowly as it appears.

In terms of the references to children's aid societies and what the member for Parkdale has said, of course, the anomaly is much more perplexing than that which he has indicated, Mr. Chairman. I would like to point out to him, sir, and to the Minister and to the House that The Department of Health will not accept the services which are provided by The Department of Social and Family Services, let alone an agency in the public/private sector.

If it is anomalous in the one instance, how much more anomalous is it in the other—and what does it say about The Department of Health? The fact of the matter is, Mr. Chairman, that when the accreditation committee of The Department of Health, established under The Mental Health Act visited Boys' Village, the government's model treatment centre under The Department of Social and Family Services, it refused accreditation! It would not accept the standards provided by Boys' Village.

I do not know what The Department of Health asks of a treatment centre but I am pleased to say, just to develop the paradox a little further, that the accreditation committee recommended Browndale favourably. So apparently The Department of Health, in certain areas, is approving. The director of child welfare has to exercise judgments here, too, and they are entirely appropriate. Children pass through the director's hands and children have to be approved before they go to various agencies.

I do not know whether Mr. Borczak the Deputy-Minister just whispered to the Minister that things have been changed in the interim, but it was an anomaly at the time, i.e. that The Department of Health should not approve the most senior facility provided under this department for disturbed children. I really do not understand that. I would be interested to know why, because it presented children's aid societies with a certain dilemma. I think they would also like to know.

Can the Minister tell us why The Department of Health refused the accreditation?

Hon. Mr. Yaremko: I cannot give the details of that. What I was taking a mental note of was the fact that the hon. member was using the expression, "model facility". I have never regarded Boys' Village as being the model facility. I know we were dealing with them in certain areas on what I assumed was an experimental basis in certain fields.

Mr. Lewis: Is there any other facility in the entire province of Ontario with whom you have entered into such a close arrangement by way of a department?

Hon. Mr. Yaremko: That was the one on an experimental basis.

Mr. Lewis: Precisely. It was the experiment in which this department invested hundreds of thousands of dollars—and appropriately, I agree. I would be inclined to think this is an experiment which should be supported. I am simply saying, with the member for Parkdale, that this whole attitude of The Department of Health is very perplexing—not only to some of the agencies in the public sector that are privately incorporated, but also to government agencies endowed with government money and run by government departments. The whole thing is a very, very incomprehensible situation.

I hope the Minister has gone to bat for Boys' Village, because many reputable agencies, children's aid societies and several others use Boys' Village. I see no reason why it should be removed from the purview of public approval given under the stamp of the Minister of Health. That just does not make sense. How much less an institution is Boys' Village compared to the Vanier Institute or Sacred Heart Children's Village, or any of the others that have been approved by the accreditation committee? And what does it say of government, if it is of such a low

standard? Does the Minister have the present *per diem* rate for Boys' Village before we adjourn?

Hon. Mr. Yaremko: I do know this, Mr. Chairman, we are now into the grants to agencies, item 6, the comprehensive treatment demonstration of Boys' Village. I do know that this government made a commitment—

Mr. Lewis: Five years, was it not?

Hon. Mr. Yaremko: —it was a commitment when I assumed the portfolio and had been brought to my attention. There was a good deal of discussion at that time and I said to those who were operating it that this government made a commitment and it will carry out its commitment. This department has done that with respect to this item.

Mr. Lewis: Well, the Minister should fight for it. Does the Minister know how much the commitment was before we rise, or what the *per diem* costs now are?

Hon. Mr. Yaremko: The commitment was $500,000 over a four-year period.

Mr. Lewis: $500,000—yes, $125,000 a year. And does the Minister know the *per diem* rate? Surely his aides have the Boys' Village *per diem* rate.

Hon. Mr. Yaremko: This is a complex problem because the *per diem* rate applies with respect to residency. The $125,000 is a grant to the demonstration project. The two things are separate.

Mr. Lewis: Yes, that is the point I was making, Mr. Chairman.

Hon. Mr. Yaremko: There is no *per diem* rate, so are not involved in a *per diem* rate.

Mr. Lewis: Well, in addition to the project, the *per diem* rate is paid by agencies, so at least $1 million of public money has been invested here, and, I am inclined to think, wisely invested. I am not sure that The Department of Health should do Boys' Village in, that is what I am putting to the Minister.

Mr. Chairman: Item 4 of vote 2004 agreed to.

It being 6.00 of the clock, p.m., the House took recess.

No. 116

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Tuesday, May 13, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

5

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Tuesday, May 13, 1969

Estimates, Department of Social and Family Services, Mr. Yaremko, concluded 4341

Estimates, Department of Mines, Mr. A. F. Lawrence 4359

Motion to adjourn, Mr. Grossman, agreed to 4371

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8.00 o'clock, p.m.

ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES
(Concluded)

On vote 2004:

Mr. Chairman: On item 5.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I was directed by the Minister to put under this portion of the vote the question concerning financial assistance to the Inn in the city of Windsor, an institution that provides a community service to girls of the ages of 16 and upward who are in need of help. All the girl has to do is show ability and the desire to work out her problem and she is accepted by the association. Miss Irene Gerard, who is the director of the organization, makes mention that the Salvation Army in the community have had to put up 60 girls in hotels during the past year because of the lack of facilities.

There were 48 in need who came to the attention of police. Twenty wards of the children's aid society who were in need of interim housing were taken care of by her organization. There were 13 referrals from family service who required housing, and six who were released from jail without a place to go. About 10 per month need a half-way house to bridge the gap between institutional living and their return to society and they are accommodated by the Inn.

The Inn originally cost about $45,000 to set up, and it has an operational cost of approximately $30,000 a year. I understand they have asked the Minister for financial assistance and were turned down.

Are there provisions in this year's budget to assist the organization that acts as a half-way house, and is sort of the female counterpart of the St. Leonard's Association, that originated in the city of Windsor and has now spread throughout all parts of Canada. May I ask of the Minister if there is provision in this vote for assistance to the Inn?

Hon. J. Yaremko (Minister of Social and Family Services): Actually they have not been turned down.

Mr. B. Newman: Well if they did not receive it, Mr. Minister—

Hon. Mr. Yaremko: I know, but I can tell you that it is surprising how often I am pressed for an answer. They say, "Why did you not give us an answer?" What they really mean is why do you not give an answer "yes". Not just why do you not give us an answer.

I understand that the Roman Catholic diocese has just given them a structure which is going to be used, and it is in the process.

Mr. B. Newman: It is having its official opening Sunday, Mr. Minister, if you could see your way to come down and—

Hon. Mr. Yaremko: I wish I could, but I am otherwise committed.

Mr. B. Newman: I will bring the cheque down, Mr. Minister!

Hon. Mr. Yaremko: We will be processing these. As a matter of fact, my own thinking is that we can do a lot with a lot of little homes—

Mr. B. Newman: Right!

Hon. Mr. Yaremko: —scattered across the province. In the coming time we can have a real second look at a lot of these small institutions that make a very worthwhile contribution for the size of the institution.

Mr. B. Newman: Well, Mr. Minister, you still did not answer the question. Is the financial aid going to be made available to them this year?

Hon. Mr. Yaremko: We expect to resolve this shortly, but just when that will take place I am in no position to say.

Mr. B. Newman: Thank you, Mr. Minister, so I can report to them that your gracious heart will bless them with that slip of paper.

Hon. Mr. Yaremko: You tell them that when they thought they were turned down, that somebody must have misread the letter!

Mr. B. Newman: It has not really been turned down, it is forthcoming; and I hope it is not in the fullness of time, Mr. Minister.

An hon. member: What they need is an interpreter!

Mr. B. Newman: May I ask of the Minister, Mr. Chairman, if the Leone residence, another institution similar to the Inn but taking care of girls in an older age, likewise is there provision for financial assistance in the coming budget?

Hon. Mr. Yaremko: That place is unknown to me, I am not familiar with it. What is the name?

Mr. B. Newman: It is the Leone residence, operated under the directorship of a Miss Diane Hobbs. It is a home set up to give emergency aid and short term care for girls or women who have left their homes as a result of problems. The problems could be drugs, alcoholism, or even a collapse of a marriage.

Hon. Mr. Yaremko: The institution, I am afraid, has slipped my mind for the moment. It is not within this programme. What type of care does it provide?

Mr. B. Newman: It is short term care for girls and women have had miscellaneous problems such as drug or alcohol addiction, collapse of a marriage, miscellaneous social problems. These are only a few of the problems.

Hon. Mr. Yaremko: That is a description of the services to be provided by the Inn, but I am not familiar with the owners.

Mr. B. Newman: I had asked you earlier in the discussions of your department and you suggested that I ask this question at this time, and that is why I ask it at this time. You can look it up and reply to me at some future date by mail, it would be quite all right.

May I ask the Minister, Mr. Chairman, if he is making provisions for a social worker among the children in the Glengarry Court development area? That is where the high rise geared-to-income housing is situated in the city of Windsor, in the downtown area. There have been quite a few social problems, and as a result one of the recommendations made by the community service was that there be a social worker in the area to prevent some of the social problems from becoming more serious than they actually are.

Hon. Mr. Yaremko: We have, I think, a couple of social workers in the Windsor area and it may be that they will turn their attention to this area. No one has been specifically assigned to this particular programme.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I wonder if I could ask the Minister if he has a programme to assist parents with emotionally disturbed children to meet the costs of the care that is necessary in order to assist these young people.

In a previous item it was brought before the House that the cost of this care ranges from, I guess a low of $29 and some odd cents at Browndale to a high of $50 a day at some of the facilities operated by the provincial government. I have always felt that the tremendous financial responsibilities borne by an individual family which must provide this care for a child is more than can be borne, no matter what their income is.

There have been cases, and I am sure the Minister is aware of them, where parents have undertaken to have their children made wards of the children's aid so that the young people can get this care at no direct cost to them. But this seems to be a very serious step indeed, and in essence sidestepping the justice of a situation, which should be patently obvious.

Can the Minister report to us that he has a programme to assist families under these circumstances?

Hon. Mr. Yaremko: That will be part of the Minister of Health's (Mr. Dymond's) overall programme. Presently we deal with the children's aid societies. All the placements are through them and the subsidies go to those public private institutions where children are placed, we subsidize them. These are the only two types of programmes in which we are involved.

Mr. Nixon: Well perhaps this is a point where we might discuss it a little more fully. Is the Minister aware that the children who require this treatment get assistance through The Department of Health? Is there a programme that he is aware of, or does he just mean for me to ask the other Minister?

Hon. Mr. Yaremko: I understand this is part of the programme that is being evolved under the new bill.

Mr. Nixon: Under the bill that is before the House now, but at the present time there is no programme to assist these parents. In fact their only recourse is to ante up the $50 a day maximum, or to have their children committed as a ward of the children's aid by subterfuge.

Hon. Mr. Yaremko: Or arrange admittance to one of the institutions which is subsidized by our department.

Mr. Nixon: What institutions would those be—like Thistletown?

Hon. Mr. Yaremko: Sacred Heart Village is one that comes to mind here in the city of Toronto. The Sunnyside Children's Centre in Kingston; Maryvale in Windsor; Boys' Village of course; Mount St. Joseph in Hamilton; and the Madame Vanier Children's Services in London.

Mr. Nixon: Mr. Chairman, one authoritative source indicated that 95 per cent of the children who are in these special schools and institutions are, in fact, wards of the children's aid. Surely this is not a direct reflection of the statistical distribution of emotionally disturbed children. I think it reflects the need under this government's programme. If an emotionally disturbed child is going to get the treatment that is available—and certainly that is inadequate, as we discussed in the previous vote—the only recourse at the present time is for the child to be committed as a ward of the children's aid; otherwise, except at the very top level of incomes, the parents would simply go broke providing for a few months of the care that would be necessary. Can the Minister assure us that the bill that is before the House corrects that situation?

Hon. Mr. Yaremko: That is one of the intentions of the bill. I may say that the number of children that were placed in institutions last year decreased by five per cent.

Mr. Nixon: You mean the total number?

Hon. Mr. Yaremko: Yes, that were placed in the—

Mr. S. Lewis (Scarborough West): Not in these institutions!

Hon. Mr. Yaremko: No, in the institutions we are talking about.

Mr. Nixon: Well what ones are those; do you mean the ones that are operated directly by the government?

Hon. Mr. Yaremko: No, the ones that are operated as public/private institutions.

Mr. Lewis: That is just not possible.

Hon. Mr. Yaremko: And I may say that the discussion the hon. leader of the Opposition and I have had does not take into account those children who, in the wisdom of those responsible, are taken care of through the mental hospitals.

Mr. Lewis: If you include retarded children, the disabled children and the disturbed children perhaps!

Mr. Chairman: Item 5, the hon. member for Humber.

Mr. G. Ben (Humber): Mr. Chairman, would the Minister please tell us the youth organizations that are covered under the item "subsidies to institutions for children and youth". I understand the institutions for children are under The Children's Institutions Act; but what youth institutions are covered, aside from the one in Ottawa, the youth hostel?

Hon. Mr. Yaremko: There are quite a number here. The Boys Home in Toronto, the Clifton House for Boys, the Loyal True Blue and Orange Homes, the Merrimount Children's Home, Notre Dame of St. Agatha, Opportunity House in Toronto, Parkhill Girls' Home, St. Joseph's Boarding Home, Salvation Army Home in Toronto, Youville Home in Sudbury, Yorklea Children's Lodges in Toronto; and then there are the Big Sister Residence in Toronto, Cornwall Youth Residence in Cornwall, Craigwood, Ailsa Craig, Craigwood Extension in London, Earlscourt Children's Home in Toronto, Jewish Family and Child Service in Toronto, group homes in Metro Toronto, Lynwood Hall Children's Centre in Hamilton, Salvation Army in London.

Mr. Ben: Yes, but would the Minister please distinguish between children's homes and youth services. By youth I anticipate that they are over the age of 16.

Hon. Mr. Yaremko: I do not think we have them broken down by that category. We have the Beverley Lodge in Toronto, the Ingles House in Toronto, the Salvation Army House of Concord, the Sancta Maria House in Toronto and Teen Challenge in Toronto. These are for the 16-year-olds and over. I assume that is the group. These are the institutions.

Mr. Ben: Where will I find them in the Social and Family Services 36th Annual Report?

Hon. Mr. Yaremko: They have just been developing in the last two years.

I wonder what information the hon. member is seeking with respect to these institutions?

Mr. Ben: Well, Mr. Chairman, I think the answer is obvious. I see an allowance of $2,732,000 for subsidies to institutions for children and youth. I know from past experience that children's institutions are covered under The Children's Institutions Act, 1962-63. But I am perplexed by the use of the word "youth", since I can find no previous reference to it.

The explanation may be the one that the Minister has given, that is a new programme.

Hon. Mr. Yaremko: No, on page 14 of the report, they are shown there as "homes for older boys and girls". Actually, the correct legal terminology is "Schedule 4"; we now call them institutions for youth. At that time they were shown as older boys and girls. As you see, there is Beverley Lodge, Toronto; Ingles House of Toronto and the Salvation Army House of Concord in Concord. Since that time there has been developed the Sancta Maria House, Toronto; Teen Challenge Toronto; and I believe we are in the process of developing two more.

Mr. Ben: Mr. Chairman, you can understand why members of the Opposition sometimes are confused by the methods used by this government to try and transmit information to the Opposition, if in fact they are trying to transmit information.

In the 36th annual report the homes for older boys and girls are listed under child welfare. Now the item which we are discussing is listed under subsidies to institutions for children and youth. It does not come under child welfare in this particular vote. Perhaps if the Minister will try to be consistent we might be able to expedite matters.

Now, Mr. Chairman, the statistics that are published in the 36th annual report show that whereas in 1957 there were 31.8 illegitimate births per 1,000 total births, in 1966 it was 64.2. That is, in a space of ten years, the incidence more than doubled.

Hon. A. Grossman (Minister of Correctional Services): You cannot blame the Minister for that.

Mr. Ben: How do I know, I cannot blame him? Wait until I ask him some questions—it might be the Minister of Correctional Service.

Mr. Nixon: He had some help all right.

Mr. Ben: Mr. Chairman, it is obvious that although the pill may have cut down the birth rate in certain areas, it certainly has not helped in this. I do not know who should be held responsible for trying to keep down the birth rate, be it the Minister of Social and Family Services or the Minister of Health (Mr. Dymond), whom we welcome back in the House. Obviously, somebody is falling down in the education of these youngsters, either in the provision of necessary services or perhaps in the provision of birth control pills. But when the incidence of illegitimate births doubles in a space of ten years, I ask myself which department is failing to carry out its obligation. Perhaps—

Interjection by an hon. member.

Mr. Ben: Do not take credit there—the Hon. Minister of Mines there (Mr. A. F. Lawrence)—I said where the birth rate is dropping. If the birth rate were rising then perhaps you could try to take credit. But the way things are I would not try to take credit. Besides, if my memory serves me correctly I do believe that "Lawrence" was one of the saints that was struck off the list so—

An hon. member: The member and the party.

Mr. Ben: Would the Minister please inform this House of what, in his opinion, is the cause of this fantastic increase in the rate of illegitimate births? What is the Minister doing to provide facilities for these youngsters because the majority of them are youngsters?

Hon. Mr. Yaremko: Mr. Chairman, there was a rather thorough discussion on that this afternoon.

An hon. member: That is a big answer.

Mr. Chairman: On item 5.

Mr. B. Newman: I wish to ask a question of the Minister, and it concerns the group therapy project in my own community, in which they are setting up a home for emotionally disturbed children, boys, specifically, between the ages of eight and 12. This group was to buy a facility and be able to accommodate nine boys in that facility. The project was going to cost approximately $181,000. Is there provision in the Minister's estimates for a grant to this group?

Hon. Mr. Yaremko: I wonder if the hon. member will give me the name of the group?

Mr. B. Newman: The Windsor group therapy project.

Hon. Mr. Yaremko: They have had a fire there, I believe, and it held up the—

Mr. B. Newman: They qualified for a grant under the Central Mortgage and Housing Corporation, and they asked for assistance from your department—and I understand there should be. Is there going to be some assistance forthcoming?

Hon. Mr. Yaremko: I understand they had a fire, and that fire has somehow prevented the request from coming forward.

Interjection by an hon. member.

Hon. Mr. Yaremko: Did they not have a fire there?

Mr. B. Newman: Not that I can recall, Mr. Minister.

Mr. Ben: Mr. Chairman, I have just canvassed a number of members in this vicinity and not one of them can recall a thorough discussion of the topic I raised. Will the Minister be kind enough—

Hon. Mr. Yaremko: I have turned to the expert in the field, the member for Scarborough. I thought we had a rather good discussion.

Mr. Ben: Who is the expert?

Hon. Mr. Yaremko: I know we discussed the matter.

Mr. Ben: It was casually mentioned.

Mr. Lewis: No. You are fantasizing.

Mr. Chairman: Item 5.

Mr. Ben: Well, would you mind giving us a summary of what this was about since nobody can recall it except you? What was this thorough discussion that you speak of?

Hon. Mr. Yaremko: Well, there was a statement. There were questions and there were statements by the Minister in which I indicated my concern that of the 18,000 children in care, almost 50 per cent were children of unmarried mothers; that there has been a startling increase in the last few years; but that fortunately in the last period of time there has been a levelling off, and that we can hope to cope with it.

Now, I said as to the reason for it. I am not too sure why there are so many. The general philosophical reasons, if I may put it that way. We are, for example, giving our services in this field through facilities for unmarried mothers, both in the prenatal period and in the afterbirth period. They are excellent. I think that perhaps that the young women are coming out and are more visible than they have been in the past.

Interjections by hon. members.

Hon. Mr. Yaremko: Our statistics in this field may be better kept, I may say.

Mr. E. W. Sopha (Sudbury): Well what are the guidelines?

Hon. Mr. Yaremko: For the guidelines I turn to the parents for assistance.

An hon. member: The birds and the bees!

Hon. Mr. Yaremko: Not being a parent myself except in the mass way, I think that the parents have a very grave responsibility.

Mr. Ben: Mr. Chairman, if I may for a moment become serious. We have some 10,000 illegitimate births in this province, and the majority of them are girls of tender years.

Would the Minister please tell me of what survey he has knowledge that has made an empirical of this problem which we are facing? Has he tried to determine how these young girls get themselves into this position? Is it that perhaps they do or do not know the story about the birds and the bees? What kind of stories are told to them by the boys?

Evidently a girl goes into a hospital and the boy goes looking for another girl.

Hon. Mr. Grossman: That is generally the case. The girl goes to the hospital to have her baby.

Mr. Ben: All right then, the Minister of Correctional Services. I guess he figures he gets customers that way, and he does not want to put a stop to it. But perhaps we ought to get serious for a moment.

I asked if there has ever been a study.

Mr. Chairman: This conversation took place this afternoon with the hon. member for Scarborough Centre (Mrs. M. Renwick).

Mr. Ben: Sir, this conversation did not take place this afternoon.

Mr. Chairman: Would the hon. member direct his questions to the Minister?

An hon. member: Did the member for Scarborough Centre indulge in this conversation?

Mr. Chairman: Not exactly.

Mr. Ben: Is anybody going to try to take a survey and determine the wherefors and the

reasons? You said you do not know the reasons. You know how it happened, but you do not know why. Do you think it is a joke, to have 10,000 illegitimate births in this province every year? Are you going to get up here and joke about it? Is that how you exercise your responsibility?

Hon. Mr. Yaremko: Mr. Chairman, on a point of order, the members of the Opposition say, "Wipe that smile off your face, Mr. Minister, take that grin off your face, do not sit there joking about such a serious thing." What kind of language is that they are using? I am sitting here with a very serious attitude and you are putting expressions on my face and words in my mouth that do not exist. That kind of cut and thrust of a debate is puerile and I do not intend to participate in it.

Mr. Ben: Look, Mr. Chairman, if *Hansard* indicates that I said anything about the countenance on your face, then I will apologize for the next remark. If not, then everybody who knocked over there is an ass because I said nothing about the countenance on your face. You are puerile when you get up and suggest I did.

I said do not take this as a joke, we are not talking in jest here. The fact is that there are 10,000 illegitimate births in this province. They are going up and up and up, and you have the consummate gall to get up here and say there is a levelling off. A levelling off for what?

The statistics published by the Provincial Secretary indicate that they went up again last year, so what are we levelling off to, to 10,000 from 9,000? Stupid, idiotic, assinine statements and you come out here and talk about puerile.

What are you doing to investigate the causes of these things? We know what causes girls to have children, but we want to know how they find themselves in this condition.

Mr. Chairman: The Minister answered those question this afternoon.

Mr. Ben: He did not answer those questions because he does not even know his own name these days.

Mr. Chairman: I was sitting in the chair when he answered the question.

Item 5, the hon. member for Windsor-Walkerville.

Mr. B. Newman: I am still waiting for an answer from the Minister concerning the Windsor group therapy project.

Hon. Mr. Yaremko: There was a fire there and the original request was for rehabilitation. I think the grant suggested was $1,200 a bed. There was a fire and the building has been torn down. Their request, of course, cannot be for the rehabilitation at $1,200 a bed, it will have to be an out-and-out grant of $5,000 a bed, which has changed the picture in the interval.

Mr. B. Newman: Thank you.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, I would like to ask the Minister if anywhere in this item, or in some other item under this vote, will we find any moneys, if there have been any appropriated, to after-four centres, for instance to the YMCA where they have been pioneering in the after-four centres of schools?

Hon. Mr. Yaremko: No. The care that we are talking about now is purely residential care.

Mrs. M. Renwick: Would it be under this vote at all, Mr. Chairman? How about "other payments" or "grants to agencies"?

Mr. Chairman: That is in the next item—grants to agencies. We are dealing with item 5.

Item 5 agreed to.

On item 6:

Mrs. M. Renwick: Mr. Chairman, under item 6, grants to agencies, is this where I would find moneys allotted to the YMCA in its pioneering of the after-four school programme?

Hon. Mr. Yaremko: Mr. Chairman, under grants to agencies, the only two grants which are covered are the ones that are specified there—the $5,000 and the $125,000. We do not make grants, at least we have no provision presently, for grants to agencies other than those which provide residential care.

Mr. Chairman: Item 6 agreed to.

On item 7, the hon. member for Scarborough Centre.

Mrs. M. Renwick: I was trying to locate departmental publications for which we budgeted $30,000 last year and I could not find them anywhere. The last resort would be here under item 7, "other payments", and I am wondering if they are buried somewhere else or are they in here?

Hon. Mr. Yaremko: It would have been under the main office vote, Mr. Chairman; "communications services" would include the maintenance vote there of $41,000. That is where the money for publications is. Thus, "adoption and sundry administrative costs" is in this for the provision of special publications, or special communication services with respect to adoption. I think our "Today's Child" programme is an important part of this.

Mr. Chairman: Item 7 agreed to.

On item 8, the hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, in the metropolitan area of Toronto how many subsidized day nurseries are there?

Hon. Mr. Yaremko: There are five new nurseries in Metropolitan Toronto, that is five new ones operated by Metro Toronto, I believe. I will have the specific details in a moment.

In Toronto there are 13 municipally operated, 16 agreement for services full-time, two municipally operated, and four agreement for services half-day, for a total of 15 municipally operated, 20 agreement for services. There are 48 other full-time and 84 other half-time or half-day in Toronto.

Mrs. M. Renwick: Mr. Chairman, I only want the ones that are subsidized. Are the 13 muincipal day nurseries full-time day nurseries that are subsidized.

Hon. Mr. Yaremko: Of the municipal ones in Metro there are 13 all-day fully subsidized, and two half-day fully subsidized. There are 16 agreement—that is Metro is buying services from 16 all-day centres—which are in turn subsidized on our needs test, and four half-day, so there are a total of 35 that are directly or indirectly subsidized, to some degree.

Mrs. M. Renwick: And they care for how many children, Mr. Chairman?

Hon. Mr. Yaremko: I do not have the number of children.

Mrs. M. Renwick: Mr. Chairman, does the Minister have some idea of the number of working women in Metropolitan Toronto and the number of one-parent families in Metropolitan Toronto who may need these services?

Hon. Mr. Yaremko: I do not have that particular statistic before me, Mr. Chairman.

Mrs. M. Renwick: These statistics are not exactly what one would call up-to-date, because they are DBS statistics, but in the 1968 "Day-Care in Metropolitan Toronto Study" of the social planning council, it was estimated that among working women with children under 16, and estimated single-parent families with female breadwinners with children that would need to be cared for, in Metropolitan Toronto alone there are 80,700 working women with children under 16, and 24,339 single-parent families with female breadwinners with children under 16 years of age.

Representing the riding of Scarborough Centre, I looked particularly at the facilities available when this study was done in 1968. Under the social planning areas of Metropolitan Toronto, under Area No. 30, Scarborough Centre—there are two areas for Scarborough, Scarborough West and Scarborough Centre, so I presume that this would certainly cover the area that I represent—and under public day nursery services, none; under United Appeal, day nursery services, none; under church non-profit, none, and under private, none.

We are reading from table 4 in the Metropolitan Toronto Social Planning Council study of day care. We have Mr. J. T. Weir, a barrister in downtown Toronto, heading up a national study on the day care facilities for children of working mothers. But you know, Mr. Chairman, it is really an exercise that no one needs to go through in order to prove what is happening. I think that everyone in this assembly, in contrast to 1965 and 1966 when hooting and hollering took place then over the discussion of why women work and so on, now has had to accept that women are working for monetary reasons by and large.

Last year I pointed out, and now it is in this public report, that the Ontario Department of Labour stated that the average earnings of a father of children under 15 years of age, where the wife is in the labour force in Ontario, is $4,088. And the average wage of a father with children under 15 whose wife is not forced out—it does not say "forced out" here, but I say "forced out"—is $5,162—which proves that women are out working for that extra $1,000 a year.

The average income for the working women in Canada is approximately $2,000 a year. They have limped along for a long time, Mr. Minister, waiting for proper day care facilities—care for children before the mothers go to work in the morning. Many children are on the school grounds between

8.00 and 9.00 in the morning because there is no one left at home.

For a long time they have needed meals to be served at school, for children of working mothers. The board of education assured me recently that they have been preparing some meals for as low as 50 cents a meal, rather than a catered meal in schools.

And after 4.30, where do the children go until the parents come home? Now this is no mystery.

I would say to the Minister that the women who work in Ontario—40 per cent of all working Canadian women—should strike, absolutely strike, and show the government, once and for all, that you are dependent on them. You are very much dependent on the women who work in this province, for the economy, to function in your own offices, for people to go to stores, to go to hairdressers, to go to doctors.

If the women who had small children that they have to leave at home, or in other people's care, not necessarily consistent care, pulled out of the working force, it might bring the first full force to this government that the women out there are in need. And they are not being heard, Mr. Minister. We gather up another nursery school, another five, another seven—

Interjection by an hon. member.

Mrs. M. Renwick: We are not even beginning to look after the children who need care in the province of Ontario, while their mothers work. And the Minister cannot imagine, unless he ever has to leave something very precious with somebody else to care for, how very hard this is emotionally on women who go to work. They leave keys with small children to come and go from their home, which is absolutely wrong.

We have made ourselves a great big day care study to come down now. All that study is going to say, Mr. Minister, is that women are needed in the work force. They should be allowed to stay home.

If it is only going to be for $1,000 that the women are out in the province of Ontario—$1,074 a year average—we should take those women and put them under The Mothers' Allowance Act, which came in in 1920. Allow the women, once and for all, to choose to stay home with their children until they rear their children, and have a supplemented income to do so. As it is now, we are forcing them out with the high cost of living.

The children are receiving care just simply wherever this can be found. We have not yet got a detailed study in Ontario, as to what is happening in the line of care for children of working mothers. But when Mr. Weir's study is finished, part of their questionnaire is exactly that: what arrangements did you have for your children?

And the U.S. study, under the children's bureau, Department of Health, Education and Welfare, in 1965 come up with this disturbing documentation. The study was limited to women who worked full-time or part-time, 27 weeks or more, as far back as 1964. And this is how it will come out in Ontario, Mr. Minister, because one need only to know an area and see it every day of your life, to go door to door in any of our communities.

Nearly half the children were cared for in their own homes, usually by a father or other relative, or, in too many cases, care for smaller children was provided by a youngster under 16 years of age. Fifteen per cent were cared for in homes other than their own homes, half of them with people not related to them.

Now we have children being cared for in homes in the day-care system. We do not have legislation to guarantee what kinds of homes, or how the children are cared for, whether they stay in a room for the day, or whether they have a balanced indoor and outdoor day. We have nothing to assure a mother, when she leaves a child with a babysitter, that the child is being cared for.

In the U.S. study, 13 per cent of the children were taken by the mother to her place of work and over half a million pre-school children were cared for in this way. And we need only to look back to that case of the infant death of a child whose mother took her to a restaurant every day to work—the Manelli child—to know that there are mothers doing this. They are taking them where they can take them. It says here that twice as many low-income mothers use this form of care as mothers in better circumstances. Eight per cent of the more than 12 million children who were surveyed were the latchkey children and 38,000 were under the age of six, and only 2 per cent of the children studied were receiving group care.

I would say to the Minister that as the head of this department, with 40 per cent of all Canadian working women in his province, he must—he absolutely must—come to recognize that if we want these women in the labour force, we have to provide services for them. The Minister's department pioneered with a day nursery school in the Riverdale

hospital to bring nurses back to work—an infant day nursery. We have never managed to convince another hospital or another institution to do this.

Our public schools need mothers to come back and teach. They could have day nurseries attached right to the schools. Somebody in this province has to fight for this whole programme, Mr. Chairman. I would say that if you do not come up with something concrete for the women who have children and are out working in Ontario, they should have a good women's strike.

Hon. Mr. Yaremko: Mr. Chairman, I thought perhaps a figure or two might be relevant to the point. The increases in nurseries in the past five years—the increase from 1964 to 1965 was an increase of five per cent, to 423; to 1966 an increase to 476, a 12 per cent increase. For 1967 the number was 526, a 10 per cent increase. In 1968 it was 627, 19 per cent. It is almost a 20 per cent increase of licensed nurseries in the past year.

Mr. J. B. Trotter (Parkdale): In Ontario?

Hon. Mr. Yaremko: This is for Ontario. The increase of those receiving public funds has been from 45 to 114 in a two-year period, I believe, which is a very large increase. I may say that here, in Metropolitan Toronto, a recent survey indicated that the facilities were not overtaxed, the available facilities there—

Interjection by an hon. member.

Hon. Mr. Yaremko: Oh yes, they can. Let us not get into a discussion on that. I may say that our subsidies of day nurseries is about as fine as anywhere on the continent.

Mr. V. M. Singer (Downsview): Whole world?

Hon. Mr. Yaremko: Well, I have not had the opportunity of making that comparison.

I may say that, with municipally operated nurseries, we subsidize to 80 per cent of the cost. I may say that one of the great advances in this regard has been in Metropolitan Toronto. They, I think, have in the past year set up five new ones that they operate and they have got purchase agreements with 20.

This has all come about since our new programme came into effect so that those facts and figures speak for themselves. As a matter of fact, a week ago I had the occasion to visit the day nursery on Dovercourt Road. We saw a fine example of care and attention and a playground, a penthouse playground on a rooftop, for children.

The whole programme was an indication of the direction that the programme was taking. I may say that—

Mr. Ben: St. Christopher's House had that—

Hon. Mr. Yaremko: I may say that the St. Christopher House had their problems at the beginning of the changeover.

Mr. Sopha: He was scrubbed last week.

Hon. Mr. Yaremko: I still carry him in my pocket so he must be pretty good.

Mr. Sopha: He and the Minister of Mines as well.

Hon. Mr. Yaremko: I say that the rate at which the programme has grown in the last few years—the last two in particular—bodes well for the future.

Mr. Trotter: Mr. Chairman, I think the programme is—

Mrs. M. Renwick: Mr. Chairman, we waited patiently for the Minister to finish.

Hon. Mr. Grossman: What right have you got?

An hon. member: Yes, what right have you got?

Mr. Chairman: The hon. member for Parkdale was on his feet. He is entitled to—

An hon. member: That is right.

Mr. Trotter: I will be short.

Mr. Chairman: If the hon. member wishes to yield the floor to the hon. member for Scarborough Centre; however, he was up first.

Mr. Trotter: Ladies first!

Mrs. M. Renwick: Thank you, to the member for Parkdale.

Mr. Chairman, the figures that the Minister has quoted in expansion were discussed even in a question and answer period recently across the floor of the House. That is an irrelevant position to take when you cannot say how great the need is.

Hon. Mr. Yaremko: Mr. Chairman, I would say that if the hon. member thinks that every working mother is incapable of looking after her children, I think she is away off base too. If the hon. member wants to know how many working mothers there are and *ipso facto*

from that figure, is going to refer, Mr. Chairman, to the fact that every single child needs public subsidized care; that is a *sequitur* that does not really follow.

Mrs. M. Renwick: That is not what I am saying either, Mr. Chairman. I am saying that in 1961, that far back, there has been the same steady increase of mothers into the work force, as there has been in the Minister's expansion of day nurseries.

In Metro Toronto, in 1961, there have been 100,000 working mothers with children under 16. Children require some form of care, by law, up to almost that age and they have not got it in this city, be it infant care, be it day care, be it nursery care or be it after-four care.

Those mothers who cannot stay home to look after their children have a right to have facilities, or they do not have to be in the work force, have it either way. Pay them to stay home, Mr. Chairman, pay them that $1,074 a year to stay home and raise their children until they are of an age where they can look after themselves.

Do not get into day nurseries in vast expansion if that is what the problem is, but face up to it one way or the other.

The Minister, I am glad, took an interest in the Roof Top day care centre, or Roof Top playground, but the Roof Top playground at Davisville Nursery has been there for seven or eight years that I know of. This is not a move towards solving the problem of mothers going out and sending children to school, of the children coming home and getting their own lunch, going back to school, or of coming out of school and onto the street until parents come home.

It is not solving the problem of mothers taking infants to other houses and being left while they go to work and coming back and picking them up and taking them home. I know that the Minister does not have any children but if he has a dog or anything live, you cannot just go away and leave it. It is like an anchor. You have got to place it somewhere until you can come back or else you let it go. That is what these studies are showing and that is what Mr. John Weir's study will reveal, should I still be here to deliver it. It will be telling us the same thing, that the children are in need and it is the children, Mr. Chairman, that the means test should be on, on how great is their need. If The Department of Labour has shown—

Hon. Mr. Yaremko: I think, if I may say, that the hon. member has finally touched the point. I am interested from the point of view of the children—

Mrs. M. Renwick: Mr. Chairman, I have the floor and unless the Minister is on a point of order—

Mr. Chairman: The hon. member for Scarborough Centre has the floor, sir.

Mrs. M. Renwick: I would like to say, Mr. Chairman, that The Ontario Department of Labour—gratefully, I was grateful that this figure came down to me by telephone a year ago—that the women in Ontario are working for $1,074 a year on an average, to make up the lower income of the man of the family, to the average family income. That is from the Minister's own government, so he cannot escape it. Somewhere, something has to be done.

The women are out working for that little amount and 40 per cent of the working women are here. If they have grown children, Mr. Chairman, it is no problem. If they have smaller children it is a severe problem. It is a hardship on the children, it is a hardship on the mother. And there is no need for it. There is no need at all, Mr. Chairman. It is simply a re-ordering of priorities and the children in this province must have the government provide a supplementary care while the mothers are at work. It is that simple, or else, have the mothers stay home.

That is the only alternative, Mr. Chairman, there is no way of escaping this now. When you first used to talk about day nurseries, and I have read back in the debates of the last Parliament, the member for Woodbine had to call out Kinder, Kueche, Kirche. The German phrase in English is children, kitchen, church, when the men were laughing about women going out to work—the men on the government benches. But, this has now come to a point where the necessity of this can be proven.

We have proven that one in three women work. We are now about to prove what happens to the children of women who work. The only way the Minister can be ahead of John T. Weir's study is to get with it in the province of Ontario. Either provide services for the children of the mothers who work, or provide money for the mothers to stay home and look after the children. It is the children that are being short-changed, Mr. Chairman, and not just the mothers, with their worry. It is the children that are being left.

Mr. Chairman: Item 8, the hon. member for Parkdale.

Mr. Trotter: Mr. Chairman, I think one of the great problems of supplying day nurseries to the province of Ontario, and it really is a problem despite what the Minister says and how great the improvement has been, is summed up in a paragraph numbered three, put out by the Ontario Welfare Council in June of 1968. One of the problems they said was this:

> Elected representatives who do not understand the values of good day care services are reluctant to spend tax money on day care centres.

And that sums up, I think, the struggle of obtaining good day nurseries for the province of Ontario.

Your predecessor, Mr. Chairman, was one of those who did a great deal, by his entire attitude, in trying to stop day nurseries. I know of a group of prominent Torontonians who went to see Mr. Cecile and he gave them a lecture that a woman's place was in the home. Any man or any individual who talks like that today just has no conception of the economic situation that we, in the province of Ontario, find ourselves.

Whether or not a mother of children wants to stay at home, economically they are driven out into the work-a-day world. Quite frankly, our economy, at this juncture would be in a very sad state if the women were not out working. I am not certain what percentage of the work force they form—I think it is something like 35 per cent, and in not too many years hence, the ways things are going, they are going to be almost half our work force. So that we simply have to assume that we are going to require a great number of day nurseries.

The Ontario Welfare Council has pointed out that some of these grants that are given to the day nurseries are not nearly as generous as they appear and they lack a great number of things. For example, you give a subsidy, I know, to those day nurseries that are run by the municipalities. I am glad to see it come. Believe me, it took a long time in coming because there are two of them in my riding still not open yet, but they are under way and they are glad to have them. Part of the delay on the day nurseries on the new grant system was that it took so long for the regulations to come out.

You know, I kept phoning your department and I started to bug one of your prominent members of the civil service about once a week, "When are the regulations coming?"—they are always coming, and finally he said, "We will phone you". Finally the regulations came and now we do have some of these subsidized day nurseries open, but, as I said, it is not quite to the number that the Minister says. They are on their way, but I just know that the two in my riding are not open as yet.

Now, one of the big weaknesses with your nursery legislation, what is it called? The Day Nurseries Act. I believe one of the big weaknesses is that it does not give the subsidy to the voluntary nurseries unless you can prove that there are persons in need. There are a great number of people—working mothers—that just will not apply to a welfare department.

Despite the fact that they are called Social and Family Services, we still have this name welfare I would certainly agree with the social planning council and the Ontario Welfare Council that the government is going to have to assist the voluntary agencies more than they do, because they are missing out on a great number of people that do need help.

Again, Mr. Chairman, I would like to just read these five words in the Ontario council's report. This refers to The Day Nurseries Act. Am I calling it correctly, The Day Nurseries Act? It says this:

> The legislation appears to be generous, because it offers an 80 per cent subsidy to the municipalities. In those municipalities where day care would be a new service, the initiative, in terms of human and physical resources, to organize or to operate a complex programme may not be present.

Well, this is true. In many municipalities throughout the province they simply are not in a position, because they lack the personnel and they lack the knowhow, to take even those grants that are available.

I think, also, there is more opportunity for grants under The Canada Assistance Act, which this province fails to use. The federal government under its own legislation can be of more help.

Again—and my main source is the Ontario Welfare Council—they pointed out where voluntary agencies suffer—and I think there are 48 of them in Toronto—that capital costs for the establishment of a day-care service and 20 per cent of the operational costs must be provided by the sponsoring group. If you have any conception of how difficult it is for some of these private agencies and private groups to try to help the working mothers, it is becoming far more difficult to raise the money for capital costs.

I am certain in my own mind, Mr. Chairman, that those of us who are in government have to face up to the fact of growing urbanization. I know so many of us use this term again and again, but it is a fact that we have to live with, but have not faced up to. With the growing urbanization of so many of our large centres, the need for day nurseries is going to become even greater.

It is so important that we have high standards in our day nurseries, because it is in these nurseries you find what children need to be treated, either because they are too bright, or because they are slow learners. If you have trained people that can observe these children, you can head off a lot of trouble in the future.

It is obvious, and it should be obvious to all of us, it is far better to help these children when they are young, than to wait until they become perpetual charges on the taxpayer. It is the old idea that it is far wiser to make these individuals, as they grow up, taxpayers instead of tax eaters.

I know that in cases where there have been many immigrants that have settled in the city of Toronto, that day nurseries can be a big help in helping them learn the English language and in helping them to understand a new culture. Because, if they do not learn in day nurseries and do not have the opportunity to go to day nurseries, they are thrown into the public school system and, in so many cases they fall behind. So developing our day nurseries will, in the long run, assist our school system, and most certainly will assist the children that are growing up.

So I want to tell the Minister, Mr. Chairman, through you, that I am not a bit impressed by the facts and figures that he throws out—by telling me that there are, I think, 35 that are subsidized by the municipalities, and about 48 that are privately supported. I just am not a bit impressed, because I know for a fact what a struggle some particular areas have had in getting day nurseries.

There is finally going to be one in the north end of my riding, and it is long overdue and they had to fight tooth and nail to get it. I just know, by the standard of life in that area—you may not know it, but in the north end of Parkdale, let us say in the Davenport-Osler area, is the lowest income area in Metropolitan Toronto. Many people are immigrants, and they simply do not have the means, the financial means, for a day nursery, nor in many cases do they understand that such things do exist, or could exist.

I feel that far more should be done in this area of social development. It has been sadly neglected, despite your Day Nurseries Act of very recent date. This area is sadly neglected. It is not being utilised to nearly the effect that it could be utilised, and we in government have got to face up to the fact that we have to develop it.

I close my remarks, Mr. Chairman, by repeating what the Ontario Welfare Council said, because it applies to all of us, and in particular to the present administration, the present government, and it is this:

> Elected representatives who do not understand the values of good day care services are reluctant to spend tax money on day care centres.

Mr. Chairman: The hon. member for Humber.

Mr. Ben: Mr. Chairman, I am glad that the hon. member for Parkdale rose. He covered some of the items I was going to cover. I just want to add to them.

The reason I wanted to rise to discuss this matter was that, in many minds, the need for day care centres is connected to working mothers and mothers having to work out of necessity. I feel that there are many other cogent reasons why we need to have day care centres and one of the last reasons for it, in my mind, would be that a mother is working.

True there are many mothers that have to work, they are the sole breadwinner in the family, and they need some place to leave their children. There are, however, other mothers who are working because they want to add something to what they already have and which has been supplied by a husband.

There are many husbands that keep a family, but sometimes the wife wants a house of her own, or she wants better furniture, or she wants a freezer, or a new washing machine, or a new vacuum cleaner, or any of the hundreds of thousands of things that TV says is necessary to a happy existence. These mothers take the attitude that they are going to work for only a year or a couple of years until they acquire this something and they just would not pay to send a child to a nursery.

To them it is only a short term deal. They feel that there will be no adverse effect to the child, and they would rather put the money aside for that deep freezer or whatever they want to buy. The truth of the matter is the child can suffer adversely, even

if it is just one year or two years, so for them, for the benefit of the children, you should have child day care centres.

Then again, how about child day care centres for mothers who do not have to work? How about mothers who have six or seven children and for whom it is just too much? Why should they not be able to send their children to day care centres so they could have perhaps a day of rest; a week of rest; a month of rest?

These people need day care centres just as much as anybody else. Those children could benefit from going to such a properly supervised public centre and so could the mothers.

The member for Parkdale mentioned children who come from New Canadian homes—immigrant children, he said.

How about children who are Canadian-born of immigrant parents? Some of those children up to the time that they go to kindergarten do not hear a word of English. The mother stays home to look after the children, and all she speaks to those children is her native tongue. The people who live next door probably came from the same village over in Europe and that is all they speak—the same language. That child, until the day he goes to kindergarten, hardly hears a word spoken in other than his native tongue.

These children would benefit from going to these day care centres. At least they would be able to get a head start on learning English. They would not go to Canadian schools and, being Canadian-born, feel that they were aliens.

I have often said that in many instances where mothers do not have large families, but live in areas where they are depressed, where they have minimum income, and can never afford to have a vacation. For such mothers, if they could just send their child to a day care centre for two or three weeks during the summer, would be a great vacation for them.

So all these other reasons that I have stated, aside from the financial reasons of mothers going to work, for all these other reasons, for the interest of the child, for the interest of the mother, and for the interest of the family, you ought to have these child day care centres.

And they should not be tied to income because income is not always a criterion. This is the trouble with these Metropolitan centres, they are geared to income and probably that is the last criterion you should use. The criterion shou'd be the need of a child and the need of a mother and nothing else.

If the child needs day care supervision, or if the mother needs a rest from raising these children, then it or she should have facilities in which to place these children. That and not the almighty dollar, should be the criteria. What is considered today is the almighty dollar. It is about time that you started thinking about the children and the mothers, and indirectly the fathers too, you know, because a happy mother helps to make a happy father.

Mr. Lewis: Mr. Chairman, I would like to add a note of support to what has been said on this side of the House. I cannot imagine a more worthwhile expenditure of public funds than to subsidize a mass day nursery programme across the province, and certainly in the Metropolitan area.

If I can share with the Minister one particular problem with which I am currently involved. A number of days ago—I guess it was some two or three weeks ago—I was phoned by a very distraught mother who lives in the Malton-Rexdale area. She is a deserted wife, she makes a monthly income of somewhere in the vicinity of $200. She has two children, and if memory serves me, one of them is about four or five and the other one is six.

She has been unable to find the appropriate baby sitting or nursing care—using the broadest sense of that term—at home. She has gone through three or four people who have looked after her children, and the children in the process have suffered both physical and psychological brutalization and, of necessity, she has had to dismiss the people.

I do not think she can be penalized for wanting to maintain a job and the self respect that goes with the job, but, as she said on the phone with rather more emotion than I can convey to the Minister, the fact that her daughter inevitably leaves the mother crying every morning suggests the degree of emotional distraction already evident at a young age. Pretty disheartening.

I turned to The Department of Social and Family Services because I thought it was a case of a pretty formidable gal, this woman who simply did not want to cave in to social assistance programmes. She had tried the possibility of day nurseries, but on $200 a month by way of income, I challenge the Minister to find any day nursery in that part

of the city which would require so little from the family that they could manage it. She had tried a Red Cross worker or a homemaker, but of course they are not available under the government programmes for such situations.

So a mother's allowance visit was paid this woman from the family benefits branch of the department and I think she was informed—again I am quoting the figures from memory, but I think I am right about them—that she would receive $137 during the summer months and $167 during the winter months.

Now, I should say, in order to be fair, that she has marginal assets in a home and that the total income she derived was enhanced by one roomer. But the department said to her that according to the restrictions on income which the department observes when granting someone a mother's allowance, it would be necessary for her to divest herself of both the home and the job in order to be eligible for mother's allowance because there was simply too much equity held to have family benefits available to her.

She wanted very hard to hold on to the job, worked out some half-hearted baby sitting arrangements, haphazard baby-sitting arrangements I suppose is the most appropriate terms, only to find about a week ago that she had been slapped with a garnishee relating to a purchase which she had apparently jointly signed with her husband when they were living together.

The sum owed was in the amount of $290 and the garnishee, as the Minister knows, is for 30 per cent of income. There is no way out, but for the employer to pay it because, of course, the original document had been signed, and under the laws of this province when it is signed, she becomes liable.

In addition, she was beset just this last weekend with a very serious loss in the family, specifically her father. Thus do the conjunction of events and incidents pile in upon people in this category. This seems to be the plight, the particular situation.

I suppose, faced with the extremity that what she will do is to give up her job, sell the house, abandon the roomer, and go on mother's allowance. She will receive—with the extra number of hours per week she is allowed to work under the mother's allowance programme—she will probably receive about $200 to $250 in total in any given month receiving therefore, what she had earned in the work force.

Now I do not know whether that is the end which one pursues in situations like this. I would have thought not. I would have thought that when a woman, despite the adversity, wants to maintain an income, wants to have the sense of self-reliance that is associated with it, but by the same token wants to keep the family from dismemberment which is how she felt about what was happening to her children, I would have thought that the state owes some support, at least encouragement.

That encouragement can perhaps be demonstrated in financial ways. I would think that of the 25,000 single parent families with a mother as the bread-winner in the Metropolitan Toronto area, albeit as the Minister says, it does not follow that all the children require day nurseries. A marginal percentage—5, 10, 15 per cent—would certainly benefit from that kind of provision, and there is of course no provision at all.

I would think that in a year or two or three as these things accelerate, Mr. Chairman, the provision of day nursery facilities for women, under all the circumstances outlined by the member for Humber, and, if I may say, particularly the critical circumstance outlined by my colleague will become a *cause célèbre* in this province. The Minister will be a man who is beset on all fronts, not simply by the strike as advocated, but by the social outcry which emerges when an injustice becomes so transparent that the state has to respond to it.

And there is just no question that in the field of care of children of working mothers, or mothers who want that care, this province has not begun to respond, it just does not comprehend the problem.

I do not know exactly what the reasons are, Mr. Chairman. I suspect that the primary reason is because this is largely a male-dominated society, and our responses tend to be slow. One need only look at this Legislature for evidence of that fact. One need only look at the House of Commons where only one woman sits among 265.

I am not raising it in a particularly jocular vein. One assumes that the sexes are divided with approximate equality through this society, but 115 of 117 members of this Legislature are males. That is not necessarily the culpability of political parties, although I suspect that is partly true. But it does tend to make it difficult to respond to problems of working mothers and day nurseries, and homemakers, and provision for children in the society.

It makes it very tough indeed, because the males inevitably do not feel the sense of perspective or urgency or emotion. There is just no question about it, and I will go further, Mr. Chairman, having been prompted by the Minister of Correctional Services, whose attitude harkens back to the Weimar Republic at every opportunity. There used to be the slogan, which the member from Woodbine quoted.

Mrs. M. Renwick: And to the same hon. member there used to be in the 1920's and 30's, in that society, the same kind of attitude!

Mr. Lewis: The other factor which is equally primary, Mr. Chairman, is that in this kind of society, with the inequality which is apparent, there is a very genuine reluctance to move in ways which would undermine preconceptions. And one of the preconceptions which still exists is that there is something basically wrong about women leaving the home and working.

There is supposedly something still basically wrong about women generally involved in pursuits other than tending to their children and cultivating the kitchen. The argument has been enshrined for all time by Simone de Beauvoir. It remains true in 1969, as it was when the book was written, and it has been reaffirmed on umpteen occasions in the 1960's by other writers of equal perception.

Mr. Chairman, that is a particular prejudice which I think is going to be very, very difficult to break through in this Legislature. I do not think it is a matter of joshing. The emotional anguish caused to the single parent families in the Metropolitan Toronto area around this question cannot be calculated, cannot be estimated in the House.

I think the Minister realizes that, and I say to him, with no acrimony, that the greatest single move that his department might now make in this whole field is in the care—the day care—of kids who are otherwise neglected by the economic or social requirements. One would have a very enlightened society as a result, and much less of the sense of grievance that is everywhere felt.

Hon. Mr. Yaremko: Mr. Chairman, if I might, facts and figures speak for themselves. Now the Opposition has been very quick to criticize. Wherever there has been the slightest decrease in our estimates they seized upon it. Here, in this final estimate, the increase is $818,000. It is up to $2.5 million over $1.7 million. This is in a year when I have been criticized that in certain programmes, especially the capital grants, there has not been an increase.

I say this. The legislation is there. The money is in the vote. And we are not in a universal programme. This is one thing we have to clear. This department is not, at this stage of the game, committed to a universal programme of day care services for people. That may come. It may not.

We are committed to a "needs test", the needs test on the basis of this form, which I have in my hand, form 7, which was discussed at great length almost a year ago. It is one of the most generous needs tests available. In fact, as a Minister, it would please me if this is the kind of a needs test that I could apply across the board to most of our programmes. It is probably the most generous there is.

In fact, it is so generous that to use the word "needs test" in regard to it is stretching the point a bit because to estimate the need we have been very, very generous indeed.

Mr. Trotter: Ontario Welfare Council does not think so.

Hon. Mr. Yaremko: If the hon. member would bring himself up to date and get out of the 18th century that he sits in, or the antediluvian age that is—

Mr. Trotter: That is the age you are in.

Hon. Mr. Yaremko: The hon. member for Parkdale is just almost a year behind. That was written in June, 1968. I am talking of a programme which came into effect since.

I may say this, in respect to this needs test, if we could only get two things: if we could get, I say to the hon. member, the political force at the municipal level—not at this level, this level has already passed the legislation, provided the funds—if you can get the interest of people at the municipal level. That interest is growing in Metropolitan Toronto apace and in other municipalities, I hope and trust. We are encouraging them to take an interest because all they have to do is become aware of the fact of how generous our subsidy is, and how generous our needs test is. There really should be no problem except the community spirit and the community interest in providing these facilities.

Mr. Lewis: What is your subsidy?

Hon. Mr. Yaremko: It is 80 per cent.

Mr. Lewis: Do you know a municipality that will pick up the other 20 under the state of municipal finances in Ontario today?

Hon. Mr. Yaremko: Well, I would say this, it is 80 per cent from the Minister of Social and Family Services, but the Minister of Municipal Affairs (Mr. McKeough) also gives out the so-called unconditional grants which are unrelated to sidewalks and sewers, but are given to initiate what we call self-services. Some day, some Solomon with an electronic machine will come to the conclusion that most of the welfare services which 15 years ago were being paid for to a large extent by the municipal tax dollar, are, in this day and age, being paid by the provincial tax dollar through the left hand and to the right hand.

Mr. Lewis: So it should be.

Hon. Mr. Yaremko: So it should. So it is.

Mrs. M. Renwick: There should not be a municipal responsibility.

Hon. Mr. Yaremko: If the municipalities will only become more aware of this, and realize that the funds are very generously provided. I disagree with the hon. member for Scarborough West because a good deal of this kind of administration quite properly and quite effectively should operate at the local level. I cannot run from the sixth floor of the Hepburn block, this programme and all the other programmes. I say to the hon. member the legislation is there.

There is a great change of attitude in this Legislature. It is the people at the local level who have to take advantage of these programmes. As these programmes are exhausted, and these programmes still have a lot to be explored, then we can turn our eyes to other programmes.

Mr. Ben: Would the Minister please tell us how much of that $2.5 million is given to him by the federal department?

Hon. Mr. Yaremko: Presently I think it is about 50 per cent.

Mr. Ben: Fifty per cent.

Hon. Mr. Yaremko: Well, we are hopeful of getting 50 per cent. We have not got it in the pocket yet.

Mr. Ben: Now, Mr. Chairman, between the years 1963 to and including the year 1966, there were 581,000 children born in this province. Those children, taking it for granted that the years 1967 and 1968 were the same, would be in a class that would require day care services, or could require day care services. Now, if the Minister did not get a penny from the federal government it would indicate that his department was spending the magnificent sum of less than $5 per child to look after those children. Considering that the federal government is giving 50 per cent, it brings the amount that this government is spending for those children down to $2 a head. Big deal.

Now earlier, Mr. Chairman, we were discussing illegitimate births. I say there never has been an empirical study to determine how these children get themselves into these difficulties. What I would like to see is a study to determine if the lack of child day care centres has any effect on creating disturbed children. For instance, we could work our way backwards to find out if children presently recognized as being emotionally disturbed were children who, while they were young, were farmed out—and I use that word loosely; palmed off, you might say—to a well-wishing neighbour, to be looked after while the mother went to work.

How about those girls and those boys who gave rise to the 10,000 illegitimate births. Were they, perhaps, emotionally disturbed because they also were palmed off onto some well-wishing neighbour or an aged grandmother, or somebody downstairs who received free room for looking after the children? How many of those children lacked proper day care centres? Have you ever carried out a study? The answer is no. Will the Minister, as the last thing before these estimates are finally passed, assure this House that he will supply the funds to carry out an empirical study to determine just what is the result of lack of proper day care centres for these children?

What is the emotional impact on children being dressed and hurried in the morning and taken down to some neighbour and dumped there? What is the effect of having a mother who is not a mother? How many of the women who look after some of the neighbours' children give a child an inferiority complex because they look after their own children better than they look after their neighbours' children. Does that have a bad effect on their future life? Do you know? You do not, because you have never taken a study. Why not spend some of your money to find out what the price has been to the people of Ontario and the mentally disturbed children we have because you will not spend a dollar? It might shock you into realizing that it is about time you did something for the young people of this province.

Mr. Chairman: Item 8. The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I would ask that the Minister concern himself with a children's bureau so that studies will be carried on, so that the quality of life for children in this new generation in Ontario—the generation where the mothers are so numerous in the areas of employment—and so that you do have a bureau to draw proper information from. Because the 1967 figures show 112,000 children under the age of 15 in the families of parents who work.

Over 50 per cent of the women in the work force in 1966 were engaged in only ten occupations, and the percentage of males employed in the same occupations was only six per cent. So, there would be an extreme labour shortage and a substantial drop in the standards of living in Ontario if women were not available to fill these positions. And that is a quote from *Women in Ontario's Economy*. I would ask the Minister if he would take a look at the amount of day care—private day care—that is going on in Ontario. This is, of course, not the day nursery care.

This means private arrangements, and I would like to comment to the Minister from the day care study of Metropolitan Toronto, from item 6, private day care.

> As was pointed out in section 3, private arrangements between mothers and relatives, neighbours, friends or people who advertise and offer private day care for profit, are the most prevalent form of day care in our community. Hazardous arrangements can be maintained, partly because existing legislation does not offer adequate protection to cover these situations. It is difficult to enforce and the responsibility of a number of different authorities.

Now, they go on to say, Mr. Chairman, that it would be extremely difficult to license everyone who performs a baby-sitting function or custodial day care. One advantage might be, under the unified public health departments that are proposed, that a set of bylaws could apply throughout the area.

However, if organized family day care were recognized as a valuable service and licensed under law, this service—administered by responsible community agencies—would provide at least a partial alternative.

They say in the study, Mr. Chairman:

> It is our belief that if supervised day care were available throughout Metropolitan Toronto, many desperate mothers would use the supervised service in preference to some of the questionable private arrangements.

In addition to providing the necessary licensing legislation and subsidies for needy families using supervised family day care programmes, we believe it will also be necessary to find some way to regulate the practice of persons who offer their homes for day care on a commercial basis.

However, we know that this is fraught with difficulty. The Child Minders' Registration Act in the United Kingdom attempts to establish some control over persons who offer child care for profit. There is a great deal of dissatisfaction with it, since potential offenders fail to register, yet go unchallenged unless the conditions are so obviously bad that someone asks for an investigation. Local authorities do not have sufficient staff to go out looking for evaders of the law.

We feel sure that the same situation would apply here. It nevertheless disturbs us that health departments do not have enough staff to follow up, on the spot-check basis, some of the homes which advertise. It is therefore recommended that representations be made to the appropriate public bodies to strengthen the enforcement of existing legislation applicable to private day care arrangements and to provide such information to small commercial proprietors that will encourage them to attain or maintain an acceptable standard of care.

Now, it is very necessary that the Minister take a look in the papers each night and realize that there are homes advertising day care to children, homes which do not receive any form of inspection or any form of guidance.

In the Windsor study of day care, in the Greater Windsor area, in 1967, they stated:

> In few cases did baby-sitting arrangements prove helpful. The greatest complaints were that the sitter was unreliable, did not show up to work, had no patience or understanding for children, wanted the greatest amount of money for the least amount of work. Teen-age sitters could not be trusted and most sitters wished to care for children in their own homes, many of which were not suited for health and other reasons. In 95 per cent of the cases studied, suitable arrangements were not made, and depending upon the degree of necessity for the mother to work, haphazard solutions were found.
>
> What was most evident to the researcher was that, with the failure of baby-sitting arrangements and dependence on relatives

—many of which proved unsatisfactory—tension, frustration and stress mounted in the home, affecting mother, father and child and, in some cases, upset the already-precarious family interrelations.

These remarks are close to home, Mr. Chairman. They are not from abroad, and I share the question as to whether the problem is that there are not more women involved in decision-making government jobs. I would like to point out to the Minister that he might well read the brief to the Royal Commission on the Status of Women from the Victoria Day Nurseries. And he might well take a look at the statements made by a mother of five, a professional child worker for 25 years, in a hard-hitting brief to the Royal commission. Pauly Hill, director of the children's creative centre at Expo, said:

> The status of women vitally affects the status of children, and budgetary priorities are not in proper proportion to the fact that almost half of our population is aged from infancy to 18. There are not nearly enough programmes for children. The crying needs of a new generation are being shockingly neglected.

And on day care, Mr. Chairman, Mrs. Hill said:

> It is not parents who need day care centres. It is children. High-rise apartments are a child's straitjacket, streets their murder strips and precious outdoor space caters to adult aesthetics and not child development. All housing projects, subsidized or not, should be subject to regulations that affect the emotional life of children as well as their health and safety needs.

Mr. Chairman, if the Minister is going to depend on the municipalities to expand the care for the children of the 40 per cent of the work force in this province that are women, then it is a very unstable proposition to expect that municipalities can pick up and carry this kind of problem. This kind of problem, Mr. Chairman, should not be totally under the Minister's department. It should be under a children's department of this government.

Mr. Chairman: The hon. member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Mr. Chairman, with regard to day care nursery services. Has the Minister given any consideration to amending the Act to allow counties to operate day nursery services? In the counties that I represent, the county of Essex, a very aggressive county with a very wide awake staff in the social services department, are interested in forming this organization and I would ask if the Minister has given any consideration to amending the Act?

Hon. Mr. Yaremko: I think that point is very well taken. Yes, it is a good point. As a matter of fact, if that is not the law now, I would be surprised because our whole thinking has been based on the regional level. I think Essex County is about the only one that has been thinking in this direction which, I think, has a good deal of merit and I—

Mr. Ruston: Well, we are way ahead of most—

Hon. Mr. Yaremko: —and I will take up the matter immediately.

Mr. Ruston: One other thing, then, Mr. Chairman. Where these services are available now, if they are in a town or city, would adjoining people living in adjoining municipalities be able to use them or be able to pay for the services there?

Hon. Mr. Yaremko: Arrangements could be made to share the cost between municipalities.

Mr. Ruston: Between municipalities or, if it was not municipalities, could individuals outside of the city that had this service pay for this service or be eligible for it?

Hon. Mr. Yaremko: My understanding is that the answer to that is, yes.

Mr. Ruston: Thank you.

Mr. Chairman: Item 8 carried?

Vote 2004 agreed to.

Mr. Chairman: This completes the estimates for The Department of Social and Family Services.

Hon. Mr. Yaremko: Mr. Chairman, you have been very generous with your time with this department.

Mr. E. Sargent (Grey-Bruce): Mr. Chairman, on a point of privilege. This is an observation, an unofficial observation, of a member of this Legislature. We have been sitting here since April 1 on this vote. We have passed five votes in six weeks. And carrying this out on a rational projection, we will be here in this House until December of 1971.

Mr. D. C. MacDonald (York South): Order! The hon. member has not been here for a quarter of the time.

Mr. Sargent: And why should I be here a quarter of the time to listen to this dribble. Why should I be here? There are members in this House, Mr. Chairman, whose time is worth from $100 to $200 an hour, and we have to listen to this repetition, the springboard of this party. I think it is time we were intelligent men and stopped this floundering around here.

Mr. Chairman: Order!

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Sargent: They should show respect to some people in this House.

Mrs. M. Renwick (Scarborough Centre): You just do not care, that is all.

Mr. Sargent: I suggest, Mr. Chairman, through you to the House—

Mr. Chairman: Order!

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Sargent: —to the House, that we are not properly giving members of the assembly equal opportunity to speak on behalf of their constituents. I am amazed at the 117 members, supposedly intelligent men, who will sit here and put up with this kind of nonsense.

Mr. Chairman: The hon. member hardly has a point of privilege.

Mr. Sargent: Mr. Chairman, unless something is done, and you are floundering, unless something is done we will be here until December 1971 on the basis of the same progress as we are making here now. It is high time—

Mr. Chairman: Order!

Mr. Sargent: —high time that the leader of the NDP party, you sir, that you have the intelligence and—

Mr. MacDonald: Mr. Chairman, how long is this tirade going to go on?

Mr. Chairman: Order! Order!

Interjections by hon. members.

Mr. Sargent: Put your people back in line and say there should be a time limit on debate.

Mr. Chairman: Order. I would—

Mr. Sargent: I think it is time that someone stood up and spoke for the individual members of this House. It is time the leaders of the three parties got together and said we must have some intelligence in this House; and it is not so today.

Mr. Chairman, The hon. member really had no point of privilege.

Hon. A. Grossman (Minister of Correctional Services): If the hon. member feels that way all he has to do is get up and move that the question be now put.

Mr. Chairman: Order!

Mr. Sargent: Mr. Chairman, in all respect, that is a good idea, but I cannot in honesty move that such important matters be voted for $1; but I would have liked to have done it. My leader would not let me do it. We must have regard for the need for these moneys. There must be, somewhere along the line, a time limit, Mr. Chairman, because we are getting no place fast.

Mr. Chairman: Order!

ESTIMATES, DEPARTMENT OF MINES

Hon. A. F. Lawrence (Minister of Mines): If the hon. member wants to move that all the estimates be passed here tonight, it is all right with me.

Mr. Chairman: Order!

Interjections by hon. members.

Hon. A. F. Lawrence: Well it is sock-it-to-me time anyway, I guess.

Mr. Chairman, I do not intend making any lengthy introductory remarks. Following what the hon. member has just said, I do not intend making any lengthy introductory remarks to the estimates of The Department of Mines.

We feel, in the department, rather proud of our annual review and it is the first departmental report, we like to think, published every year. We hope that it is crammed full of information and I really would be just regurgitating a lot of the kernels of knowledge that appear in that report every year, by going through it. In any event, I hope that we can get into a discussion about some of these topics on the various items in the estimates.

There is one point I would like to make, Mr. Chairman, and that is that, if these estimates are accepted by the House, included in

the plans of the department and in these estimates is our plan to hold three regional development conferences in northern Ontario early this fall. One is to be held in Sudbury, one in Timmins, and one at the Lakehead, and we propose calling them northern development conferences.

The conferences are designed to bring together responsible leaders in the north in dialogues with people from Queen's Park—not just from this department—to try to resolve some of the long-term problems facing the north. I look upon these conferences as an exercise in participatory democracy in which the people of the north will have the opportunity to propose solutions, as far as they can without having to come to Queen's Park, cap in hand, for an audience. I do not regard the conferences as just another series of meetings for the propagation of tired complaints and worn-out views of what needs to be done.

The people of northern Ontario, in my mind, have to face many unpleasant realities of their economic and social position, their distances from markets, their declining forest and railroad employment, and the advent of highly mechanized mining.

I recognize that some of the north's problems may appear to be incapable of solution, but it seems to me that there are many problems facing the people of the north that could be solved, or at least alleviated, with a bit more help and a bit more understanding from the people who live in the south.

I feel the government here at Queen's Park has a responsibility to do all that it can to act as a catalyst in creating greater appreciation of those problems of the north and finding solutions to those matters that are capable of solution.

The mining industry has a special role to play in helping the people of the north get ahead. Nearly every citizen of the north is affected in some way by the fortness of the mining industry. Needs must be found to reduce for them the vagaries and the uncertainties inherent in the development of mining and resource communities, and one of the topics that I hope will be discussed at these conferences is the problem of attracting young people into the mining industry.

Some of Ontario's mines at the moment are not reaching their full production potential, partly because of the lack of trained experienced personnel at all levels of employment, despite the generally higher pay rate of the industry. I hope the citizens of the north, if I may use this forum to say so, will write to me setting out their views on what ought to be discussed at these meetings, and what problems they feel are most in need of solution.

As I say, sir, I hope that we will get into a greater discussion of the activities or the lack of them in this department as we hit the various votes and the various items.

Mr. Chairman: The hon. member for Algoma-Manitoulin.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, a little while ago I was advised that the member for Port Arthur (Mr. Knight) was unavoidably detained and so I am stuck with this. However, I appreciate that the Minister has set an example of what he calls a refusal to regurgitate, and I think maybe I can even match him for brevity at least, or maybe outdo him.

However, I take some pride in that so far to date this party has been able to come up with speakers of some kind on every and all occasions, and we will try to do our best to be sure that the estimates move along on this occasion. If the content is lacking, the member for Port Arthur will be able to use his material later in the debate.

In any case, I do have some interest in this field, and it would be a poor northern member that did not have some interest in this field. I confess perhaps to a rather more than ordinary interest in this field because of the fact that I moved into a mining town in 1955 with the contractors and the prospectors, and worked with them and among them and for them for a period of years during the boom and bust in that town. I know something about what happens to a mining municipality when it moves from 30,000 people down to 5,000 people overnight and back up to 12,000 people in the next few years.

I can tell you that during that process a good many of my good friends went down Highway 108 with a lot of shattered illusions and not much else. It is the kind of thing, of course, that I hope this Minister is trying to guard against.

It is the story of many mining municipalities, of course, as many northern members know. Perhaps a further interest in this department stems from the fact that my father, when he was about 21 years old, went through the whole procedure of riding the rods to British Columbia and worked in the coal mines out there for about 10 years—coal mining in the winter, and prospecting in the summertime.

When I was a boy he settled back in Ontario. He had been deeply bitten by the

bug by then, so found a little place called Goudreau up on the ACR, and did prospecting there for several years. In fact, there is a little hole there that is now called Farquhar Mines Limited.

Mr. V. M. Singer (Downsview): Is it worth buying, the stock?

Mr. Farquhar: Well, any and all offers will be readily accepted. I have been there and, in fact, I will never forget the last time that my brother found his way in through the bush and found a few stakes to guide us to that little hole.

Mr. S. Lewis (Scarborough West): Well, Texas Gulf did it for $500.

Mr. Farquhar: Later I found myself in a place called Kirkland Lake and went to work in Wright-Hargreaves mine when I was 22 years old. I worked underground there for a few months. I did not like it, but I know something about the feeling of a miner when he crawls off the skip and down in the dark and scurries away for eight hours, and finds himself back on it, and the wonderful feeling it is to come into sunshine and fresh air and society again.

It has often been said here and elsewhere that miners are a special breed and I do not deny it because I know if you stay long enough in that game you do become a special breed who has nothing to look forward to but that cheque, including a bonus cheque, and the passage of time. That is all there is, and that does something to you.

Now, Mr. Chairman, it was not my intention to deal with my life history. In fact, I did not know what I was going to deal with when I stood up here, but neither is it my intention, nor is it within my ability, to castigate this Minister, or the officials of his department. In fact, I find it simply impossible to bitterly attack this Minister.

I have not done the research, of course, which would help me to fortify any criticism that I might launch. I only know that I find it very refreshing on the occasions of my dealings with him that he has an awareness at least of the place of the working man, and the economic troubles of mining municipalities, and the nerve to approach these problems in a thoughtful and fearless way, although I have no doubt he is subject to the pressures that will normally be exerted by the giants in the industry.

Whether his decisions will be right or wrong, at least it is pleasant to get something besides political waffling and buck-passing and fence-riding. It remains for some of my more discerning colleagues to develop his shortcomings.

Mr. Chairman, we have many forces at work, all converging in the field of mines. They are the forces of taxation, of international trade at the primary versus the secondary level, and of conservation of our environment, and I intend to deal with each of these matters in turn.

My colleague, the member for Sudbury, has eloquently expressed the need for adequate compensation by the public purse in return for the right to use up irrevocably the primary non-renewable resources of the Pre-Cambrian shield. There is no doubt that mining communities must be viable entities. Both the Smith committee and the select committee of this Legislature recognize this. And today, of all days, it is appropriate to make reference to the untimely death of Kenneth Le Mensier Carter, the author of the Carter report, who recognized the place of mining enterprises in the taxation structure.

As a northern member, I want to see a more prosperous north. I recognize this involves a delicate balance between taxation of the industry and its encouragement. I am, of course, aware of the recommendations of the Smith and Carter commissions, and of our own select committee to which Liberal members made positive contributions to the rationalization of the tax structure. But I also know that the tax burden on the mining community has to be sold in the most positive way, and it must never become punitive.

The Northern Miner of Tuesday, March 6, sets out the problem in its two front-page headlines. One reads: EXPLORATION IN 1969 SETS TO BREAK RECORDS, GREATEST YET EFFORT, EXPENDITURES FORECAST. The other headline, still on the front page reads: TAX CHANGES TO BALANCE BUDGET IN ONTARIO HIT MINES THE MOST.

The editorial on page 4 includes the following comment, which I will read into the record:

> Significant, too, is the increasing emphasis that Canadian companies are putting on exploitation in foreign lands. Whereas Canada's mineral possibilities once was their sole concern, now they are reaching out to the four corners of the earth. Mining is truly an international business, and this is a sign of the coming age of this country's mining industry.
>
> One of the big factors that has drawn Canadian interest overseas is that as leaders in modern exploration techniques, Cana-

dian experts have been increasingly in demand in foreign fields. Thus they have become acquainted with the opportunities elsewhere, and as this knowledge spreads, more and more Canadian companies have apportioned a part of their funds for overseas exploration.

And, of course, since nothing succeeds like success, the parade has snowballed since Canadians revived the dormant Irish mining industry. Now Canadian know-how is being tested in the Mediterranean area, Australia, New Zealand, the South Pacific and elsewhere. Probably, too, there are other more tangible reasons for the trek overseas.

No doubt this evidences an awareness on the part of the mining companies to spread their bets. Perhaps, too, it is a recognition of the desirability of having a foothold elsewhere in the interest of protecting the company's future against all eventualities. Historically, mining capital is attracted to those areas where it is made most welcome, and if the welcome mat is out in other lands, it is only natural that Canadian companies should take advantage of the opportunity as well as their foreign competitors.

After all, given a certain minimum of geographical evidence of potential for mineral deposits, which many countries possess, the determining factor from then on is as to where the exploration dollars will be spent or such considerations as taxation, government regulations of various kinds, the political climate and public attitude generally.

But having said that, I have also to sound a word of warning. I do not go all the way with Sir Val Duncan who, in speaking in London, England, at the Commonwealth Mining and Metallurgical Congress on May 5 painted a picture of government as taking more than its share of the mining companies' enterprise and initiative. Nevertheless, he made me think twice about the glib assumptions we have sometimes been making that enterprise capital will necessarily continue to flow into the north unless we are very careful to balance encouragement incentives and penalties or harassment.

We have a very good example in the political situation in Quebec, which is frightening capital and prosperity away. It is clear that we do have a very real responsibility, particularly so far as international investment is concerned, to balance it with local participation and shareholding which will enable us to say, "You may have the know-how, but you have not taken all the risks alone."

Sir Val Duncan is, of course, chairman of the Rio Pinto Zinc Corporation and is probably more concerned than I am that minerals might temporarily lie dormant. I am the first to recognize that, taken too far, his argument can lead to conditions of economic colonialism. Nor is Canada an emerging nation that must balance its too fierce nationalism against the hunger for foreign capital.

Nevertheless, I am again concerned that we must strike the balance between usage and conservation, and that rather than having minerals lie unexplored, undiscovered and undeveloped, we should at all times know what we have, and thus have a clear policy as to the rate and extent of the exploration of our non-renewable resources.

Melville Watkins, in his report, may sometimes seem a little too chauvinistic for some of us, but I think that we all instinctly feel that a balance is to be sought in domestic investments through the proposed northern development plan advocated by the leader of the Opposition, and through corporate interest by a good deal of Canadian capital that presently prefers to take wing and speculate in gold or in the Deutschmark.

It is against this background that I come to comment on the Texas Gulf decision to locate its smelter at Hoyle, 18 miles east of Timmins.

Professor Edward Pleva of the University of Western Ontario has said that there are no roads to resources, but only roads from resources, because of the magnetic pull of the metropolis and of the grand trunk corridor. To him, the death of Blind River is perfectly explicable, if not excusable, in these terms.

We, therefore, have to take the most extraordinary steps to counterbalance the pull of the south from the raw resources of the shield. And one of these balancing steps is taxation, fair and equitable taxation. The use of Canadian capital on the scale my leader advocates will, of course, change this equation yet again. In fact, the equation will always be changing. It is just that we must always be aware of what the current situation, the current balance, is.

Mr. Chairman, as I have said, the regular critic of this department will take care of the criticisms from here on, and thank you.

Mr. D. Jackson (Timiskaming): Mr. Chairman I too think the Minister is a nice guy. However, if during my presentation I become a little caustic I am sure you will understand.

My remarks of last year, Mr. Chairman, could almost stand in their entirety. The situation has not changed, our stand has not changed. And I can assure you there has been absolutely no change in government policy. Maybe the Minister smiles a little freer, he glad-hands a little bit gladder, but there has been no change in mining policy. I, for one, had hoped for better things from this Minister, but he has not changed and he has lived up to the expectations of this party anyway.

Last year when I stood to speak on this estimate I felt it was too soon to judge the Minister on what little of his action we had seen, and it might still be a little bit too soon to judge on his actions because they have been sadly lacking. I would say it is too soon to judge his capabilities last year, too soon to judge his resourcefulness, too soon to judge his aggressiveness in doing something. But above all, it was too soon to judge his willingness to accept the change that is needed in Ontario.

Mr. Chairman, I have no doubt that he is capable when he sets his mind to doing things. He does them, although they are not always what we think should be done. He is resourceful, and we only have to look at the answers he gives in this House to realize that. He is quite resourceful, and if you look at the footwork that he displayed in dumping the sulphur fume arbitration onto the Minister of Health (Mr. Dymond) you realize that he is quite resourceful.

He is aggressive, and this is witnessed by his angry outbursts in the last estimates at my colleague, and at the unions who, he claimed, harassed his inspectors when they insisted on the right to have something to say about their own safety.

He is also aggressive as witnessed by an article in the *Globe and Mail* of April, 1969. I do not have the exact date, but I am sure he will recall the date when he stood and said, "You have no right to know."

Hon. A. F. Lawrence: I was sitting.

Mr. R. F. Nixon (Leader of the Opposition): That will go down in history.

Mr. Jackson: Mr. Chairman, most important is his willingness, and is he willing? Well, I think he is. He is willing to live with a situation that has existed for 25 years in Ontario. He is willing to live with the *status quo*, and he is extremely reluctant to change that *status quo*.

I have an article that appeared in the *Financial Times* of April 22, in which the Minister is quoted as saying,

> We must approach this cautiously. Mining has developed into a major industry because of its stability. Some segments are planning 20 years ahead. The decisions we make now will have a profound impact on the future.

Well, that statement could have been credited to the Minister that held that job 20 years ago, because both of them are moving very cautiously and 20 years from now we will be in the same position as we were in 20 years ago. He is capable, resourceful, and aggressive—

Hon. A. F. Lawrence: Handsome too!

Mr. Jackson: —but he lacks the will to do anything.

Mr. J. E. Bullbrook (Sarnia): Debonair and suave.

Mr. Jackson: In the *Financial Times*, the article goes on to say he has stirred political ferment by continuing to be the champion supporter of the *status quo*. His total contribution to this portfolio has been a desperate attempt to change nothing. His statement, when he stood in this House was, "We make deals". This government had been making deals for 25 years, how had he changed things? Nothing is changed.

Hon. J. H. White (Minister of Revenue): The big wind out of the north!

Mr. Jackson: Listen to us, because we blow cold and we blow warm, but mostly cold. And it is going to be the cold rain that you will feel in 1971.

Mr. Chairman, when this Minister took over the portfolio he admitted that his department was in a mess, and in his own words, "The department shocked me". I do not know why it should have shocked him because we had no doubts that it would. It would shock any thinking person and I give the Minister credit for thinking. But this is nothing new.

Interjection by an hon. member.

Mr. Jackson: I cannot say that for all of the party over there. I surely really cannot.

Hon. Mr. White: Another furious attack by the NDP.

Mr. Jackson: Do you know this might degenerate into the comic hour if we keep that Minister there.

Mr. E. W. Martel (Sudbury East): Is he a Minister or a straight man?

Mr. Jackson: To give him a little credit, he seems to have brought order to a chaotic situation in his own department. At least the department, for a change, is running a little smoother. Whether they have changed their policy or not has nothing to do with it. It very definitely is running smoother. But I would like to point out to the Minister that a well run, efficient department, is no substitute for a well thought out mining policy, and that if he is going to have a well run, efficient department, he must also have a well thought-out mining policy to go with it.

Over the last year I have spent a great deal of time going over the mining Acts of the provinces across Canada, and one of the things that strikes me is the similarity of all the Acts. There is really no difference. It is like The Workmen's Compensation Act. It seems that each province copied the Act of another province, and with very minor superficial changes, and everyone of them say, let us not rock the boat, let us not change things, we will drive out the mining companies if we change. If we tax too high we will drive out the mining companies. If we put any restriction at all on the mining companies we will drive them out of Ontario, out of Canada.

Mr. Martel: Let us play Santa Claus.

Mr. Jackson: In my opinion, Mr. Chairman, that is not very likely. The mining companies, are here, as we said last year, they are here because we have ore bodies to exploit. Mining companies are not mining companies unless they have ore bodies. They are not going away.

Last session I used the Paley Report to illustrate the great dependence of the United States on foreign mineral supplies, and that dependence is shared at this time by other countries, Japan being one of the leading ones. Their dependence has not lessened over the last year, it has increased. It will not lessen over this year, it will go on to increase. Mr. Chairman, it is going to increase because even at this time the United States are still using up their resources faster than they can find new resources. They are being kicked out of other countries, Peru being the latest one. How many more we do not know in the future. Surely it is time that one of our provinces, preferably Ontario, took the bull by the horns, and said to anyone wanting our resources that they are here for the asking, on our terms for a change. I hope that Ontario will take the lead, but it is quite possible that Quebec will be the one.

In a clipping from the *Globe and Mail* of May 10, it says that the Quebec government will launch a campaign to stimulate mining exploration in the province. The government will consider changes in The Quebec Mining Act, and will amend the law which created Soquem. Mr. Chairman, I hope that when they amend that law they do so in a way that will give Quebec a fair share of the profits derived from their mining resources. And if it does so happen that Quebec leads the field, I hope that Canada, or Ontario, will follow that lead, and insist on a fair share from our mining resources.

In an article from the *Globe and Mail* of January 16, 1968, Mr. Walter Hibberd, Director of the Bureau of Mines in the United States, stated:

> Emerging nations that have sizeable resources are going to insist more and more on controlling the destiny of these resources, and such control cannot be expected to be confined to such relatively simple measures as a levying of taxes.

Well, Mr. Chairman, Mr. Hibberd obviously did not take into account the timorous and easily frightened Canadian government and the equally timorous provincial governments of this Canada of ours.

If he had, he would not have worried. For 25 years under this government we have given away our resources and I for one do not see any change in the wind.

I have several areas in mining policy I would like to deal with tonight. I am going to try to be reasonably brief, to keep the Minister of Revenue happy.

Mr. Martel: That is impossible.

Hon. Mr. White: You are too late to keep me happy.

Mr. Jackson: I think we would have been too late if we had got you 25 years ago too. The first item that I would like to deal with is the granting of patents for surface and mineral rights in mining lands.

It has always been my belief that the basic purpose of a mining company was to mine and process ores. The present government, however, with their policy, has allowed many mining companies to become land speculators. And in many cases that is all they are. Some municipalities in organized areas of northern Ontario are now being forced to purchase land from companies—

mining companies—in order to hold their municipalities together. They are forced to purchase land that would normally be vested in that municipality or in the province.

As a mineral in the ground is depleted, mined out, municipalities are becoming burdened with improperly planned town sites, town sites that lack facilities basic to good planning, such as sewage and water. In order to provide those basic needs the residential taxation of those municipalities must pick up the total burden. I point out just two examples of that—the Master Met Cobalt Mining Company, that recently tried to sell a great portion of cobalt to residents who have lived on it for 21 and 22 and 23 years, and the Hollinger Town sites, where residents were told to move after living many, many years in that area.

Under the present policy of this government, lands that were granted to these companies by this government and by the people of Ontario, are now being sold back to the people of Ontario, and the moneys are being added to the company profits.

The reason that the companies can do this, and the reason that we are in the situation where we have to buy back our own lands, is because this government has given patents for surface rights and mining rights for so many years.

It is my proposal that we no longer give patents for surface rights, and in turn we substitute a long-term lease. By doing so we prevent a company after mining out the land from forcing us to buy it back.

However, if no patents are issued to mining companies, then security of tenancy must be conveyed in another way and we suggest, as I say, a long-term lease, a renewable lease, but subject to certain and sure conditions. And for a change, conditions that are in favour of the general public rather than in favour of the mining companies.

We believe that any of these must contain a reasonable degree of security for the mining companies while, at the same time, protecting the rights of the people. Most important, Mr. Chairman, it should set out very clearly the rights of the company, together with the obligations of the company. Leases must also contain adequate encouragement for the continuing development and exploration of the mineral rights covered by the issued lease.

Well, Mr. Chairman, if that encouragement has to take the form of incentives, we are for incentives. If it has to take the form of penalties, we are for penalties. Provision must be made for the revoking of any lease either at its expiry or at any time that company fails to live up to its obligations under the terms of the lease or under the terms of The Mining Act. This would take into consideration the company that sits on a known ore body and does not exploit that known ore body. There will be provisions to cancel their lease and put it on the market for those that will exploit it.

The prime concern of such a lease should be that all mining lands are developed to the greatest potential, either by the current leaseholder or by any other individual or company should the current leaseholder not live up to his obligations.

It should always be borne in mind, Mr. Chairman, that mineral development should be one part of the overall development of this province. I will comment more on that a little later. However, mining development and exploitation should not be the prime concern. I could suggest the terms of leasing. However, I am only interested in, first, development of mineral resources to the greatest potential and in the best interest of the people, and second, the retention of mineral and land rights by the Crown to facilitate my first stated objective.

The duration of a lease and terms of tenancy will be dictated by the reasons that I have already set out.

My next point, Mr. Chairman, concerns our policy for The Department of Mines in the exploration and development of the mining industry. In the last session I set out in considerable detail our proposal for a Crown exploration and development agency, and I would just like to read part of that back into the record.

> I propose, and this party proposes through me, that incentives to private enterprise no longer take the form of tax concessions, or special depletion allowances, whether federal or provincial. Instead, this government should establish a provincial Crown corporation to undertake development work and to co-operate in that endeavour with private business to provide such open financial assistance as may be warranted and required in the forms of grants to undertake enterprises of its own.
>
> I propose that this assistance should be reflected in some form of proportionate equity holding by the Crown corporation in the businesses involved, on the same basis as any other shareholder, in such a manner we can ensure the public interest as voiced by the corporation will be an

acknowledged factor in all future decisions made by the companies.

I propose that initial capitalization of the Crown corporation be held openly by this Legislature, and that further funds, if and when required, be voted on an annual basis as part of the estimates. In this way, we in the Legislature, who are the democratically elected representatives of the people, will know exactly how much is being spent each year to bolster economic development in the north.

I propose that the Crown corporation's role not be limited to mining, although obviously it will have a crucial role to play in that industry. It should be involved in all new resources and enterprises in the north requiring public assistance. Its operation should also include exploration and development on its own wherever private business is not prepared to do the necessary job.

I have no regrets about proposing that we abandon the old tax concession route that has been used to stimulate private enterprise. It is no secret to me or anyone who has looked at the north, that the mining municipalities have long suffered financially from this approach. However, it has proved difficult, if not impossible, for members of the Legislature to calculate on behalf of the electorate who put up the money, just how much public funds are being diverted in this way.

Well, Mr. Chairman, I recognize that The Department of Mines at this time is doing quite a lot in the field of exploration. However, this is not enough. At this level the department's whole policy seems to fall apart. Up to the point of exploration the department has spent vast sums of money, contributed thousands of man-hours to the location and the mapping out of ore bodies in the province, in field surveys and air surveys, and many other ways.

However, when we reach this level of exploration, the predevelopment stage, from this point on we seem to depend on the uncertain whims of the business world. And when I say the uncertain whims of the business world I single out the so-called mining promoters from the large established mining corporations.

All too often, Mr. Chairman, the mining promoters are interested in one thing, and one thing only. They are interested in development only as long as the lure of a quick buck draws them into the mining field. As soon as that quick buck disappears, so do most of the so-called mining promoters.

Several years ago the government commissioned a man by the name of Porter to make a report on the stock markets and on mining development, and I do not intend to bore the House by reading into the record the findings of that commission. However, it is very interesting to note that only about 18 per cent of all of the money raised on Bay Street ever reaches the development stage in Ontario.

Development today in the mining field is almost totally left to the large corporations such as Noranda, Little Long Lac and Inco-Falconbridge.

Before going farther, Mr. Chairman, I would like to point out to the Minister that I recognize, and we recognize, that there are honest and sincere promoters, small promoters. And that the honesty and sincerity that motivates these promoters is just not enough to make up for the insufficient funds to carry out a proper development programme in Ontario.

It means that we, as the people of Ontario, depend on a few large corporations to do all of the developing; large corporations that tend to pick and choose their projects to suit their own purpose, without considering the purpose of the people. Large corporations will often sit on a known ore body waiting for an opportune moment to develop it. Large corporations will hold back the development of an ore body to support the price of the mineral that they are already mining, or to suit their international plans.

The problems and aspirations of the people of Ontario are simply ignored if they do not fit in with the corporate plans. A proposed Crown development agency would not be motivated by the urge for a quick buck; nor would it be hindered by multi-national corporate considerations. It would develop ore bodies as rapidly as a market could be found for the minerals; and, more important, as rapidly as a viable community could be built for the workers.

The Crown agency would be empowered, and would have the financing, to develop an ore body, either on its own or in partnership, with interested private developers. Should a partner not be available then this agency would be empowered to enter into mining and marketing on its own.

We have many marginal mines in Ontario, or should I say at least many mines that are claimed to be marginal by their management; marginal because a profit large enough to

satisfy the existing shareholders must be realized, and we do not have anything against a reasonable profit. Marginal, in many cases, because the price of the ore is controlled by the parent company. And, in the case of a captive mine, this is all too true.

That problem would be not as severe for a Crown agency, for the chief—and only stockholder, in many cases—would be the Crown. In such a situation the marginal mine could be kept in operation should it be found necessary to do so to support the work force of an already existing community. Here is where we differ drastically from the government in saying that a marginal mine in an outlying area, where a community has to be built to support it, should be left untouched.

The Minister of Trade and Development (Mr. Randall) might even consider giving this proposed agency one of his over-generous loans—these forgiveable loans, that he is so handy at handing out to Allied Chemical and Kraft Cheese.

The major concern of such an agency would be to provide jobs in Ontario for the citizens of Ontario, and to realize the full potential from our natural resources. However, any Crown mining agency must be an integral part of a larger northern development agency carried on under public policy.

The total plan must involve a broad field of economic and social planning with a goal of a diversified northern economy—and I speak of smelters, steel mills and manufacturing plants—and hold a future for the northern two-thirds of the province of Ontario.

Mr. Chairman, as I say, any mining corporation must be part of a total northern development policy. But, in the meantime, there is no reason why this department cannot move now to set up a Crown mining corporation to lay the groundwork for northern development. The one stumbling block we now face, and a formidable block, is this government's well known loyalty to the private sector of our economy, and the loyalty is shared by the Minister and most of the back benchers of the Tory party.

The Minister, in his opening remarks, mentioned his concern for a northern development conference. May I point out to him that I am 100 per cent behind him. But, if it turns out to be another sham, the same as the recent regional development plan that was put forth by the regional development councils, then we will not only increase our distrust, but we will carry that distrust with us for many years.

I agree with him when he says that mining has a special role in the development of northern Ontario. But mining, in its special role, must support existing communities, not create new communities, and create new problems for northern Ontario in the future.

We have a good situation right now that is taking place at the Sherman mines. Goward was supposed to be the town site. The government has gone in and set up a new town site. The people have refused to move out of Temagami. The town of Latchford, just 25 miles to the north, is dying; and yet the government sees fit to set up a new community.

Any northern development shared by The Department of Mines must consider the existing communities first, and only when they can show that there is a viable future for a new community, should it be considered.

Well I have a few more things, Mr. Chairman, but I think I will leave them to remarks as we go through the estimates.

Mr. Chairman: Before we proceed with the actual estimates, perhaps the committee would agree that vote 1301, being general expenditures, should perhaps be dealt with as a total vote.

Mr. Singer: If it does not carry, the Minister resigns tonight.

Mr. Chairman: And the other three votes in the estimate appear to be quite nicely detailed under programmes of activity. Would this be acceptable to the committee?

The first vote as a total vote, the remaining three votes by programmes, rather than items within the vote; and we will restrict debate during the last three votes to programme. Is this agreeable?

On vote 1301:

Hon. A. F. Lawrence: Mr. Chairman, I would just like to make one comment on the member for Timiskaming's remarks when he said that the Minister indicated that the department was in a mess the whole time. I think had I said that—

Mr. T. P. Reid (Rainy River): The Minister was in a mess.

Hon. A. F. Lawrence: All right, I have indicated, on occasion, that in the past this department has been neglected. There is a little bit of difference between that.

All right, now the first vote, Mr. Chairman, I do not know how much detail you want

here. You will see there is an increase in the amount for salaries this year. The complement has been increased from 63 to 67, four people, that is—there is one of these I would like to say something about.

That is, that if this vote is carried there will be an appointment of an economist to the department. We feel that this is in line with the government's acceptance of responsibility both to the people of Ontario, and to the mining industry and especially, of course, it bears relation to this new question of trying to do some in-depth research respecting processing within the province and it deals particularly with that. We feel that there are many problems related only to the mining industry which must be solved over the next few years. These deal most directly with the economy of both the industry and the people of the country and therefore, it is essential that the department be well versed in all aspects of such matters.

If the vote is carried, our selection for this position has already been made, Mr. E. E. Matten, an economist who has had seven years of experience in the Economic and Planning Branch of The Treasury Department and who has made a specialty of mineral economics. We are taking him out of there and he will be in our department and there will be, eventually I hope, an expansion in this area within the department.

Mr. Chairman: The hon. member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Mr. Chairman, as the official Opposition critic on mining, of course, I would like to extend my thanks to my hon. colleague from Algoma-Manitoulin for speaking during the critique portion when I was not here.

Mr. Chairman, this Minister has indicated to the House in the past, a number of times I think, about how he has taken over this department with vigour and he has flown from mining site to mining site, back and forth across the province. I am sure we are all glad to see that he is getting all these trips and that like his colleague, the Minister of Social and Family Services (Mr. Yaremko), is undertaking his self education.

I am interested in knowing in what it is costing the people of Ontario for this Minister to carry out his self education. I would like to know, for example, how he travels. Does he travel by train, by plane, by car? I would be very interested in knowing whether he feels that all of this vigour and new approach to mining—this youthful approach to mining gives him a sort of *carte blanche*, you know to—away we go. I do not think that the way this particular vote is set up makes it very clear just how much the Minister is spending or how he is travelling. Does he have a special plane of his own now that he is the Minister of Mines, that permits him, at a moment's notice, to take off and be at the mine site? I wonder if the Minister could give us some explanation as to how he carries out this exhaustive travel?

Hon. A. F. Lawrence: I would like very much to have a special plane of the Lands and Forests fleet allocated to the Minister of Mines. But so far, I have been unable to convince the government or the Minister of Lands and Forests (Mr. Brunelle). I am trying though.

No, usually if it is up north, I take Air Canada to Englehart, North Bay, Sudbury etc., and then take off in Lands and Forests aircraft from there on.

Mr. G. Ben (Humber): Take off?

Hon. A. F. Lawrence: Take up, take off, what's the difference? I have not got the actual figures of what the travelling expenses were last year. There is an increase though in this year's estimates—

Mr. Nixon: It was cheaper with the former Minister.

Hon. A. F. Lawrence: There is more travelling around by the departmental people. We are doing our best, quite frankly, to get the people here up into the north and also, *vice versa*, our departmental people back down in here, a little bit more often than we have done in the past.

The estimates last year for travelling expenses in the head office vote were $19,000. This has increased this year to $24,000.

Mr. Knight: Mr. Chairman, I would not like the House to think that I would want to discourage this Minister from going on the site. We welcome him in the north and I feel that he does need as much of his self education or practical education as possible. However, I also think I would be remiss in my responsibilities, if I did not try to bring out in the open just how much money is being spent.

The Minister mentioned that he took Air Canada. Would the Minister tell the committee whether he is in the habit of bringing large numbers of assistants and advisors with him when he goes on these field trips?

Hon. A. F. Lawrence: No, but if we can and it is more economical to—again presuming that the Lands and Forests aircraft are available we use them. Last year of course, with the very good fire season they had, on almost no occasion, I think, were we turned down in our requests for aircraft from the department. But, if we hit a bad fire season this year then, of course, their first duty and responsibility is to fight fires and not to transport government personnel around the province.

But last year we were very lucky and I do not think the Minister and I had more than three or four fights about the availability of aircraft.

On a couple of occasions last year I did requisition one of the Otters to take a number of people from Malton or from the Island, but I think this only happened three or four times. Usually, we do use the commercial aircraft to get into the north and then use Lands and Forests aircraft from then on. Is that what you want?

Mr. Knight: Yes, I think that answers the question, Mr. Chairman. Within this same vote I wonder if I could ask the hon. Minister whether he has a more detailed breakdown in dollars and cents on this $20,000. I believe this was the figure he mentioned, in his expenditures last year, so much for air travel, so much for car, so much for train and so forth, to make it just a little bit more factual. While he is at it, I wonder if the Minister could tell the committee, Mr. Chairman, what the salary is of his executive assistant? I do not see the salary of the Minister's executive assistant listed as such in this particular breakdown.

Hon. A. F. Lawrence: We do not have the breakdown of the travelling expenses into air travel, train travel, car travel, if that is what you mean.

It would take, I think, a lot of effort to get that over the last year. Quite frankly, I think that is more a matter for public accounts than it is for estimates The executive assistant's salary is $12,100.

Mr. T. P. Reid: It is $12,000?

Hon. A. F. Lawrence: Yes, $12,100.

An hon. member: Well that is better than we do anyway.

Mr. Knight: Do I take it then, Mr. Chairman, that the $24,000 listed in item 2 in vote 1301, travelling expenses, would be strictly for the Minister's purposes, the Minister's travelling expenses?

Hon. A. F. Lawrence: No, that covers the whole of the head office.

Mr. T. P. Reid: Covers the executive assistant too?

Hon. A. F. Lawrence: I am sorry, I stand corrected. That covers the Minister, the Deputy Minister, the head of the information branch and also the Minister's executive assistant.

Mr. Chairman: Vote 1301? The hon. member for Rainy River.

Mr. T. P. Reid: I would just like a point of information from the Minister. Is the access to resources, item 5 on page 111, is this the much touted northern Ontario resources transportation committee of which the Minister is the chairman?

Hon. A. F. Lawrence: That is the last vote. Is that what you are talking about?

Mr. T. P. Reid: I wonder, Mr. Chairman, if this would be the time to discuss such things as strip mining and open pit mining under this vote, or whether you would like to discuss this under the geological survey, part of the estimates, provincial geological services. Would the mining recording offices come under this vote?

Hon. A. F. Lawrence: No, to both of those questions. I think if you are talking about strip mining regulations, it would be better under the inspection branch, and mining records would be under the mining lands branch vote.

Mr. Knight: Mr. Chairman, the Minister made some rather drastic decisions in regard to Texas Gulf Sulphur in order to have that smelter located in the Timmins area. I wonder whether that particular topic, in other words, I would like to have the Minister acount for, I would like him to tell the House how much the people of Ontario have had to pay in order to have that smelter not in Ontario, not in Canada, but in Timmins. I know we talk in terms of special concessions for Hydro, and so forth, but this does not indicate anything in dollars and cents.

Although I am not going to object to what the Minister did or the manner, necessarily, in which he handled it. I still think there are unknown factors relating to what I would say is the biggest news story of the mines department in the past year. I think that while we

are talking about the Minister's salary and we are discussing whether he will get it again for the coming year or not, I think that perhaps this is the time for the Minister to account for his actions in his dealings with Texas Gulph Sulphur. I would be very interested in knowing just how much he had to concede and whether some of the charges of some critics to the effect that the Minister did not really have to make all these concessions—that Texas Gulph Sulphur was going to establish a smelter there anyway, and that perhaps the Minister was too precipitous, or did not do sufficient homework, and whether these charges are true. We would like to know really, how much the Minister has had to give away in order to get that refinery in the Timmins area?

Mr. Chairman: I am not sure that this is a proper line of questioning under this particular vote or under the estimates.

Mr. Knight: Well, we want the Minister to account for his actions.

Mr. Chairman: Order. I am suggesting I am not sure if it is proper. If it is the Minister will reply.

Hon. A. F. Lawrence: Well, I guess if it is proper anywhere it is proper under this vote. I cannot give you an estimate in dollars and cents if that is what you mean, what Texas Gulf Sulphur, or rather Ecstall Mining, is getting by way of preferential treatment to any other mining company. This is the root of the thing that you are asking me really. I cannot give you a dollars and cents estimate on that at all, because a lot of the details have not been worked out.

I will say, though, that as far as the comments respecting the rate for the sulphuric acid on the ONR, for instance, which the company indicated was a factor in their selection, we did a study, or rather the ONR people did a study on this, and we figure what we would lose on the swings we would gain on the roundabout anyway, inasmuch as the added revenue to the ONR for transporting the metal would certainly overcome any loss—more than overcome any loss—that they may incur on the sulphuric acid.

Mr. T. P. Reid: You do not have the concrete figures?

Hon. A. F. Lawrence: I do not have the concrete figures no, I am sorry. These have not yet even been worked out simply because the company itself has not got them.

Mr. Knight: You mean you made a deal not knowing what it was going to cost?

Hon. A. F. Lawrence: We made a deal in respect to the freight rates—for instance, the sulphuric acid—knowing full well that with the smelter being located there, the beneficiary as far as transportation and costs were concerned would be the ONR.

Now, the point I wanted to emphasize to the company, though, was that with the whole operation from their point of view being a marginal operation, we would certainly do our utmost to make sure that because of the sulphuric acid operation, they would still be in the competitive market for selling that sulphuric acid.

Now, as far as their Hydro rate is concerned, I do not know where they originally got their information about the Hydro rate. But the statement, the paragraph in that letter, which I guess you are referring to, which I made to them was merely a regurgitation of the standard Hydro rate that would be applicable to any company in the area.

What I was trying to do was to convince them that the information they had previously was wrong. They are really getting no special deal on the Hydro rates at all. At least, that was the impression that I had from them.

The one big concession provided in The Mining Tax Act, as far as we were concerned, was the pre-production expense allowance.

An hon. member: Back to '65.

Hon. A. F. Lawrence: Back to '65. That is right.

An hon member: Why not?

Hon. A. F. Lawrence: Well we wanted them to build in Timmins—it is as simple as that.

Mr. D. C. MacDonald (York South): Are you sure they were not going to build there anyway?

Hon. A. F. Lawrence: No, I am not sure they were not. If there had been no interference in the matter by this government I am convinced they would not have built the smelter in Timmins.

Mr. J. E. Stokes (Thunder Bay): How do you account for the fact that the power connections were in six months ago?

Hon. A. F. Lawrence: Six months ago? I cannot account for that. I do not know.

Mr. Bullbrook: Did you hear what the member for Downsview said? They would have taken their ore and gone home. That really makes more sense.

Hon. A. F. Lawrence: That is what they have been doing.

Mr. Bullbrook: It is our ore you know.

Hon. A. F. Lawrence: All right. In any event, the one big concession we made as far as they were concerned was the pre-production expense allowance going back to 1965.

Now, the member for High Park (Mr. Shulman) is not in his seat, he was castigating me the other day on a very dramatic point of personal privilege—as to how I was misleading the House unintentionally, but misleading it just the same. What I was referring to and what he was referring to the other day is what we call pre-production expense. He said—

Mr. Singer: You will have a better chance of castigating when he is here tomorrow.

Hon. A. F. Lawrence: He will be here tomorrow, and I am sure he will get into the dog fight then but we are talking about the subject now. He was saying it is $3 million, and somebody in the company told him it was $3 million. We have to relate this to the information in returns under The Mining Tax Act that are given to us and sworn to by the company; and it is an offence by the company, presumably, if the information they give is not correct, and the company has informed us that it is a darn sight more—the pre-production expenses—than $3 million.

I said when we were debating this that it was neaer $6 million. Actually the amount that we have come up with, based on the information return, is over $5.75 million, so I guess I am a little bit out. But, with all due respect, I am not out as much as the member for High Park.

Mr. Lewis: Is all of that recoverable?

Hon. A. F. Lawrence: This $5.75 million can be recovered in portions of 10 per cent per year for ten years.

Mr. Martel: Is that coming out of the Minister's salary?

Hon. A. F. Lawrence: Well, I hope not.

Mr. Nixon: Mr. Chairman, I wonder if the Minister would recount to the House—

Mr. Chairman: Order!

Mr. Nixon: Oh, I am sorry, Mr. Chairman, I give way to the House leader.

Hon. Mr. Dymond moves that the committee of supply rise, and report progress, and ask for leave to sit again.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Mr. D. C. MacDonald (York South): What message has the Minister for us?

Hon. A. Grossman (Minister of Correctional Services): I have a message from Garcia here. Tomorrow, Mr. Speaker, there will be second readings and bills in committee of the whole House.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I wonder if the hon. Minister is prepared to tell us what bills we might be discussing tomorrow.

Hon. Mr. Grossman: Be prepared for anything.

Mr. V. M. Singer (Downsview): Second, third and fourth readings, and the Lieutenant-Governer will be standing by. And, if we have time, we will do estimates!

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:15 o'clock, p.m.

No. 117

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Wednesday, May 14, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Wednesday, May 14, 1969

Labour-Management Arbitration Commission, statement by Mr. Bales 4375

Sault Ste. Marie and EIO, questions to Mr. McKeough, Mr. Nixon and Mr. MacDonald 4376

Federal task force on sports, question to Mr. Robarts, Mr. Nixon 4378

Bell telephone rate increase application, question to Mr. Robarts, Mr. MacDonald 4378

GO Transit, questions to Mr. Robarts, Mr. Deacon 4379

St. Lawrence Seaway Development Corporation, questions to Mr. Robarts, Mr. Ben 4379

GO Transit, questions to Mr. Robarts, Mr. Sargent 4380

Discharge of sulphuric acid, questions to Mr. Simonett, Mr. Martel 4381

Weight of truck loads in Sudbury area, questions to Mr. Haskett, Mr. Martel 4382

Relocation of school, question to Mr. McKeough, Mr. J. Renwick 4382

Effect of pollution on human health, questions to Mr. Dymond, Mr. Ben . . 4382

Phytotoxicants, questions to Mr. Dymond, Mr. Ben 4382

Smoke stack at Nanticoke, questions to Mr. Dymond and Mr. Simonett, Mr. Ben 4383

Sale of tires in Ontario, questions to Mr. Haskett, Mr. Young 4384

OMB and Longlac, question to Mr. McKeough, Mr. Stokes 4384

Commercial fishing on Lake Nipigon, questions to Mr. Brunelle, Mr. Stokes 4384

GO North study, question to Mr. Gomme, Mr. Deacon 4385

Mowing contracts, questions to Mr. Gomme, Mr. Innes 4385

Pollution of Lake Nipissing and Chippewa Creek, questions to Mr. Simonett, Mr. R. S. Smith 4385

Fairbanks Morse (Canada) Limited, question to Mr. McKeough, Mr. Pilkey 4386

Muffler noise, questions to Mr. Haskett, Mr. Worton 4386

City of Toronto (1), bill respecting, Mr. Reilly, second reading 4387

City of Toronto (2), bill respecting, Mr. Reilly, second reading 4388

Surveyors Act, 1968-1969, bill intituled, Mr. Brunelle, second reading 4390

Facilities for children suffering from mental or emotional disorders, bill respecting, Mr. Dymond, second reading 4396

Motion to adjourn, Mr. Welch, agreed to 4420

LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 14, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our guests in the east gallery are students from West Park Vocational School in Toronto, from York Humber High School in Toronto, from Widdifield High School in North Bay; and in both galleries we have students from Barton Secondary School in Hamilton. Later this afternoon we will have as visitors students from Parry Sound High School in Parry Sound and Riverside Secondary School in Windsor.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

The hon. Minister of Labour has a statement.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, it gives me great pleasure to be able to announce that we are now in a position to implement The Ontario Labour-Management Arbitration Commission Act, 1968, which was passed at the last session of the Legislature.

We have been fortunate in securing the services of his honour, Judge Walter Little of Parry Sound for the chairmanship of the commission.

The three members representing employers will be Mr. J. W. Henley, vice-president, personnel, Canadian Westinghouse Company, Limited; Mr. C. B. C. Scott, retired assistant general manager, personnel, Ontario Hydro; and Mr. C. A. Morley, a well-known labour relations lawyer. The three representatives of employees will be Mr. Herbert Gargrave, a senior staff member of the United Steel Workers of America; Mr. Henry Kobryn, secretary-treasurer of the provincial Building and Construction Trades Council; and Mr. Harry Simon, regional director of organization for the Canadian Labour Congress.

Hon. members will recall that the functions of the new commission are to recruit, train and maintain a panel of acceptable arbitrators and arbitration board chairmen. The legislation also authorizes the commission to facilitate the arbitration process by offering administrative services such as arranging meeting dates and meeting rooms, producing and distributing awards. The commission will also sponsor research into the arbitration process and it will publish awards and information concerning arbitration.

I am sure hon. members will agree that the personnel we have secured to begin this most important step forward in industrial relations in this province are knowledgeable and respected and that we are fortunate indeed to have their services. Judge Little is particularly well known as both an outstanding mediator and arbitrator. I may say, Mr. Speaker, that arrangements have been made in such a way that his honour's appointment to this vital post will in no way interfere with his judicial responsibilities.

The members of the commission themselves have been selected from names submitted by the major representative organizations on both the labour and management sides. The fact that persons of this calibre are prepared to devote time to the work of the commission indicates not only that labour and management support this idea but are prepared to work co-operatively to make it a reality.

As hon. members are no doubt aware, strikes and lockouts are prohibited during the life of a collective agreement. All grievances and disputes over the interpretation, application or the alleged violation of an agreement, if not settled directly by the parties, are subject to final and binding adjudication through arbitration. It will be appreciated therefore, that the arbitration process is one of the most important features of our industrial relations system.

It will be the task of the commission to ensure that competent and acceptable arbitrators are readily available for the work and to give overall supervision to the process. I believe that the commission will be able to eliminate delays and other difficulties that have caused tension between labour and management.

The parties will, of course, continue to be free to agree mutually on the choice of an arbitrator or an arbitration board chairman. Where they cannot agree, they will continue to apply to The Department of Labour for an appointment in accordance with The Labour Relations Act. Where the new commission will enter the picture is by being the source of the arbitrators or arbitration board chairman, either selected by the parties jointly or appointed by the department.

The cost of arbitration will continue to be paid jointly by the parties. However, the commission will be empowered to establish a standard schedule of fees and expenses. It may be that the commission will thus be in a position to effect economies for the parties in the cost of the process.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, could I ask the Minister a question in relation to the statement?

Mr. Speaker: For clarification, yes.

Mr. Gisborn: Mr. Speaker, through you to the Minister of Labour, it may go without saying but I am not sure, will the function of The Hospital Disputes Arbitration Act have the use of facilities of this arbitration commission?

Hon. Mr. Bales: Yes, it will serve throughout the whole realm of arbitration.

Mr. Speaker: I may say for the information of the members of the Opposition that the hon. Minister of Municipal Affairs is prepared, I believe, to answer those questions directed to his colleague, the Minister of Trade and Development (Mr. Randall). The leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): I have questions of three Ministers, none of whom is in the House, Mr. Speaker; so I am glad that the hon. Minister is prepared to give us some information.

How long has Sault Ste. Marie been eligible to receive financial grants to aid and encourage industry under the EIO programme?

How many grants or loans have been made in the area?

When does the designation expire?

Why was the department unable to approve an application for the expansion of facilities at the Searchmount ski area while at the same time it granted a loan to the Hidden Valley ski area outside of Huntsville?

Mr. Speaker: The hon. member for York South has a somewhat similar question of the same Minister.

Mr. D. C. MacDonald (York South): Yes, almost painfully similar.

How many applications for forgiveness loans under the EIO programme have been made for the Sault Ste. Marie area?

How many have been granted?

What explanation is there for the apparent discrimination against this area as alleged in an article carried by the Sault *Star* of May 8 under the byline of Bob Burt entitled, "No Industry Grants Given to the Sault Area".

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, replying to the leader of the Opposition first; the answer is in four parts:

1. Sault Ste. Marie has been an approved area under the EIO programme since the inception of the programme.

2. To date no forgivable loans have been made in the area but two are under intensive study. Two repayable loans and one guaranteed loan have been granted in the area.

3. In common with all municipalities in the province the designation of Sault Ste. Marie expiries on June 30, 1969.

4. The Ontario Development Corporation did not give any financial assistance of any kind to the ski facility in Hidden Valley near Huntsville. The loan that was made to Hidden Valley Inn Limited for the purpose of constructing a hotel is repayable in full with interest.

In reply to the hon. member for York South:

1. The Ontario Development Corporation has been approached by 24 companies or individuals, of which interviews five resulted in applications.

2. To date no forgivable loans have been made in the area but two are under intensive study. Two repayable loans and one guaranteed loan have been granted in the area.

3. There is no discrimination against this area, and applications for forgivable loans are judged by exactly the same standards as are applied in all municipalities designated under the EIO programme.

Mr. Nixon: Mr. Speaker, I do not know whether the hon. Minister is prepared to entertain a supplementary question.

Hon. Mr. McKeough: I will try.

Mr. Nixon: Actually it is a point of clarification. My point in comparing the two applications for the loans for the development of ski enterprises was not that they should both have been forgivable, but that the one that applied on the same basis as the other was turned down while the first was accepted. I do not believe the Minister has given an answer to that. He just said that it does not apply. Perhaps there is some misunderstanding that he could clear up.

Hon. Mr. McKeough: Without knowing all the details, I think there was some difference inasmuch as the Huntsville area operation was approved because it was felt it was going to attract people from a very wide area, that is for tourism.

I do not say this was the only reason but this was one of the reasons. The requested loan at Sault Ste. Marie was primarily aimed at people in Sault Ste. Marie. There is not the drawing area there, of course, that Huntsville has. So in effect it was, as my colleague says, a loan for a local purpose, which perhaps cannot be described as encouraging the tourist industry as well.

Mr. Nixon: They might want to argue with the Minister, at least the Minister of Trade and Development, on this, since it is a fairly well-established ski area.

Mr. Speaker: The hon. leader of the Opposition also might clear the desk with respect to a question of this Minister, the Minister of Municipal Affairs, in connection with municipal grants, placed May 9. I believe perhaps it has been answered by the Prime Minister's (Mr. Robarts), statements at various times, but if it is not then perhaps he would wish to place it.

Mr. Nixon: It really has a somewhat different aspect now, but I would like to ask the Minister of Municipal Affairs if he was consulted in the policy announced about a week ago by the Premier that the government plans to end all municipal grants and instead allow local governments access to tax fields where they can raise their own revenues. Of course this source of information was the *Globe and Mail* and they have since been set right by a statement of the Premier.

What research and consultation with the municipalities would lead to this change in policy?

Hon. Mr. McKeough: Mr. Speaker, referring to the second part first, I think it could be said that the discussions and the research and the studies which went on by the Smith committee for some four years and on which the municipalities were invited to make the presentations, receive briefs; the very intensive work done by the select committee over the last summer months—I think that would constitute consultation, research with the municipalities, and as the Prime Minister pointed out there are no definite conclusions which have been drawn from any of this as yet.

In reply to the first part of the question, I can only say that the Prime Minister consults with his Ministers at all times and we do not have the problems which the members have in the Liberal Party.

Mr. Nixon: We might take it for granted then that the Minister of Municipal Affairs approves of the policy of sharing taxes at the municipal level, feels it is a viable one and one that may be announced by him in due course.

Mr. MacDonald: How can he answer other than "yes?"

Hon. Mr. McKeough: My colleague from Halton says, "Say yes". But I think the member wants something more than that. The simple answer is "yes", but underlining the thoughts of the Prime Minister when he made the remarks which he did was the point that the municipalities needed more money, whether this should come in—

Mr. E. Sargent (Grey-Bruce): He does not know what he said.

Hon. Mr. McKeough: Well perhaps the hon. member would like to answer the question.

Mr. Sargent: The Minister is pretty close to it.

Mr. Nixon: Perhaps the hon. Minister would care to continue in his remarks because it certainly is of considerable importance. When this came up a week ago both the Prime Minister and the member for York South indicated that the Smith committee had made certain recommendations along this line. Actually the Smith committee had investigated this and—

Mr. Speaker: Order, order! The hon. leader has merely asked the Minister if he wishes to continue.

Hon. Mr. McKeough: I would be delighted to try and answer this question, Mr. Speaker, if the leader of the Opposition would seek

the co-operation of the member for Grey-Bruce and let me answer the question rather than have him answer the question.

Mr. Sargent: Why does the hon. Minister not grow up?

Hon. Mr. McKeough: First of all we think that municipalities should have more money. I think inherent in what Smith said and what the Prime Minister said the other day—

Mr. Sargent: The Minister is still a choir boy.

Mr. Speaker: Order!

Hon. Mr. McKeough: They need more money on an unconditional basis. Whether this is best done by assigning tax fields, whether it is best done by an extension of the unconditional grants, I do not know and we do not know these answers at this point. What they do need is more money as a matter of right rather than a matter of something with strings attached.

If I could say so, Mr. Speaker, I think that was a principle which was recognized by Smith, by the select committee, by this Minister, by the Prime Minister and by the government; and we hope hon. members opposite get on the bandwagon.

Mr. Nixon: As a matter of fact, it will be a shame if the hon. Minister does not do something about giving them more money.

I have a question for the Premier which I had hoped to team up with the question for the Attorney General (Mr. Wishart); but to the Premier: I would ask him if he is co-ordinating the policies of the government with regard to athletics with the findings of the federal task force on sports.

If you will permit me, the thing that prompted this and that I was hoping that the Attorney General might join in on, was the feeling that had been expressed that actually this "reserve" clause in a good many of the contracts that are signed by professional athletes is a matter of provincial rather than federal concern.

Hon. J. P. Robarts (Prime Minister): Yes. Well, Mr. Speaker, I read this report this morning myself. It was of interest to me and I knew it would be of interest to all members of the House—the findings of the special task force and also the comments that were made by Mr. Campbell on the constitutional issue.

I would not express my own opinion on the constitutional issue quite so quickly from the report in this morning's paper, but certainly we will take those remarks and examine their validity.

In answer to the actual question here, the federal task force report on sports is, of course, of interest to us in the government. It will be referred to in the interdepartmental committee on youth in order that we can see where implementation, where co-ordination should take place in this government on those portions of their findings with which we agree.

Until we have had an opportunity to study the whole thing, we cannot just automatically assume that we will take as read everything that is in it, but we are always prepared to co-ordinate what the federal government does; we sometimes wish they would co-ordinate a little more on what we do.

Mr. Sargent: Give the Premier more money!

Hon. Mr. Robarts: So we will set them an example in this regard.

Mr. MacDonald: Mr. Speaker, I have a question for the Prime Minister. Will the Prime Minister table the brief of the government to the Canadian Transportation Commission on the Bell Telephone rate increase application and make a copy available to each member of the Legislature?

Hon. Mr. Robarts: Yes. I have a copy here, Mr. Speaker, which I would be happy to table.

This is entitled—"Appearance and Amended Statement by the Attorney General for Ontario, An Intervener", which is our official position in this matter.

I do not know how many are available. I might suggest rather than putting copies of this on everyone's desk—we will make them available to those who want them. I cannot believe that everybody in the House will be interested in an examination, but however many may be needed for caucus we will make available; the same applies to the Opposition. There are four. This is the "Appearance and Amended Statement", and is really a position paper.

Then we have four detailed and highly technical memoranda which have been filed in support of this statement of position. Even more so, I think that these might be of limited interest; but we will make them available too. I have three of them which probably I could table tomorrow; one will have to wait until we have it reproduced, but there is no reason why they should not be made available. As soon as I have them I

will table them here, and if you indicate the number of copies you wish, I will make them available.

Mr. Speaker: The hon. member for York Centre has a question of the Premier.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have a question for the Premier.

Why did the Premier transfer the responsibility for GO-Transit from The Department of Transport to The Department of Highways?

Hon. Mr. Robarts: Mr. Speaker, it was never transferred from The Department of Transport to The Department of Highways because the responsibility for GO-Transit never rested within that department. At the time the entire study was commenced it involved several departments of government and the study itself was placed under the aegis or direction of The Department of Transport. When we started to implement that recommendation dealing with GO-Transit, it was put in The Department of Highways and has remained there ever since.

Mr. Deacon: Mr. Speaker, I know the timing from the Premier. It is evident in this report, but it—

Mr. Speaker: If the hon. member wishes to ask a supplementary question he may do so, but he may not make a statement.

Mr. Deacon: I was going to ask the Premier if he could answer the question of why it was in The Department of Transport originally and then the responsibility for operation was placed in The Department of Highways?

Mr. Speaker: The hon. Premier has already answered the question.

Hon. Mr. Robarts: I can at least state that MTARTS embodied a great deal more than GO-Transit, and when various parts of the implementation of the MTARTS study were considered, GO-Transit was put into The Department of Highways, it is that simple. It was not the entire findings of all of the MTARTS study, it was just that particular item.

Mr. Speaker: Does the hon. member have a supplementary question? We are asking questions of the Premier first so that everyone will have an opportunity to get their answers from him. The hon. member for Humber.

Mr. G. Ben (Humber): Yes, I have a question of the Prime Minister. In view of the report in the *Globe and Mail* of May 10 that some members of the United States Congress believe that the St. Lawrence Seaway Development Corporation, which showed a $2.7 million loss in 1967, is close to bankruptcy:

1. What is the financial position of the seaway corporation with reference to the Canadian system? Are the revenues meeting amortization charges?

2. Is an increase in fees anticipated? If so, what is the expected effect on the use of the seaway?

3. Has this government expressed its opposition to such increases?

Hon. Mr. Robarts: This is a three-part question, and in answer to the first two parts I would say that these are matters for the federal government. We are not in a position to answer them, because we simply do not have the information that would provide a meaningful answer.

In regard to the third question, "has the government expressed its opposition to such increases," we understand that the entire fee structure of the seaway will be reconsidered at the end of the navigation season of 1970. Until that time arrives, the present fee structure will remain in operation. To prepare ourselves to take part in the discussions at that time we are conducting studies now into the whole operation of the seaway in order that we may prepare a position that we can present when the fee structure is re-examined at that time.

Mr. Ben: May I ask a supplementary question of the Prime Minister? Will the Prime Minister admit that Ontario would be more directly affected by an increase in fees than any other province in Canada?

Hon. Mr. Robarts: I would say, Mr. Speaker, that this is a matter of great importance to Ontario. I think it affects not only those communities along the seaway itself, but it affects many of our inland cities and our industrial cities because of the additional transportation costs, and because of the fact that, for instance, the Welland Canal itself is a block.

We object, and always have objected, to the tolls on that canal and will continue to object. It divides the industrial heartland of Ontario in two, and we think it is a matter of great importance, and we intend to devote a good deal of time to preparing a position which we will, of course, put on behalf of our province and the industries and those concerned within the province.

Mr. Speaker: Are there any more questions of the Prime Minister? Yes, the hon. member for Grey-Bruce has two questions of the Premier.

Mr. Sargent: Mr. Speaker, will the Premier explain to me on behalf of 100,000 people in the Grey-Bruce area how he can spend approximately $40 million on GO-Transit to service 15,000 riders, as per his statement, but Highway 10, the worst highway in Ontario, which services Grey-Bruce, cannot be repaired or replaced by a four-lane highway?

Mr. S. Lewis (Scarborough West): Does the Speaker allow this question?

Hon. Mr. Robarts: Mr. Speaker, I will repeat what I have said here many times before, that we do not build highways for only those people who happen to live within the area in which the highway is. It is ridiculous to say that GO-Transit, for instance, serves only 15,000 riders because that is 15,000 riders for five days every week, plus those who use it on weekends, and then one has to take into consideration the fact—

Mr. Sargent: Same people all the time—

Hon. Mr. Robarts: —one has to take into consideration the fact that it has had an effect on other highways in the area that are used by many hundreds of thousands of people. As far as a four-lane highway to Owen Sound—

Mr. Sargent: The Premier is not getting through at all.

Hon. Mr. Robarts: Well, of course, Mr. Speaker, it is completely impossible to get through to this particular member anyway, so I am merely making my remarks for the benefit of the other members of the House who heard the question.

Mr. Lewis: You need not serve our benefit.

Hon. Mr. Robarts: Mr. Speaker, if I really thought that were possible I would not have made the remark.

Mr. Lewis: The Premier does not have to reply on our account.

Hon. Mr. Robarts: But it is just the same, I suppose, in every community in Ontario. Each wants a four-lane highway leading into or out of it, but we have to construct highways on the basis of providing the best service on an overall basis throughout the province.

As I explained to the hon. member in some detail several times before, we do not limit construction to the tax production of the area in which the facility may be. I, of course, would not subscribe to a statement that Highway 10 is the worst highway in Ontario, and I am quite certain—

Mr. T. P. Reid (Rainy River): How about Highway 17?

Hon. Mr. Robarts: I was about to say, I am quite certain some other members in this House, including members of the hon. member's own party, would not agree with this. But let us face it. We cannot build four-lane highways into and out of every municipality in Ontario just because there happen to be times in certain areas when the weight of traffic warrants it.

I am aware of the feeling people have when they leave their own municipality and come and see highways in the Toronto area. This is what seems to bother the hon. member. I can only repeat that some years ago we did a study on Highway 401 running across the northern part of Toronto, and at that time it was only a four-lane highway. We estimated that the gasoline tax alone generated by that highway would pay for the entire highway in six years. But it has a maximum life of 40 years, or perhaps more than that, and so for the next 34 years it would continue to generate the same amount of tax which would be used to build highways in other parts of the province.

So to get back to this argument the hon. member keeps raising, I would simply say it would be completely impossible to govern this province in that particular way.

Mr. Sargent: To enlighten the House, sir, why is not the capital cost of GO Transit charged against the Toronto real estate—

Mr. Speaker: Order! The hon. member—

Mr. Sargent: Just a moment, Mr. Speaker, this is important to my people.

Mr. Speaker: Order! The hon. member is out of order; he is not asking a question supplementary to his original question. If he wishes to do so, he may do so, otherwise he will place the other question which he has.

Mr. Sargent: Do I have a supplementary question, sir?

Mr. Speaker: You have if it is supplementary.

Mr. Sargent: Well, this is supplementary, I am talking about transit.

Will the Prime Minister enlighten the House why—

Mr. Speaker: The hon. member must change his question because it is not supplementary as he worded it before.

Mr. Sargent: You have not heard it yet. I say, why do the capital costs levied against the real estate—

Mr. Speaker: Order! The hon. member's question is not supplementary. The hon. member will take his seat when the Speaker is on his feet.

The hon. member's question is not supplementary, he is out of order, he will now pass to his other question.

Mr. Sargent: You are not doing any better.

Mr. MacDonald: The member is not, that is for sure.

Mr. Sargent: In view of the fact—this is to the Prime Minister—that tracts of land comprising the Bruce Trail are being sold and that officers of the Bruce Trail Association fear that the Bruce Trail route will disappear in many areas, will the Premier consider the "string of beads" concept to acquire tracts at key points to guarantee the continuance of this great recreation and tourist asset?

Hon. Mr. Robarts: Mr. Speaker, in answer to the question. We some time ago commissioned a study to be made under the direction of Professor Gertler of Waterloo University and we have a copy of that report now. It contains a good many recommendations which are presently under very close study.

I would just point out to the hon. member that we commissioned that study with a view to preserving the Niagara escarpment. That was our purpose, and that is why we have the report. Like many reports of its kind, it has recommendations which may take time to implement. It may be beyond the capacity of the government to implement all at once. It may be necessary for us to establish certain priorities in implementing its recommendations.

We do not want to spend a tremendous amount of money in the Niagara area if we do not spend an equal amount up in the Owen Sound area, because, you see, the Niagara escarpment passes through both places.

But we have some decisions to make in this regard. When our studies are complete and we have a course of action lined up, we will announce it to the House.

Mr. Nixon: Bruce Trail goes right past Owen Sound.

Mr. Sargent: When is the government going to make Highway 10—

Mr. Speaker: The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, a question of the Minister of Energy and Resources Management.

Were 60 tons of sulphuric acid discharged from the CIL plant near the iron ore recovery plant at Copper Cliff into Kelly Lake on April 8 at about 10 p.m.?

Have similar incidents of discharge occurred at this plant in the past? When?

What action will the Minister take against CIL for its action?

What assurance can the Minister give the House that this practice will be discontinued as of now?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the commission is unaware of such a discharge of sulphuric acid from CIL on April 8 into Kelly Lake. There have been no reported incidents of such discharges from this plant in the past. No report has been received by the Ontario Water Resources Commission concerning any improper action by CIL.

Any spill or industrial accident involving pollutants should be immediately reported to the Ontario Water Resources Commission for investigation. It is the policy of the commission to enquire into the matter and take appropriate action as quickly as possible.

Mr. MacDonald: Should be reported by whom?

Mr. Martel: May I ask the Minister a supplementary question? Was not a complaint of this incident submitted to the Minister possibly two weeks ago?

Hon. Mr. Simonett: Mr. Speaker, there was no complaint submitted to me, nor was there any to the commission.

Mr. Speaker: The hon. member has another question transferred to the Minister of Transport?

Mr. Martel: I will send the Minister a carbon copy of the letter.

A question of the Minister of Transport: Without weigh scales in the Sudbury area, how can we be assured that our highways are not being subjected to overloading?

Mr. Lewis: Is the Minister misleading the House?

Mr. Martel: He is deliberately misleading the House.

Mr. Speaker: Order! The hon. member is asking a question.

Mr. Martel: When will weigh scales be installed in areas near Falconbridge and INCO holdings to make sure that trucks carrying ready-mix cement, ore and gravel do not carry excess loads, thereby damaging the highways?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, because of the many alternate routes in the Sudbury area, it is felt that permanent scale locations would not be an effective way of providing adequate control. Accordingly, enforcement in the Sudbury-Falconbridge area is carried out by the use of portable scales, which work on a schedule which is varied both as to location and timing.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Speaker, I understand I can address my question of the Minister of Trade and Development to the Minister of Municipal Affairs.

Will the Minister advise what negotiations or discussions, formal or informal, have been held between officials of the Ontario Housing Corporation and the Toronto board of education about the possibility of relocating the new public school, presently proposed for the area bounded on the east side of River Street, by Cornwall Street, Oak Street and the Bayview extension, to the 27.1 acres of vacant land owned by the Ontario Housing Corporation in the Regent Park north development, and what is the likelihood of an early favourable decision about this?

Hon. Mr. McKeough: Mr. Speaker, I am advised the Ontario Housing Corporation has been approached informally by senior officials of the Toronto board of education concerning the possibility of the new public school, planned for the east side of River Street, being located instead on the approximately two acres of open space situated in the north Regent Park development. The approach was only of a tentative nature. No official request has been made of Ontario Housing Corporation, the matter is still at the exploratory stage insofar as the board of education is concerned.

Mr. J. Renwick: Mr. Speaker, if I may address a supplementary question to the Minister. Would the Minister advise Ontario Housing Corporation that it bear in mind the hazardous nature of the presently proposed location of the school in any consideration of transferring it to the new site on the Regent Park north development?

Hon. Mr. McKeough: The hazardous location of the present school?

Mr. J. Renwick: Of the present proposed school.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: Mr. Speaker, I have a question of the Minister of Health—1472, if it may assist Your Honour:

Will the Minister of Health take advantage of the new national health research branch announced May 7 by the Minister of National Health and Welfare to set up research programmes in relation to the effect on human health of the following factors: 1. Noise pollution; 2. Industrial effluents; 3. Solid wastes disposal methods; 4. High-stack dispersal of effluent gases into the higher layers of the atmosphere, where ultraviolet light may transform the nature of the emissions?

Hon. M. B. Dymond (Minister of Health): Mr. Speaker, I have not so far got the particulars of this new grant that has been announced, but all projects in these various areas of health care have been financed in the past out of national health grants. We are continuing to finance them in that way, augmented by moneys provided by this province.

Mr. Ben: I trust that you will take advantage of it. I take this answer as "yes".

The next question, Mr. Speaker—it is again 1496, to be of assistance:

What is the function of the health study services of the environmental health branch?

Why does the Minister assume that phytotoxicants do not have human health effects analogous to those observed in vegetation, and why is human health not a concern of the phytotoxicology section?

Will the Minister use his influence to secure the declassification of as much liter-

ature as possible originating with the U.S. Air Force and NASA, in respect of the phytotoxicology of the Los Angeles smog?

Hon. Mr. Dymond: Mr. Speaker, the function of the health studies service in the environmental health branch is to undertake inquiries into the possible health effect of long term exposure to environmental contaminants, both in industry and the community.

The assumption in part 2 of the question is, of course in error. Phytotoxicants are chemicals injurious to vegetation under certain conditions and which, may, or may not, be harmful to humans. The phytotoxicology section deals specifically with the effects of pollutants on vegetation, but the health studies service of the environmental health branch is directly concerned with possible human health effects. We are seeking to get, at all times, all the literature available. But I would have to say, in honesty to this hon. member, my influence in the matter of getting classified material declassified is nonexistent. However, whatever is made available through the scientific journals is in our hands in reasonable time.

Mr. Ben: Perhaps, Mr. Speaker, the Minister is more influential than he thinks. If I may phrase a supplementary question, would the Minister give consideration to trying to secure this classified information on the basis that his department would keep secret that aspect of it which is strictly classified and enable us to benefit from any knowledge that they may be able to impart to us in this classified information?

Hon. Mr. Dymond: Mr. Speaker, I do not want to mislead the House, and I do not want to be facetious. But there is not a hope in the world of me being able to get classified information made available to us. We can go through the necessary channels, but if such information is of value to the health and welfare of humans, I am quite sure it will not remain classified long and would then be readily available to all scientists in the field.

Mr. Ben: Well, I guess the second—

Mr. Speaker: Order! The hon. member has another question.

Mr. Ben: Yes, Mr. Speaker, I have another question.

1. Is the Minister of Health aware that a contract was signed last week for a 750-foot-high stack, the tallest in North America, at the Nanticoke hydro plant? Has he seen the technical specifications?

2. What steps does he intend to take to preserve human health in the metropolitan regions of the Golden Horseshoe from amino acids and viruses formed in the upper layers of the atmosphere due to the action of ultraviolet rays on simple effluent gases from this stack as per the Los Angeles experience?

Hon. Mr. Dymond: Mr. Speaker, I am quite aware of the developments in the Nanticoke project. I did not know the contract was signed, but the departmental approval had been given the project. We are satisfied it mets the criteria laid down.

As to the action that we are taking, we have established a very extensive air quality monitoring network in the area that is likely to come within the sphere of influence of this plant so that the effect of the plant on air quality can be determined. Vegetation surveys are being carried out now, before the plant is in operation, and they will also be made after it is in operation to determine if there has been any deleterious effect stemming from the plant.

Mr. Ben: A supplementary question. As I take the Minister's answer, he is saying that the department approved the design of this smoke stack. Is that correct?

Hon. Mr. Dymond: That is correct.

Mr. Ben: I have a question of the Minister of Energy and Resources Management.

1. Will the Minister obtain and table a copy of the contract signed last week between Ontario Hydro and the contractors for the construction of the tallest stack in North America intended to widely disperse the gases from the coal-fired Nanticoke hydro generating station?

2. Is the Minister aware what if any air pollution devices are included in the specification? If none, what other contracts will cover this necessity?

3. Will the Minister assure this House that no amino acids will be released into the upper layers of the atmosphere from this 750-foot stack, to be acted upon by ultraviolet rays and possibly transformed into viruses as Los Angeles' experience would indicate?

Hon. Mr. Simonett: Mr. Speaker, the answer to the first part is, no. No anti-pollution devices are included in the Nanticoke chimney specification other than its special multiple flue design and height, characteristics

which in themselves render the chimney a most effective anti-pollution device. Other anti-pollution devices in the station, such as dust precipitators, will be covered under separate contracts. The Minister assures this House the best technical advice available indicates that there will be no amino acids present in the effluent from the Nanticoke chimney.

Mr. Ben: Mr. Speaker, I apologize to the Minister, but his two assistants to his left were speaking while he started to answer the question and I missed the first part of the first answer. Would he please repeat it for me?

Hon. Mr. Simonett: Yes, it was, no.

Mr. Ben: No, the next one.

Hon. Mr. Simonett: Oh—the second part. No anti-pollution devices are included in the Nanticoke chimney specifications other than its special multiple flue design and height, characteristics which in themselves render the chimney a most effective anti-pollution device. Other anti-pollution devices in this station, such as dust precipitators, will be covered under separate contracts.

Mr. Ben: I have a supplementary question. Will the Minister accept it? Am I to understand from his answer that the Minister equates dispersal at high altitudes as being equivalent to scrubbing or the elimination of pollution?

Hon. Mr. Simonett: Mr. Speaker, I did not say that, but this answer was prepared by the engineers of Hydro, and no doubt they have worked with the air pollution people. So I will have to take their word that this chimney will meet our specifications in the province of Ontario.

Mr. Ben: I guess I have to accept the answer.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Transport.

In view of the recently released results of time tests by the United States transportation department that 18 per cent of the tires tested failed to meet requirements, is the Minister satisfied that tires being sold in Ontario are safe for the motoring public?

Hon. Mr. Haskett: Mr. Speaker, all tires now sold in Ontario are required to meet our recently mandated CSA standards, and to date we have had no complaints of violation of these standards.

Mr. Young: Could I ask the Minister a supplementary question? Has the Minister any facilities to test these tires to make sure that the tires sold in Ontario are, in fact, meeting the specifications outlined?

Hon. Mr. Haskett: Mr. Speaker, this is a repetition of the exact question the member put to me on, it was December 2, and in reply to that question I answered, no.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question for the Minister of Municipal Affairs.

When can the municipality of Longlac expect to hear from the OMB regarding applications for approval of expenditure for water and sewage facilities and a paving programme, which has to be decided on while contractors are in the area?

Hon. Mr. McKeough: Mr. Speaker, the question was referred to the Ontario Municipal Board soon after it was received in my office on Monday.

I am advised that letters were sent by the board to the Ontario Water Resources Commission on the water and sewer portion of the application on May 7 and 8, and to the clerk of the municipality on the paving portion on May 7. Replies have not yet been received by the board. I can assure the hon. member on behalf of the municipal board that the application is being processed as expeditiously as possible.

Mr. Stokes: Another question—for the Minister of Lands and Forests.

Why are commercial fishing licences, which are not being used on Lake Nipigon, not revoked?

Will the Minister grant a fishing licence to the Lake Nipigon Metis Association to provide employment for these people?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member:

1. We had 23 licences on Lake Nipigon, anl all of these were operated in 1968.

2. We can consider applications for new licences from the Metis association. However, we established a Lake Nipigon fisheries management unit last year to begin a comprehensive study of the fishery, and we have not

planned to issue additional yardages or licences until the long-term desirability of extending the fishery can be seen.

Mr. Speaker: The hon. member for York Centre.

Mr. Deacon: Mr. Speaker, I have a question for the Minister of Highways.

Will the Minister prepare and table a detailed commentary on the GO-North study of Canadian Facts Company Limited if the complete documentation on which the report is based is made available to him?

Hon. G. E. Gomme (Minister of Transport): The answer is yes, Mr. Speaker.

Mr. Speaker: The hon. member for Oxford.

Mr. G. W. Innes (Oxford): I have a question for the Minister of Highways.

Under what circumstances were mowing contracts 69-541 and 69-587 not awarded?

In view of the fact that there have been a number of mowing contracts not awarded by the department this year, will the Minister consider employing some of the university students who are seeking jobs as operators of the department's mowing equipment?

Hon. Mr. Gomme: Mr. Speaker, the answer to the first part: These contracts were bid at considerably higher prices than those which the department had estimated as being reasonable for the work and, therefore, the contracts were not awarded. It is our intention to do the mowing in these areas with our own equipment and forces.

The answer to the second part is that, due to the many circumstances, we do not consider it possible to employ university students to operate department mowing equipment. The department will be employing, during the coming summer, a large number of university students on department operations other than maintenance.

Mr. Innes: Mr. Speaker, a supplementary. Apparently the Minister must have advertised for these mowing contracts before. Now he is saying that he is going to use his own people. Is he not going to cut the grass, or what?

Mr. Speaker: As I understood the hon. Minister's answer, he said that the mowing was going to be done by departmental forces.

The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a question of the Minister of Energy and Resources Management, from last week.

In light of a letter of H. J. Christian, a parks assistance officer within The Department of Energy and Resources Management, conservation branch, to the city of North Bay, indicating that the sewage treatment plant situated in the Monk Street area—and built and operated by the Ontario Water Resources Commission—is contributing to the pollution of Lake Nipissing, and is one reason that precludes the city from developing a tent and trailer park in the area under The Parks Assistance Act, will the Minister direct the Ontario Water Resources Commission to act to expedite the expansion of the plant to eliminate the pollution being caused by the OWRC installation? Secondly, will the OWRC take action to clear up the pollution of the Chippewa Creek so that the area may be developed under The Parks Assistance Act?

Hon. Mr. Simonett: Mr. Speaker, the sewage treatment plant in North Bay has adequate capacity to treat present sewage discharges and thus reduce pollution of Lake Nipissing. A study has been commissioned by the Ontario Water Resources Commission to expand the plant and meet future demands with the approval of the city of North Bay.

In regard to the question concerning Chippewa Creek, no action is required by the Ontario Water Resources Commission since the city is engaged in sewer rehabilitation at the request of the commission. Improvement of Chippewa Creek will make the area more attractive for park sites.

Mr. R. S. Smith: Mr. Speaker, a supplementary question. Why did Mr. Christian of the parks assistance branch say that the sewage treatment plant was contributing to the pollution of the lake, when the OWRC says it is not? I think that perhaps the Minister should tell us what the difference is.

Mr. Speaker: Order. The hon. member has asked his question.

Hon. Mr. Simonett: Mr Speaker, I saw Mr. Christian's report, and he did not say that the sewage treatment plant was not large enough to take care of the sewage in the city of North Bay. He was talking about the overall areas as far as parks were concerned. I have read his report, and as I have already stated, the commission and the city of North Bay are working together to enlarge the plant to take care of future expansion. There is already a programme in effect to clean up Chippewa Creek. I think if the hon. member reads his report—I do not know whether he

has seen it or not—he will have a different concept from what he put in his question.

Mr. R. S. Smith: Mr. Speaker, I should point out to the Minister that I did read the letter that he sent to the city of North Bay, and he did say in the letter that the OWRC plant was contributing to the pollution of the lake—

Mr. Speaker: The hon. member is not entitled to make a statement.

Mr. R. S. Smith: —regardless of what report he gave to the—

Mr. Speaker: Order. The hon. member may ask a supplementary question, but not make a statement.

Hon. Mr. Simonett: It is a letter that went to the city of North Bay. I saw the report, and I do not think Mr. Christian sent the letter to the city of North Bay. I think it was signed by Mr. Barnes.

Mr. Speaker: Perhaps the hon. member and the Minister could get together and look at the same letter at the same time.

The hon. member for Oshawa.

Mr. C. G. Pilkey (Oshawa): A question of the Minister of Trade and Development through the Minister of Municipal Affairs.

Has the Minister taken any steps to have Fairbanks Morse (Canada) Limited continue its operations in Kingston, thus maintaining the opportunity for employment for about 200 workers?

Hon. Mr. McKeough: Mr. Speaker, I am advised that The Department of Trade and Development has investigated the matter of the closing of the Fairbanks Morse (Canada) Limited plant. The following information was supplied by Mr. William Brown, industrial relations officer of Fairbanks Morse Limited:

> Plant areas of approximately 430,000 square feet—

Sounds a little high; I am wondering if that should not be 43,000 square feet.

> Employees, 80 on salary, 120 hourly paid. Sales organization handles products of other companies in the organization and will be maintained. The company has been operating at a loss for some years in Canada, and the decision to close the plant is not a new concept. Buildings and facilities are old. Consideration has been given by the city of Kingston to make a park out of the area occupied by Fairbanks Morse Limited. The decision to close the plant is final and irrevocable. A severance formula is being worked out for salary employees.

As far as employment is concerned, it should be noted that The Department of Trade and Development has recently been working with two companies, resulting in their location at Napanee; this is about 20 miles from Kingston, and commuting between the two towns is quite common. The first of those industries is Canron Limited (Canadian Iron Foundries), which has already started to recruit labour. They require 175 employees now, with a gradual buildup to 600, mostly male. Products will be electric motors. And the second, a clothing manufacturer, is also starting to build a new plant in Napanee which will ultimately employ about 500 people, 90 per cent female.

The Department of Trade and Development has also contacted the Canada Manpower Centre at Kingston, who advise that registering the company's employees was started last week. The centre further advised that the employment situation in Kingston is fair and that many of the employees from Fairbanks Morse Limited can find work in Napanee, where there is demand for them.

Mr. Speaker: The hon. member has a further question?

Mr. Pilkey: Yes. Mr. Speaker, a question to the Minister of Lands and Forests.

Would the Minister tell the House what action has been taken regarding littering in the Oshawa Creek area as outlined in a letter from the Oshawa Fish and Wildlife Advisory Board to the Minister's department?

Hon. Mr. Brunelle: Mr. Speaker, may I take this question as notice, please?

Mr. Speaker: The hon. member for Wellington South.

Mr. H. Worton (Wellington South): Mr. Speaker, I have a question of the Minister of Transport.

Is the Minister considering setting the standard of muffler noise prior to sale of cars to the public to avoid prosecution for excessive noise?

Hon. Mr. Haskett: Mr. Speaker, the measurement of muffler noise, and the setting of enforceable and technically valid standards, have been making good progress. On February 18 last, I reported to the House that I felt the time was fast approaching when legislation could be effectively used. However, I expect the member is now aware that the federal government is preparing to accept

responsibility for setting motor vehicle standards at the point of manufacture.

Mr. Worton: Mr. Speaker, if I may ask a supplementary question. Does the Minister, through his facilities at The Department of Transport, have any mechanical means of registering noise rather than just by human judgment?

Hon. Mr. Haskett: Mr. Speaker, when I spoke on this matter about two months ago, I intimated that it was from the SAE labs that the reports would be coming on these new measurement devices that were reliable and useful. Other than that, I do not think that even the National Research Council has been able to get a successful answer to this problem.

Mr. Speaker: The hon. member for Carleton East.

Mr. A. B. R. Lawrence (Carleton East): Mr. Speaker, before the orders of the day, I would like to draw the attention of the members of the House to a brochure upon their desks entitled, "Ottawa". I asked that this particular brochure be placed on the members' desks, with the thought that, although Ottawa is known as the capital and it is a tourist and recreational centre, its commercial and industrial aspects may be less well known.

Mr. Speaker: Orders of the day.

Clerk of the House: The 91st order.

CITY OF TORONTO (1)

Mr. L. M. Reilly (Eglinton), in the absence of Mr. H. J. Price (St. David), moves second reading of Bill Pr12, An Act respecting the city of Toronto (1).

Mr. G. Ben (Humber): Mr. Speaker, in rising to speak on the principle of this bill, I cannot but help draw this Legislature's attention to the import of one of the sections of the bill—that which would give the municipality the right to operate a means of conveyance in a park. The park in this instance, I think the members must know, is Toronto Island, and I think the members should be aware that in all probability the operator of this so-called means of conveyance will probably be Beasley or Paddy Conklin—more likely Paddy Conklin, who runs almost every other amusement concession in this city.

An hon. member: Probably in the province.

Mr. Ben: There is an echo from my left, here, "probably in the province", and I daresay that is true.

Mr. R. Gisborn (Hamilton East): To the left in the member's own party.

Mr. Ben: All right, I am very happy that we are corrected. It was the hon. member for Essex South (Mr. Paterson) who drew my attention to the fact that Mr. Conklin runs almost every amusement concession in Ontario with the exception of a few minor ones that go from fair to fair. The fact is that this amendment is asked specifically for the benefit of this one gentleman, and it is incomprehensible to me that this Legislature would countenance granting another monopoly to one individual who already has a monopoly on almost the whole of the amusement industry in this province.

Surely all the members must be aware that Mr. Conklin controls the midway at the Canadian National Exhibition—that part which the Prime Minister (Mr. Robarts) of this province said was going to be made into one of the greatest shows on this earth. I do not know whether or not the Prime Minister, in making that statement, first got the by-your-leave of Mr. Conklin, because I know that very little is done at the Canadian National Exhibition without his concurrence. I trust that perhaps our Prime Minister did have enough backbone to make the statement on his own without consulting that gentleman. The fact is, as I say, that he does control the Canadian National Exhibition as far as amusements are concerned, and will continue to do so for many years.

I do not know how many members are aware that the midway is almost a permanent fixture, to the degree that at least 90 per cent of it is owned and operated by Mr. Conklin, and it just sits there from year to year because he has almost a perpetual franchise. Where he lacks a contract to the perpetual franchise, he has one to the degree that his equipment has been there, most of it is already amortized or capitalized, and he can outbid anybody who comes trying to get a contract from the Canadian National Exhibition. Furthermore, if I might point out to you, Mr. Speaker, it is almost impossible to get such a concession, because the Canadian National Exhibition refused to reveal how much profit was taken in from any concession. In other words, if you wanted to bid for a concession and desired to find out—

Mr. Speaker: Might I enquire of the hon. member what the Canadian National Exhibition has to do with the section he started to discuss?

Mr. Ben: Sir, I imagine you could throw a stone from the Canadian National Exhibition over to the island where this railway is going in.

Mr. Speaker: I would rule that any further discussion by the hon. member with respect to the Canadian National Exhibition would be out of order.

Mr. Ben: Let me put it this way, Mr. Speaker, that Conklin is gaining control of the amusements at the island. He in fact does have the franchise now for the Kiddyland that exists. This would further entrench this franchise which is, in fact, a monopoly. I cannot move an amendment, but the only way I would support such a bill is if the franchise to operate such a railroad remained solely within the hands of the municipality, as does the Toronto Transit Commission—in other words, that a private, profit-making body does not have the right to operate that railroad, that it remain forever in the hands and in the control of the municipality itself. Otherwise I take strong exception to a bill which contains such a repugnant principle.

Mr. Speaker: Is there any other member who wishes to speak to the bill?

Mr. D. M. Deacon (York Centre): Mr. Speaker, the principle in the bill, in my view, is wrong is connection with the way in which the executive committee has selected it. It would make more sense from the point of view of getting a cohesive—

Hon. W. D. McKeough (Minister of Municipal Affairs): It is in the other bill, Mr. Speaker. It has to do with the next bill.

Mr. Speaker: That is Bill 93.

The motion is for second reading of Bill Pr12.

Motion agreed to; second reading of the bill.

CITY OF TORONTO (2)

Mr. Reilly, in the absence of Mr. Price, moves second reading of Bill Pr20, An Act respecting the city of Toronto (2).

Mr. Deacon: Mr. Speaker, I am sorry I was a little too eager on that, my mind was on another matter. The question of the way that an executive committee or a council is structured and is elected by the members of council strikes me as going to be the source of many problems, and that if the whole council selects the executive committee it could be a committee containing many of the same problems a board of control does have today. There is no unifying direction to it. If you have the mayor, who, after all, is elected by all the people of the city, select from the elected members of council his executive committee, it would ensure that those selected would work well with him and get much more direction for the operation of the city's affairs than if we have it as it is now suggested, where there is a lot of politicking among the members as to who is going to support whom for these offices. This has been the source of many of the problems within the county councils where there is so much politicking at the beginning of the session as to who is going to be in the key positions, instead of having it that the person who, in this case, is elected by all the people, has the right to select from among members of council those who he believes will do the best job on his executive committee.

Mr. Ben: Mr. Speaker, the board of control has been in existence some 66 years, and prior to that we had more or less the system that is now being recommended or asked for in this bill. I would like to read, for the enlightenment of the members of this House, some editorials which were printed some 67 years ago, touching on this particular system of municipal government. The *Globe,* on January 15, 1902, had an editorial captioned:

BOARD OF CONTROL

> The Legislature would do well to note the recommendations with reference to the board of control adopted by the council of the board of trade at its last meeting. The council virtually endorses the application of the city council for a change in the method of electing the board of control. As the reader already knows, the purpose is to have the board elected by the citizens at large just as the mayor is at present.
>
> Experience has shown, and never so glaringly as this year, that the aldermen themselves cannot be depended upon to select the strongest members of the council.
>
> There may be a disposition on the part of some of the members of the Legislature to think that Toronto is restless and fickle, always tinkering at her constitution.

This could have been written last year or the year before.

> It must be remembered, however, that all over the continent communities are eagerly seeking for the ideal municipal form of government. Toronto is fairly well satisfied with the type which the Legislature has already fixed for it. The idea of a board of control is a good one but we have found that the method of selecting it is not the best and we believe that with a change asked for, it would be much improved.
>
> It was under the Premiership of Mr. Hardy that the board of control was made a feature of civic government and the council of the board of trade appeals confidently to the progressive administration of his successor for a change which will, it is believed, greatly improve the personnel of the board of control and of the city council.

That was January 15, 1902. On December 15, 1902, preceding the municipal election, The *Globe* wrote on the civic government.

> A pretty general agreement exists among the independent students of our municipal system as to the activity of committees of council, and a judgment is that it is mainly evil.
>
> The only boards that should survive are the council itself, the board of health and the board of control. Even the latter, it is argued, should be elected by a different method than is at present employed.
>
> The board is at present selected by the aldermen themselves. This had not been found to work satisfactorily. The aldermen seem to have come to an understanding that the position of controller should be passed around. There are always members of the council who show a greater grasp of public affairs than the majority of their fellows and when the board of control was constituted it was fondly hoped that the aldermen would select such men for the chief board of a corporation.
>
> Experience has shown that there is not even a probability that they will do so. Indeed, it would be difficult for the best type of representative to be elected to the board more than once. The alderman who would stand aside from all the little catals and cliques about the city hall, believing that to belong to them would frequently embarrass him in the performance of his full duty, would have about the lowest possible chance of being a controller.
>
> There can be a little doubt that some men work a whole previous year with a single eye to the prize. There would not be much complaint of this if the aspirant commended himself for the position by loyal service to the city. But it is to be feared that such is not the case.
>
> Popularity among his fellow legislators is more likely to be obtained by assiduity in helping on their more furtive operations. We sometimes see, therefore, a 12-month of this species of statesmanship crowned by election to the board of control—just what should exclude serves as a passport.
>
> As a remedy for this state of affairs, it has been proposed that the controller should be elected directly by the citizens. To this plan the objection will perhaps be urged that in a city so strongly Conservative as Toronto is, a Liberal would not have the ghost of a show of being elected, and that this would impart to the council a political tinge that would be better avoided.
>
> The municipal elections present two aspects in this respect. In the aldermanic elections, while doubtless politics are sometimes considered in weighing the merits of two candidates, the fact remains that the representatives of one party do not usually predominate to any great extent over the other.
>
> In the mayoralty contests, on the other hand, a Liberal, however capable he may be, stands but small chance of election over a Conservative opponent.
>
> Whether the aldermanic rule or the mayoralty rule would be applied to the election of controllers cannot, of course, be positively affirmed. The Conservative electors would, we should say, be open to an appeal to their civic patriotism to vote for the best man, irrespective of party. If they did otherwise and elected their men on strictly party grounds we could at least hold the dominant party responsible if the city's affairs were maladministered which, in time they would be if men were selected with reference to their politics rather than to their standing in the community in a capacity for transacting public business.

And the editorial goes on in this vein, Mr. Speaker. But the fact remains that we have an identical picture facing us today as this Legislature had some 66 years ago.

In fact, the situation does not seem to have changed much. I would still suggest that the Conservative element would prevail on the executive if it was elected by the members of council themselves. And I dare

suggest that this may be the reason why this amendment is being sought.

On the other hand, if the government supports the proposition which is annunciated in this bill, surely it should be prepared to say that the Conservatives—the Progressive Conservatives as a party—are prepared to enter municipal politics as have the other two major political parties. Otherwise, we can rightfully point an accusing finger at this government and say that this bill is not in the interest of good government for the city of Toronto, but rather for a perpetuation of the Conservative cause in municipal politics.

So under the circumstances, Mr. Speaker, I do believe that the government should state its position. Either it is prepared that the party it represents—one does not say it represents the people in general—is prepared to commit this party to municipal politics and, thereby, make the council that would be formed under such circumstances answerable to a political party or make a political party answerable for its conduct, or else maintain the present system.

Mr. Speaker: Is there any other member who wishes to speak to this bill?

Motion agreed to; second reading of the bill.

THE SURVEYORS ACT, 1968-1969

Hon. R. Brunelle (Minister of Lands and Forests) moves second reading of Bill 122, The Surveyors Act, 1968-1969.

Mr. Speaker: The Minister has the floor.

Hon. Mr. Brunelle: Mr. Speaker, I wish to make some remarks which will be of assistance in understanding the principle of this bill.

This bill revises and up-dates The Surveyors Act, which was last revised in 1931. This revision changes a number of principles in the bill, and in addition, implements the recommendations of the report of the Royal commission into civil rights affecting self-governing professions. I would like to take this opportunity of explaining to the members the various principles involved in this new Act, arising from that report, and from the other changes that are included in the bill. I shall deal firstly with the recommendations of the report and enlarge upon the explanatory notes contained in the front of the bill.

Recommendation no. 1 of the McRuer report was that a Statutory Powers Procedure Act be enacted and apply to the exercise of all judicial powers conferred upon self-governing professions and occupations. This proposed statute was recently introduced by the Minister of Justice (Mr. Wishart) but, as it will not be coming into force for some time, the new bill contains detailed procedures similar to those recommended by the report, and designed for the protection of persons whose conduct is under investigation and who are subject to disciplinary proceedings.

Recommendation no. 2 recommended that two lay persons be appointed to the governing bodies. This bill implements this recommendation and provides for the appointment of a lay person and a lawyer of ten years' standing by the Lieutenant-Governor-in-Council to the council of the Ontario Land Surveyors Association.

Recommendation no. 3 of the report recommended that the powers of self-government should not be extended beyond present limitations. This bill does not extend the existing authority of the association.

Recommendation no. 4 recommended that citizenship should not be a condition precedent to admission to any self-governing body. This new bill gives full effect to this principle, by removing the obligation that all members of the association must be British subjects; and by, replacing this provision with requirements related to residence or places of employment in the province, and passing of examinations establishing the competence of the applicant to provide professional land surveying services.

Recommendation no. 5 recommended that only British subjects might hold office in the governing body. This bill complies with this recommendation and will permit officers of the association to be Canadian citizens, or other British subjects.

The sixth recommendation was that members of disciplinary bodies should be prohibited from sitting on an appeal from decisions in which they participated. Under this bill, appeals from decisions respecting discipline are made to the Court of Appeal, and there is no appeal within the association itself.

The seventh recommendation suggested that a lawyer of ten years' standing should be a member of discipline committees. This bill will permit the implementation of this recommendation. I mentioned earlier that the Lieutenant-Governor-in-Council may appoint such a lawyer to the council, which

is the body which deals with discipline under the Act.

The eighth recommendation of the report was based on the existing provisions of The Surveyors' Act and recommended that the term "professional misconduct" should be adopted as a uniform term in describing conduct warranting disciplinary action. Of course we have made no changes in this respect.

The ninth recommendation of the commission was that a code of ethics should be provided by each self-governing body, which should lay down standards of conduct designed primarily for the protection of the public. The bill provides for such a code of ethics and requires that it be sent to all members and be available free of charge to the public.

The tenth recommendation was that a member who is subject to disciplinary proceedings should have at least ten days notice of the hearing. This principle has been incorporated into the bill.

The eleventh recommendation was that a disciplinary body should have power to proceed with the hearing where the member involved has been duly notified, but does not attend. This principle has been included in the bill.

The members will note that the explanatory note indicates the modification of recommendation No. 12. This recommendation suggested that disciplinary hearings should not be in public unless the member involved so requests. This principle is adopted, but has been modified so that the council has the ultimate decision on whether or not a hearing should be public. There undoubtedly will be cases where it would not be advisable or proper to hold such hearings in public.

I understand that the courts do not hold public hearings where children are involved, and similar situations could arise in disciplinary hearings. Accordingly, there could be situations where it would not be in the public interest to hold the hearing in public even though the member might so request and to this extent, the recommendation has been modified.

Recommendation No. 13 suggests that the rules of evidence applicable to civil cases should apply to disciplinary hearings. This principle has been adopted.

The fourteenth recommendation was that the standard of proof on hearings for admission should be the standard commonly relied on by reasonable and prudent men in the conduct of their own affairs. This principle has been adopted.

The fifteenth recommendation was that a member against whom disciplinary action has been taken should have a statutory right to be representated by counsel or an agent at the disciplinary hearing. Members will note that this recommendation has been modified.

The modification is that this right exists only where the member is present. The purpose of the modification is to ensure that members, whose conduct is questioned, exhibit sufficient interest and concern in the ethical standards of the profession by appearing at such hearings. Of course in cases of sickness or otherwise, adjournments can be arranged.

The report recommended in its sixteenth recommendation that disciplinary bodies should have a right to impose a full range of sanctions from reprimand to revocation of the right to practice. This range of sanctions has been provided.

Recommendation No. 17 was that no disciplinary body should have the right to impose fines. This principle which was contained in the existing Act has been removed.

Recommendation No. 18 suggested that no fines for breach of the statute should be payable to the self-governing body and that such fines should be payable to the province. Again, this principle, which was contained in the existing Act, has been amended to conform with the recommendation of the commission.

Recommendation No. 19 recommended that no disciplinary body should have powers to award costs against a member, and that no award by a disciplinary body should be enforcible by an execution issued out of court. This bill does not give this type of authority to the association.

The twentieth recommendation was that self-governing bodies should have power to reimburse for a member for costs incurred through unwarranted disciplinary action against him. This recommendation has been implemented.

Recommendation No. 21 dealt with the right to practise in the interval between an order of suspension or disbarment and the hearing of an appeal; and recommended that a member is entitled to continue to practise unless the charge is for incompetence. The bill provides for this right.

Recommendation No. 22 recommended that a formal hearing should be held before an

application for registration is rejected. The new bill provides for such a hearing.

Recommendation No. 23 was that there should be a right of appeal from all disciplinary decisions and decisions refusing admission. The recommendation suggests that this appeal be held by the appellate division of the High Court of Justice. As this court has not been created, these appeals will be heard by the Court of Appeal.

Recommendation 24 was that there should be uniform terminology respecting regulations, rules and bylaws. This recommendation has been observed.

Recommendation 25 recommended that all matters of admission and discipline should be dealt with by regulations made by the Lieutenant-Governor-in-Council. This principle is provided for in the bill.

In contrast with the last mentioned recommendation, recommendation 26 recommended that bylaws relating to administrative and domestic affairs of self-governing associations should be made by the association. This principle has been observed.

Recommendation 27 recommends that no self-governing body should have control over others who are not members of the body. This bill makes no provision for control over employees of surveyors, and complies with the recommendation.

Recommendation 28 was that there should be a model Act to form the basis of all self-governing Acts to provide uniformity. This objective can be met through uniform provisions, and the provisions of this bill are as similar as possible to the provisions of the only other statute yet dealt with by the Legislature since the receipt of the report of the commission, namely, The Professional Engineers Act.

Recommendations 29, 30 and 31 dealt with limitation periods and were designed to relieve against the six-month and other periods of limitations in some Acts. The recommendation was that no limitation period should be less than 12 months.

The Surveyors Act does not now contain a provision respecting limitations, and surveyors are bound by the common law rules which, I understand, provide that a surveyor may be sued on contracts within periods up to six years, generally speaking. The association is satisfied to have the present law continue and, accordingly, the bill has no provisions respecting limitations. The result of this is that the six-year-rule will continue.

Turning to the other general principles of the existing Act which have been changed, the present Act sets out a procedure for election of officers and approval of bylaws which is inconsistent with the concept of a secret ballot. For instance, in the election of officers of the association, the statute prescribes the form of the ballot and requires the member's signature thereon. The bill has been amended to provide for secret ballots in such instances.

The present statute provides for the election of administrative officials such as the secretary, the treasurer, and the auditors of the association. This procedure is completely unworkable, particularly where full-time staff is required. The position of secretary is a full-time position. Also, in the appointment of auditors, the present provisions are out-of-date and the new bill provides for the appointment of such officials by the association.

Another unworkable principle of the existing Act is that a member cannot be suspended for arrears of dues unless those arrears have accumulated for a period of six years. This period is being reduced to a term of six months.

It has been understood that surveyors have not been permitted to incorporate their practices. This principle has been clarified and modified to provide for such incorporation.

Of course, this new development is subject to a number of controls designed to protect the public by ensuring that a qualified surveyor is responsible for the survey work performed. A corporation will be required to obtain a licence and such licences will be available only where it is one of the principal or customary functions of the corporation to engage in professional land surveying. Also, such corporations will be required to conduct the practice of professional land surveying under the responsibility and supervision of a member of the association. In addition, a corporation may be licenced only where a majority of each class of shares is owned by such association.

Mr. Speaker, I trust that the members of this House will find these remarks of assistance in understanding the principles of this new bill which have been designed to provide greater protection for the public, and modernization of the association.

May I also add, Mr. Speaker, that all members of the surveyors' association have been provided with copies of this proposed legislation, and that the proposed legislation was considered at the last annual meeting of the association held about a month or so ago, and

that they were in favour of this new legislation.

Mr. Ben: Mr. Speaker, in rising to speak on the principle of The Surveyors Act, 1968-1969, I do so with great fears and trepidation.

Mr. Speaker, the USSR is run on the principles of Marxism as interpreted by Lenin; China is run on the saying of Chairman Mao Tse Tung, and I have a great fear that henceforth the province of Ontario is going to be run by the recommendations of Mr. Justice McRuer. I am not trying to criticize Mr. Justice McRuer, but sitting here and listening to recommendation after recommendation being—

Mr. S. Lewis (Scarborough West): He is in good company with Marx and Mao.

Mr. Ben: —being rhymed off—29, 30, and 31—I ask myself when was McRuer's head anointed that made him infallible, that made every one of his recommendations gospel, and which no one dares to question?

Mr. D. C. MacDonald (York South): What is wrong with the recommendations?

Mr. Ben: All right, I am asked what is wrong with the recommendations. Let me point out some of the inconsistencies brought out in this Act, as soon as the cackle to the left dies out.

One of the recommendations that Mr. Justice McRuer made was that the ethnic background, race, religion, and so on, or nationality, should not be a bar to joining an association. Fine! I think we accept that. But tell me, Mr. Speaker, do you think it is consistent that at the same time you say that only skill and ability should be a criterion for membership, you say that a man's background can be a bar to him being a member of the council that governs that association. Where is the consistency?

What makes a man better qualified to sit on council because he had applied and received his Canadian citizenship than he was the day before, when he had only up to that time expressed his desire to be a Canadian citizen? Does he become that much more qualified or eligible? A man may be the best qualified surveyor, the most dedicated member of society, the most outstanding community worker—

Mr. P. D. Lawlor (Lakeshore): I think there is a turkey out in the hallway.

Mr. Ben: Well, the member can go pluck the turkey, if it is out in the hallway, otherwise just listen.

What makes a man unqualified to be on council? He has distinguished himself—he could have distinguished himself as a community worker, as a philanthropist. He could have expressed time and time again his love for this country, both physically and orally. He could have proven his qualifications over and over again, to be a member of the association—and, in fact, he could have been a member of the association for a number of years.

He was the best qualified to be a director, a member of council, but they say to him: "No, you cannot be a member of council, because you are not a Canadian citizen or other British subject".

Why not, if, as the NDP expressed through the member for Lakeshore, there is nothing iniquitous about this section, if there is not prejudice? Why the wording "or other British subject"? Why was not the criterion simply that he be a Canadian citizen? I say to you it stinks of discrimination. It stinks to high heaven. And the NDP say that there is no distinction. They say that Canadian citizens and British subjects ought to be given preference over all the other hundreds of thousands—and millions—who are in this country. They say it through the mouthpiece of the member for Lakeshore. Let them deny it.

Now, there is another inconsistency, Mr. Speaker—

Interjections by hon. members.

Mr. Ben: Under The Solicitors Act, a solicitor, a lawyer, cannot sit on a jury. He is barred from sitting on a jury, because juries are supposed to decide on the facts, as distinguished from points of law. The judge rules on the law, and the jury decide on the facts.

Now, in this particular instance, because McRuer suggested that there be two laymen on these councils, it is written into the Act that one of them be a barrister and a solicitor. I do not know why he just could not be a barrister, or why he just could not be a solicitor. Why does he have to be both a barrister and a solicitor, unless perhaps the hon. Minister did not recognize any distinction? Although I, as the member for Lakeshore has interpected, am both—but there are many members of the legal profession who are not both, who are only solicitors.

Would a man have to be both? First of all, why should there be a lawyer when it is

almost an ingrained principle in our jurisprudence that lawyers should not sit on juries? Would not the disciplinary committee be sitting as a jury to rule on the qualifications of the member before them, or to determine whether he had acted unprofessionally? A lawyer is the last person you would want on there because you are deciding facts.

Secondly, if so, why would he have to be both a barrister and a solicitor? Why should it not suffice that he be a solicitor, if he is advising only on the law?

Thirdly, why does he have to be a member of at least ten years' standing of the bar of Ontario? If a person wants to specialize in legislative law of the kind indicated in The Surveyors Act and he spends three, or four, or five years specializing in this type of law, is he less qualified than a member of the profession of at least 12 years' standing, or 15 years' standing, who has never stuck his nose into The Surveyors Act? Why that distinction? I do not see it.

Why applaud all the reasons given by the Minister for bringing in this bill? I applaud the whole wide breadth of civil rights that Mr. Justice McRuer has opened to the eyes of the public, but the fact is that there are, in this bill, a few inequities, a few injustices, a few discriminations, which ought not to exist in a piece of legislation passed by this House.

I do beseech the hon. Minister to give consideration to some of those points before this bill is brought back into this House for clause by clause consideration.

Mr. Lawlor: Mr. Speaker, having heard those drippings of wisdom proceeding in honeyed tones from the mouth of the member for Humber, I then suppose we can proceed to analyze the merits or demerits of the legislation.

I would just say a word about what he said: he performs the oddest mental somersaults while swinging on his own homemade trapeze. At one end of the scale he takes exception on the point of British subjects; which on the contrary I would think throws the net fairly wide, to people as far away as Australia who wish to come here in the surveying profession, people in Malta, to a wide diversity of individuals in Jamaica, and elsewhere in the world—

Mr. G. Bukator (Niagara Falls): How about Niagara Falls?

Mr. Lawlor: And then he swings to the other end of the somersault. He says: "Why not make it Canadian citizenship?" That excludes, does it not, the very people he wants included. And, I would think that the reason as set out by McRuer, as he sets out in his book, that the board itself be composed of British subjects, is a kind of guarantee that they be acquainted with our traditions, laws, and modes of government; and to know in an habitual way, almost unconsciously, how we go about these things. Until they are so acquainted, it may be somewhat of a question as to whether they ought to be the governing members in any particular profession. I mean, it is a moot point to say the least, but to take such a strong stand on a matter of that kind seems somewhat insensible.

May I say a word, from this side of the House, of congratulations to the Minister. The Minister presented this bill the way I have never heard a bill presented in the House previously in my term of office. He stood up in a way that I think is highly commendable, and in the way a bill should be presented to this House.

A Minister stands up, he does not leave it to us over here to give the ramifications, to go through it point by point, to take the 31 points set forth in McRuer and see to what extent they have been adhered to, given cognizance. May I say, in passing, there is no subservience, there is no excessive intellectual humility involved, particularly in affirming the points that the former Mr. Justice McRuer makes. There need be nothing like that.

What he says is, in most instances, eminent common sense, and he says it in a very clear and explicit way. He has the whole panoply of British tradition and concepts of justice. Whatever an Irishman may think about Britain, at least he has that to commend it. Whether they practise what they preach is a different question. But the fact is that the tradition is there and it is a goodly corpus. It is something that ought to be given adherence to. To simply stand up and say that this man McRuer is considered as some Mosaic code, or something like that, is just nonsense.

He is subject to critique? The whole first volume of his work is subject to the gravest kind of critique. We have not got around to it yet, but we will do shortly. And in this human rights area. It will all come out as to where the tendencies, the biases and the false emphases stand. He has the merit or the demerit, such as you consider it, to be a member of the legal profession, to be trained in that rather arcane tradition which, while broadening a man in some ways, narrows him

down by inches in others, and he may end up a pygmy rather than a god at the end of the day, simply having been exposed to that sort of thing.

But, on the whole, I think we can give this man nothing but credit. We are the most fortunate of people, that a man, at the sunset of his life, be given a task of this kind to which he is wholly equal. What other jurisdiction that you know of has been so gifted, so disposed, as to have a McRuer to winnow through the legislation in this province, having had the leisure, having had the vast experience to be able to stand back and look at these things objectively and to show us which is the path into our future. To attack him on that score seems to me to do less than justice to the man himself and to his cause.

But to get back to the bill. The Minister, as I say, has saved us a good deal of trouble by doing his job in a positive way and going over it clause by clause. I have some misgivings about the *in-camera* aspect and the modification mentioned by the Minister, the basic proposition in McRuer being that the normal proceeding in our theory of law is public hearings.

But if he wishes to have an *in-camera* hearing then it may be done. To deputize the further power over to the governing body is questionable. But I cannot imagine what conceivable subject would come up under The Surveyors Act in contradistinction to The Juvenile Delinquents Act, which the Minister mentioned, which would require this. What conceivable circumstance would arise which would require hearings to be *in camera*?

If we are subject to pillory, then so be it. If it is a case of trying to hide dirty linen by professional bodies under closets I do not think that is in the cause of the openness that our system dictates. In any event, it is a minor point and I do not desire to dwell upon it.

I notice that in the section having to do with the definition of a surveyor, and the offences arising out of that, if anybody uses the title of "Ontario land surveyor", or uses any additional abbreviation to it, or uses the designation "surveyor", or any words, name or designation that will lead to the belief that he is a member of the association, he can be subject to a very severe penalty.

I would have the Minister remember what happened the other day in the House here under The Land Titles Act, where we explicitly excluded surveyors, or at least we made it no longer necessary that surveyors, under any form of designation, would necessarily be employed by the land titles office.

I think we all call them surveyors. I suppose if they, in any way, hold themselves out to be such, from now on, they could be subject to the penalties of this proposed Act. In other words, what I am saying is that the definition of "surveyor", they are certainly jealous of the use of the word. I would have thought it was fairly common, but they want to give it a very close definition, preserving it to their own field.

I wonder how legitimate that is, when people who are draftsmen and working in the area of surveys would, by ordinary nomenclature, be called surveyor. But, again, I suppose there could be some merit in this particular verbal jealousy. I would like to hear what the Minister has to say about it.

The trouble is, in a division of labour, under a sociological theory of the division of labour, that every group tends to garner to itself in a known and narrow fashion, the terminology which is fairly common throughout the population. I think we should resist that possibility.

The other matter that I wanted to mention is that while there is "articled students" set forth here, and the terms of their articling and things of that kind, there is no provision made for the representation, as such; for those who are being so trained in the association. I would think that in an association of this kind it may not be necessary, but for any surveyors, for any professional association that may hear these words, I would ask them to take that under advisement, and that the articled students be given some role.

There is a problem of bonding. Not all these professional Acts have mentioned bonding, and it seems to be a fairly deep-rooted thing; to have been around a long time historically in this particular Act. It is mentioned in section 17, subsection 18, that to become a recognized surveyor you have to enter into a depositive bond. For years this bond was placed in the hands of the Treasurer of the province of Ontario.

Under section 32 you have changed that and the Treasurer is now going to release all these bonds on deposit with him and they will be turned over to the association itself.

What is the point in these bonds? What do they affect, that each individual should be bonded in this way? Again it does not apply to my own profession. I suspect it is an

anomolous thing within the surveyors' profession. I have no recall that it is ever mentioned in the professional engineers proposed bill either. I suspect it is a hangover from the past, and should be scrutinized with a view perhaps to taking it out.

I feel that these are the major items that perhaps the Minister has not dwelled upon as he went over the bill with a degree of refinement, and on sitting down, I again commend him.

Mr. A. B. R. Lawrence (Carleton East): Mr. Speaker, it is always difficult in a bill of this type to figure out exactly what is within order insofar as second reading is concerned in principle, and what is very close to dealing with the matter on a section-by-section basis.

So today, if I might, I would pose through you to the Minister, a question as to whether or not, in relation to section 7 and section 13, we will have an opportunity of discussing their purport in some detail, without feeling that in any way we are foreclosed from debating them perhaps more thoroughly today, on a section-by-section approach.

Hon. Mr. Brunelle: I would think this opportunity would be given. I would think, this bill would go to the committee on legal bills.

Mr. Speaker: Is there any other member who wishes to speak to this bill? Does the Minister wish to say anything further?

Hon. Mr. Brunelle: No, Mr. Speaker.

Mr. Speaker: The motion is for second reading of Bill 122.

Motion agreed to; second reading of the bill.

FACILITIES FOR CHILDREN SUFFERING FROM MENTAL OR EMOTIONAL DISORDERS

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill 138, An Act respecting facilities for children suffering from mental or emotional disorders.

Mr. Lawlor: On a point of order in connection with this bill, my first point is that this bill largely embodies, almost word for word throughout, the same words and clauses contained in another bill, Bill 130, "An Act to provide procedures governing the exercise of statutory powers granted to tribunals by the Legislature wherein the rights, duties or privileges of persons are to be decided at or following a hearing".

That bill was introduced by the hon. Attorney General, and has, as you know, Mr. Speaker, been placed over in this House for consideration for hearings, for the attendance of all interested people, for our perusal, to being given thought to on this side of the House, and for representation by the general public. It has been placed over, we understand, for the rest of this session.

Now, this other bill, which I say is almost the embodiment of it, but applied to a particular Minister's department, comes before us today. I would ask that the bill be put over, at least until the Attorney General is present in this House.

That is my point of order, that it does affect, explicitly and directly, the role of the chief law officer of the Crown in the province, and he should be here during this debate, if the debate goes on at all. I would ask that it be stood down during the period of time so that he may hear what is said on all aspects of this legislation.

Mr. Lewis: If I may, on the point of order, speaking both to you, sir, and to the leader of the House, it is not very often that requests of this kind are made and they are frankly made in the hope of facilitating discussion. It is our feeling by way of the clauses of the bill, and there are a number under discussion, that they affect very directly matters within the purview of the Attorney General. We would be most appreciative, sir, if the Attorney General could be in the House when second reading was discussed—much as the way the debate in this House was facilitated by the Attorney General being present on the second reading of The Highway Traffic Act and its subsequent discussion in committee. There is no hesitation about discussing second reading; it is just a request that we would make in terms of a much more useful debate on the bill.

Mr. Speaker: The hon. member for Humber. Is the hon. member going to speak to this point, or the bill?

Mr. Ben: Both, the point first.

Mr. Speaker: Would he confine himself to the point raised by the hon. member for Lakeshore?

Mr. Ben: I am at a loss to understand how the member for Lakeshore can say that this bill is almost identical in wording to Bill 130.

Mr. Lawlor: The member has not read it. He should read it.

Mr. Ben: I do wish the hon. Minister of Health would give him a free pass to his clinic.

Mr. Speaker, Bill 130 deals with tribunals and administrative matters. Bill 138 starts off by stating that the Minister may, with the approval of the Lieutenant-Governor-in-Council, establish and operate one or more children's mental health centres. I do not find in Bill 130 any empowering of the Attorney General, either alone or with the approval of the Lieutenant-Governor-in-Council, to establish any type of health centres whatsoever, mental or otherwise.

Mr. Lewis: We are not arguing that.

Mr. Ben: The other sections go on to deal with the establishment of these types of facilities. Simply because, subsequently in the legislation, certain safeguards of individual rights are considered, and are in line with what may be suggested in Bill 130, which is what should be done anyway, does not mean that we ought not to discuss Bill 138.

Mr. Lewis: We did not say that; we would like the Attorney General present.

Mr. Ben: I cannot see why the Attorney General should be here, notwithstanding that they may like him to be present, Mr. Speaker. As you well know, I had a couple of questions of the Attorney General today. I too would have liked him to be present. Unfortunately, he is not here and I do not think that should preclude the discussion of an Act that deals with matters that pertain to The Department of Health.

Mr. Speaker: Of course, the order of government business in the House is the responsibility of the House leader, and before I make any ruling or express any opinion on the present request of the hon. member for Lakeshore, perhaps the Minister might have something to say, or the leader of the government.

Hon. Mr. Dymond: Mr. Speaker, I would like to speak to this point of order. First of all, it amazes me that there is such a blatant show of inconsistency on the part of the hon. member for Lakeshore. The hon. Minister of Lands and Forests has just recited exactly the same terms embodied in his Act. Indeed, he made direct reference to Bill 130. May I point out to you, sir, that the Attorney General is fully cognizant of what is in this bill; indeed, it was drafted in close consultation with him and with his deputy and the other officers of the Crown by my own departmental solicitor. There is no need for a bill of this kind to be set over, and I agree with the hon. member for Humber that it should be debated now.

Mr. Speaker: I, myself, would agree with the submission of the hon. member for Humber, and the remarks of the hon. Minister, and since it is within the power of the government House leader to order government business, I would rule that we would proceed with the second reading debate on Bill 138.

The hon. member for Lakeshore has the floor.

Mr. Lawlor: Mr. Speaker, to keep the record straight in this particular regard, and touching on the overall implications of the bill, section 2 of this bill is a direct and word-for-word reduplication of section 8, section 3 is a reduplication of section 9, and section 4 is a reduplication of section 10. We can go through the whole bill in this particular way, Mr. Speaker. I accept your ruling, but I want to point out that this whole bill is in substantial part a reworking of a bill which has been placed over for consideration to a future time, at the request of the Attorney General himself, so that it may be given the full review it deserves. We are in advance of the matter, so to speak, at this time, in discussing this bill, prejudging the whole issue contained in Bill 130. There is no point, if we pass this legislation, in going on and reviewing Bill 130. Its import is undercut by passing legislation which precontains it. But if that is the way things are to be, so be it. We will get on with the bill. It is bad enough in itself.

May I say that the general principle of the bill is wholly acceptable to us. There should be facilities and a board in this province to look after, care for, license, inspect and give surveillance to the custody of mentally retarded children. There is no question about it, it should have been here a long time ago, and it is high time it was brought into being. But there are other features of the bill—other blatant, to use your term, sir, features of the bill—which run directly counter to anything that either the Attorney General's bill, or McRuer, would countenance, or has countenanced in express terms, as being civil rights legislation of a high order.

I refer to the *ex-parte* injunction provisions under this bill. I refer to running counter to the provisions of The Expropriation Act

which we passed just before Christmas, exempting and excepting yourself from that particular area. And I refer to the last piece of mockery that this Minister could design in order to escape the full ramifications in import of the so-called civil rights provisions that he has incorporated in the bill, namely, that the Minister has final and absolute authority at the end of the day to wash out, to nullify, to make meaningless everything else he put in the bill, and I refer to section 14. How he can justify that piece of chicanery passes my limited imagination.

In any event, it is a thing like section 14 which brings into disrepute all pretensions of seeking to safeguard the rights and liberties of the subjects of this province. Just read the section, the final clause in the section, "and the decision of the Minister is final." They may go through all the Acts, they may perform all the dances, they may rigorously adhere to all the civil rights provisions that have ever been designed by the mind of man, but it all finally devolves upon the head of one single creature—I almost said King Saul—but in this case it is the Minister of Health. Just what is the purpose of that? Just where does he derive his authority, I mean in terms of precedent, in terms of what McRuer says. From whence does he derive his position? Why did he insert that clause into the bill? Why does he feel it is necessary?

Then, coming to the next clause 15, on the business of *ex-parte* injunctions, I suppose we see red when we hear about *ex-parte* injunctions. I think they are nefarious instrumentalities at best in the workings of the law. There is a very narrow field in property rights where a man may be seriously injured in a very short period of time. One should be able to go to court quickly to pick up an *ex-parte* injunction. But then one does it under very grave and severe terms. The law indemnifies that man against any possible injuries that he may suffer as a result of your doing so. But you do not indemnify anybody. You just shut them up. This business of an *ex-parte* injunction, what do you need it for? The *ex-parte* injunction concept would only arise in your department—and under the head of this bill—in the event of a complete failure and breakdown of the operation of your department. In other words, your inspectors could not have done their job, they would not have done their job for a considerable period of time, thereby forcing you to move in to private property rights and to the operation of the children's home with an injunction of this kind—an *ex-parte* injunction.

I think you tend to load yourself with prowesses and powers. I suppose as a Minister of the Crown there is some effulgence to be gained from all that. But your mind grows intoxicated with the virulence of the disease of power—if you are darn well going to see that things are operated your way and that Scotch finger—I hope that arouses his ire—is placed on every forehead in this province because you wish it to be so, why do you not adhere to the standards, the criteria, that have been set out explicitly at great cost to this province in the conduct of your office, or any office of the Crown, instead of conferring upon yourself special graces, privileges and immunities?

> The Minister shall occupy and operate a centre, pending the outcome of the proceedings, and the judge may issue the order when, in the opinion of the judge, it is necessary for the best interests and protection of the children in the setting.

I think that *ex-parte* clause ought to be deleted from this bill.

The next point I wish to come to is your opting out of the provisions of sections 25 and 40 of The Expropriations Act, that is the sections having to do with notices and period of time that have to elapse to give people adequate opportunities for their hearing to prepare themselves and so on. Here you move in for the purposes of arranging alternative accommodations and treatment of children under subsection 1:

> The Minister may, notwithstanding sections 25 and 40 of The Expropriations Act, 1968-69, immediately occupy and operate the centre, or arrange for the centre to be occupied and operated by a person or organization designated by him for a period not exceeding six months.

So you move in with a type of phalanx. I mean the thing is almost Nazi.

Mr. Speaker, I feel a departure of breath in the sort of splendid privileges this Minister arrogates to himself. I therefore propose to move—I move, seconded by Mr. S. Lewis (Scarborough West), that the word "now" in the motion before the House be deleted, and the words "this day six months" be added so that the motion before the House shall read that Bill 138, An Act Respecting Facilities for Children Suffering from Mental or Emotional Disorder, 1968-69, be read a second time "this day six months".

Hon. Mr. Dymond: Mr. Speaker, naturally I ask that this amendment be defeated.

Mr. Ben: Mr. Speaker, I would like to speak on this, but the amendment has not been read yet.

Mr. Speaker: It has been moved by the hon. member for Lakeshore and seconded by the hon. member for Scarborough West, that the word "now" in the motion before the House be deleted, and the words, "this day six months" be added so that the motion before the House shall read that Bill 138, An Act Respecting Facilities for Children Suffering from Mental or Emotional Disorders, 1968-69, be read a second time "this day six months".

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, we were discussing just yesterday, under the estimates of The Department of Social and Family Services, the crying need for more facilities for emotionally disturbed children. We were assured by the Minister of that department that the problem that has been called to his attention for so many years was being solved. I would say it is being solved in part by the provisions of this bill that is before us. We have been condemning the government for their lack of action and lack of policy in providing these facilities and relying on the private sector—or as some members choose to call it, the public private sector—to make available in the community the facilities for emotionally disturbed children which we, as Liberals, believe should be furnished by the government in a series of public institutions.

I would agree with the member for Lakeshore when he is specifically critical of some provisions in this Act, particularly those provisions that give unusual powers to the Minister of Health to override recommendations made by the director and other boards mentioned in the Act. Surely this is a matter that can be corrected in a democratic way in the committee of this House or in the standing committee which will deal with it, and receive the views of those concerned from outside the membership of the Legislature.

In my view, however, it is imperative that the Legislature proceed with the consideration of this particular bill. We believe that one of the most glaring faults in government policy—and particularly that part of policy administered by the Minister of Health—is that which is concerned with the subject matter of this bill. I, for one, am disappointed that it does not indicate that the government is going to get into the business of providing these facilities with more immediacy than I am able to discern from the principle that is contained herein. For these reasons, Mr. Speaker, I think it is necessary that the bill be supported and that the hoist motion that has been put forward by the member for Lakeshore on behalf of the NDP be defeated.

As I understand the rules, we do not vote on the hoist but we simply vote whether or not the bill shall now be read a second time. When that motion is put before us we, as the official Opposition, intend to vote for the second reading of the bill. I believe that there will be ample opportunity provided in the committees, as I have already said, to be critical of those individual areas which I believe do not come up to the standards which we must demand as we approach the principle of the bill and its implementation, as called for in the various sections.

Mr. Ben: Mr. Speaker, in rising to speak on Bill 138, An Act respecting facilities for children suffering from mental or emotional disorders, I can only conclude that the hon. member for Scarborough West seconded the motion for a hoist out of courtesy in order that the member might have a seconder.

I say that, Mr. Speaker, because when I first came to this House in 1965, the first thing I tried to do was familiarize myself with what had occurred during the session which had preceded my byelection.

In so doing, I was struck by the research that had been carried out by the hon. member for Scarborough West and the speech he had made touching on emotionally disturbed and mentally ill children. If my memory serves me correctly, at that time it was he who had first brought to the attention of this House that it was estimated there were, in the province of Ontario, between 250,000 and 500,000 emotionally disturbed and mentally ill children.

The member, I am sure, will accept that many of the arguments I presented at subsequent dates for the provisions of services for these children have perhaps been inspired by him. In fact, when—

Mr. Speaker: Order. May I just call it to the hon. member's attention that while some latitude is allowable, we are now debating the amendment to the motion and not the principle of the bill. We must try to stay within reasons for either voting for, or opposing, the amendment which is now before the House.

Mr. Ben: Will the Speaker permit me to discuss both of them?

Mr. Speaker: No, just the amendment.

Mr. Ben: Just the amendment. Oh but, Mr. Speaker, as has already been explained by the—

Mr. Speaker: The hon. leader—and I was listening very closely—did very nicely. He started off to discuss the principle of the bill, and then he came back to the amendment to hoist the bill for six months. Now, as I have explained, I will allow a certain amount of latitude, but I will not allow this to get into a debate on the principles of the bill.

Mr. Ben: But, if I may, Mr. Speaker, on a point of order. As I understand it, the question that will be put to this House will not be this motion. The question will be: Shall the bill now be read the second time?

Mr. Speaker: In actual practice, that is what happens. But, in theory, the matter now being debated is whether the motion that the bill be not now read a second time, but read six months hence, as the case may be, is the motion which is before the House.

Mr. MacDonald: Mr. Speaker, on a point of order—

Mr. Nixon: Point of clarification. Surely, it is not your intention to restrict the discussion in the House on this very important piece of legislation, simply because an amendment has been put forward that in fact would hoist it for six months.

When, under other circumstances, could we discuss the principle of the bill which will probably, in the course of events, be carried without discussion in principle, if we were to accede to your direction?

Mr. MacDonald: Well, I was on my feet when the hon. leader took the floor. But he said, in effect, what I wanted to say. Does that appease your hurt feelings?

Mr. Nixon: What does it do to yours?

Mr. MacDonald: I suggest, Mr. Speaker, for your consideration, that if you are going to restrict debate on the substance of the hoist amendment which presumably is whether or not it should be done now or later, in effect you are going to have no debate on the second reading. But surely—

Mr. Speaker: I would agree entirely with the leader of the Opposition and the leader of the New Democratic Party; and I would have thought that the members would have considered this, and made their hoist motion at a proper time, rather than endeavouring to cut off debate on it because—

Order. I will give the members the opportunity to speak.

—because there is not any question that I am urged by members, particularly on that side of the House, to stick with the rules of the House. The rules are there. A certain amount of latitude is allowed on this discussion, but not a full discussion of the principles of the bill because that is not the motion which is now before Mr. Speaker. And, as far as I am concerned, one day I am asked to enforce the rules, and the next day I am told that it is going to cut off debate because I am enforcing the rules.

The rules are there, and everyone can read them and interpret them how they wish, whether it be the same way as Mr. Speaker does or not.

So I agree entirely with the statement and submission of the hon. leader of each Opposition party—that it would have the effect of cutting off the debate on this particular bill, so far as the principles of the bill are concerned.

I have said, and I will maintain that position, that I will allow a reasonable amount of reference to the original motion; but the debate, at the moment, is not on that. The debate is on the amendment to the motion.

Mr. Ben: On a point of order.

Mr. MacDonald: Mr. Speaker, if I may be—

Mr. Speaker: The hon. member for York South yielded me the floor, and I think he is entitled to have it back.

Mr. MacDonald: Mr. Speaker, surely your comment is a little precious. I take your comments for what they are, a little lecture that we have done it the wrong way. We have made our bed, and we must now lie in it. But I am not going to lie in it without protest.

The practice in this House, on many occasions, has been that this kind of amendment is made, the principle of the bill and the amendment are debated together. I am a little puzzled as to why we have become so determined that the strict letter of the law is going to be lived up to on this particular occasion when, in effect, you are going to rule out any debate on second reading of the bill.

Many times in the past—I will have to go back and search through the records—but many times in the past, when such amendments have been made, there has been a debate on the principle of the bill and the amendment; and when the debate ends, you

vote on the main motion in the fashion that has to be with this kind of an amendment.

Mr. Speaker: If I may just say, in answer to the hon. member, that if he will also go back through the records of the House, he will find many records where, in the past year or so, Mr. Speaker has been taken to task for not enforcing the rules as they are. There will be just as many of those references as the references to which he has spoken; and therefore, at some time or other, Mr. Speaker has to decide which of the procedures he will follow.

Mr. MacDonald: Why now?

Mr. Speaker: This is the first time that this has come up in this session at least—when there has been a debate of both. There was one previous hoist motion, and it was confined fairly well, to my recollection, to the matter of the amendment.

The hon. member for Humber.

Mr. Ben: Yes, Mr. Speaker, perhaps I am one of those at whom you could, in all justification, point a finger and say: He insists that I follow the letter of the law, or the rules in this particular instance. And, Mr. Speaker, being such a person, I am content to abide by your decision in this matter, and I might point out, in this particular instance, I am on my feet on a point of order.

I do know, Mr. Speaker, that it is your intention more to point out what the rules are, than to restrict debate; and that we cannot have our cake and eat it too.

Although I must say, Mr. Speaker, I regret extremely that you should try to put me into the NDP bed. I am sure also that you, and the members of this House, having had brought to their attention, the rules as they exist, would like to get out of this quandary. I am asking you, Mr. Speaker, is it permissible to ask the House for its unanimous consent so that both the motion for the hoist and the principles of the bill, on this occasion, with unanimous consent of the House, be discussed simultaneously?

Mr. Speaker: Well, there are two things I would like to say to that. First of all, I was going to suggest to the hon. member for Humber who was on his feet at the time Mr. Speaker raised the point, might continue with his discussion. And, if Mr. Speaker felt that he is straying into far fields, he would then again call him to order.

I thought that that might be a possible way in this case of limiting the debate to a reasonable debate under all the circumstances. But I have no objection, because the House is supreme; if the House is agreed that we should combine on this occasion, the two debates, that is quite all right with Mr. Speaker.

Is it so agreed?

Mr. Nixon: Certainly agreed over here.

Mr. Speaker: I can only hear with one ear at the moment.

Mr. Ben: Thank you.

Mr. Speaker: Perhaps the hon. member will proceed.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, this is one of those questions. We do not want to restrict debate and, on the other hand, I do not want always to be put in the position of bending the rules. We either have rules, or we do not have rules. I think your point is well taken, and I do not propose to belabour this point; but surely you must understand that you are trying to get this bill put off for six months which, in effect, means removing it from the order paper. You have very little interest in debating the principle, because you are trying to remove it completely from the order paper. But I do not care. I was not in the House when the motion was made—but I think this automatically follows from the procedure composed.

I will agree to a wide open debate, if this is what you want, but I do not do this in the sense that we are establishing a precedent that, each time this is done, we are going to have to agree to a full debate when, in fact, the whole purpose and intent of the motion is to remove the bill from the order paper. In which case you have no desire to debate the principle, because you want to get rid of it all.

Mr. Speaker: I would point out to the hon. Prime Minister that earlier this afternoon the leader of the official Opposition indicated that he and his party would not support the motion, as I understood at the time. Is that correct? So that the remarks, as directed or redirected, would not be to the hon. leader.

Hon. Mr. Robarts: Well whoever—I am thinking more of principle.

Mr. Nixon: Mr. Speaker, in rising to say that we, on this side, will agree to the proposal you put before us, I have a fear that is very similar to that expressed by the Premier.

He is afraid that we are setting a precedent; that, in the future, we will do this each time.. And I am afraid that by asking us to agree, which we are prepared to do under these circumstances, we are setting a precedent that, in fact, an amendment on second reading must be discussed, excluding the principle in the bill.

Hon. Mr. Robarts: That type of amendment is only a hoist amendment.

Mr. Nixon: All right. I bring to your attention sir, that the rules of the House were changed even in my time here, and certainly in yours. And there was a time when the hoist amendment was considered as separate from the actual motion for second reading. If that were our method of procedure here, I would well agree with you, sir, that, until the amendment was dispensed with, or disposed of in some way, that we should restrict our discussions to that. But I believe it was your predecessor who decided once, and announced from the Throne that we would not do that in the future; that we would consider that the amendment on second reading was, in fact, not put as it was put by the hon. member, but that decision as to whether the bill would now be read a second time or not, would be put to the House. And since that change has taken place, I would hate you to consider sir, that we were setting a special precedent. Now in agreeing with your ruling, sir, that, in fact, the one discussion precluded the other, this is my fear.

Mr. MacDonald: Mr. Speaker, I would like to speak to this. Surely the corollary of the amendment for a hoist, since you have your vote on the main motion, is that you debate the two of them at the same time.

Memory may be failing me, but my recollection is that your predecessor indicated, when we returned the regular parliamentary tradition in handling this kind of an amendment, namely that you vote on the main motion, and in adopting it, you, in effect, kill the amendment. But he indicated that both would be dealt with at the same time.

However, I wonder as I listen to this whether there is much point in arguing it any further—because it would seem to me that all the debate on the principle, if one is opposed to the principle, will be an endorsation in support of the hoist. So what is the conflict?

Hon. Mr. Robarts: Mr. Speaker, I have one suggestion. Let us start with this premise; we are not attempting to restrict debate in the House, we are trying to find some way of working within the rules. May I suggest, for the purposes of this debate and this bill, that we proceed with a wide-open debate.

In the meantime you might, sir, examine the precedents established by your predecessor that has been mentioned here, and we will take a look at the situation. No doubt we can come to some agreement, because once we all understand the procedure, we will not have any difficulty.

Mr. Lewis: On a point of order, Mr. Speaker, in the moving of a hoist motion, so called in May under amendments to question for second reading, there is the rather interesting sentence—and I read it to the Prime Minister:

> The postponement of a bill in this manner is regarded as the most courteous method of dismissing the bill from further consideration; as the House has already ordered that the bill shall be read a second time, and the amendment, instead of reversing that order, merely appoints a more distant day for second reading.

I think that sums up the position of our hoist.

Hon. Mr. Robarts: But in fact it means it is gone. You know that?

Mr. Lewis: Yes. But gone for re-drafting.

Mr. Speaker: May I say that I think the suggestions from all sides of the House are sound. I will be most pleased, with the assistance of the clerk, to look up the rulings. I will not say that the rulings will commend themselves to the House at this time, because circumstances do change cases; and this is not the same House as there was in another Parliament.

I would also suggest that we might proceed with the debate on this basis, perhaps a little more restricted than has been suggested. That is on the original basis that I laid down to the hon. member for Humber: that I would allow a reasonable latitude in discussing the principle of the bill, while we are discussing the hoist motion, or the amendment. If that is agreeable the hon. member for Humber has the floor.

Mr. Ben: As a matter of fact, Mr. Speaker, I was trying to get your eye to say that I think I can operate within the restriction set by Your Honour, so that we would not put ourselves in the embarrassing position of trying to compromise ourselves.

For instance, I can say that this House ought to vote against the amendment, because to do so—to vote in support of the amendment—if it carried, would preclude us for the next six months at least from discussing the crying need for the proper licensing of the operation of children's mental health centres, for children who are mentally deficient or emotionally disturbed. To support this amendment would preclude us from doing that.

To support such an amendment, Mr. Speaker, would preclude us from having the Minister set up the necessary regulations for governing the operation of these mental health centres for mentally disturbed children. And this would be a great setback for any programme that the province might wish to institute to look after, as the hon. leader of the official Opposition indicated, the setting up of government-operated mental health centres for children.

At the present time, these centres do not exist; and they are needed very much. This would also preclude us, Mr. Speaker, I suggest, from discussing in detail the suggestion made by the hon. member for Lakeshore that an *ex-parte* order involving the mentally disturbed children and the conditions under which they are raised or looked after, would be out of order.

Surely we need some kind of a system whereby the government can step in immediately to look after the children while the lawyers earn their bread arguing for day after day—whether or not the children have in fact been properly looked after.

To give support to this amendment, Mr. Speaker, would preclude us from doing that, and would set back any programme for looking after mentally disturbed or emotionally disturbed children under proper circumstance.

I would think that is one of the crying needs in this province – for some system whereby the government can immediately take action or to operate child health centres while the litigation is going on. It is much preferable to taking out the children completely, and having the centre fail as a commercial enterprise, if we are going to have them run as commercial enterprises, and then find subsequently that the owner-operator of this child health centre was completely absolved.

I would much rather have an *ex-parte* order go, having the government operate it temporarily while the matter is pending before the courts, than have the children removed completely and the centre closed down.

I remember what happened in some other instances. So, if we support this amendment, we just cannot discuss these points. I am rather at a loss also, Mr. Speaker, to understand why the hon. member would move this amendment when he started off by saying that he agreed with the principle of the bill. He then started to give a lot of what in his mind were shortcomings, or inequities in the bill—

Mr. Lawlor: Do you agree they are?

Mr. Ben: —and if, in fact, they are, then he should not agree with the principle. The principle is lacking at any rate. There is one thing that I would charge, if I may use that expression, your Honour, and that is to note the date and the time when the NDP tried to impose closure on this House. So I would recommend that this House oppose the amendment.

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I support my leader in opposing a hoist to this bill. I know there are a number of things wrong with it—certainly section 15 and section 21 are more or less illustrations of the heavy hand of Toryism. There is too much in this bill wrapped around the regulation; and of course the *ex-parte* section that has been mentioned in this debate is not a good thing, but—

Mr. Lewis: It has just been applauded by the member for Humber!

Mr. Trotter: —the essence of this bill is to supply institutions for emotionally disturbed children. We, on this side of the House, have advocated this for a great length of time; and to hoist this bill at this time, over some of the things that are wrong with the bill, would be throwing the baby out with the bath water.

I am one of those who believe that government should be the main participator in the caring of emotionally disturbed children. And just as we have advocated that the profit should be taken out of health insurance, the profit should be taken out of the care of emotionally disturbed children.

Therefore this bill is the beginning, but it does not go far enough. There are no indications that there is going to be immediate action on the part of this government, and, if the past is any indication of what is going to be done in the future, progress is going to be extremely slow, Mr. Speaker.

But in essence the bill is the beginning. We certainly support the principle and as a result, we will be opposed to the hoist.

Mr. Lewis: Mr. Speaker, curiously enough, some of the principles impinging on this bill were covered during the estimates of The Department of Social and Family Services just yesterday afternoon, so I do not think it is necessary to belabour it unduly.

I think that the position which this party has taken is an eminently defensible one. We have said, sir, that we support the basic principle that underlines the bill. We advocate a hoist, on second reading, in the hopes that those principles will be upheld, rather than violated by certain provisions which the bill contains. I think that is a reasonably responsible way of proceeding and I hardly think one need be berated for it.

We support the principle of the bill, Mr. Speaker, because it is useful and valid and legitimate—and we have already said so—to have a regulatory function exercised by government in the field of residential treatment centres or other children's facilities dealing with those of mental illness and emotional disturbance.

As the Speaker knows, and the Minister knows, and as members of this House know, that object or function has been distributed—almost proliferated—through a number of Acts, none of them exercised in a satisfactory way, which has seriously hamstrung the field, and had the total effect of inhibiting the growth of services.

There is a Children's Boarding Homes Act in this province which has exercised, or pretended to exercise some control. There is a Children's Institutions Act in this province, which has done likewise, with certain schedules under the regulations for certain institutions. There is The Child Welfare Act, which has its own area of jurisdiction and, when it was set up, established or allowed for establishment of an accreditation committee to deal with these centres.

There are all of these Acts, one of them overlapping the other, and all of them having the labyrinth effect, where one sets up a jungle of legislation which ultimately frustrated the purposes which were intended. So that, when the Minister comes in with an Act of this kind, one is inclined to feel that if the regulatory function is honourable, if that is the intent, one can hardly dispute its worth.

I would point out, Mr. Speaker, that some agencies in this province—the Minister will know of which I speak—not being able to find succour or support from The Department of Social and Family Services, or The Department of Health, or the two Ministers, have had to go to the Minister of Education (Mr. Davis) and the Provincial Secretary (Mr. Welch) to be incorporated as a non-profit private school, to find yet another avenue by way of functioning appropriately in the field of services to children.

One is frankly relieved to see that, in this area, there is finally, perhaps, an indication of feeling on the part of the government to make some order out of the chaos which prevailed. There are other members in my caucus who, I hope, will participate and be rather more explicit than I can on matters of legality. There are certain aspects of the bill and clauses which worry us very greatly.

I say to you, sir, that the provisions of the bill which parallel the provisions of Bill 130 are to be questioned. Because, when the chief of the judiciary in this province, the Attorney General, introduces a bill which is to be a model and then says to the public that it is sufficiently contentious and controversial and I want to hold it over for an entire year before I enshrine it in law, there is a certain inconsistency when the Minister of Health takes it upon himself to incorporate similar provisions in his own bill.

The matter of the *ex parte* injunction is something which is questionable. I agree with the member for Parkdale in the Liberal Party, not the member for Humber. The *ex parte* injunction is an offensive feature of this bill.

In other bills which the Minister has—for instance, nursing homes, he makes provision for the occupancy and operation, if circumstances warrant, without bringing in an *ex parte* injunction. That seems to be an overly defensive proposition.

Thinking back to the fall of 1966, one might have thought it a moment of redemptive guilt that puts this clause into the bill. I do not know how else to account for it.

This Legislature also spent a considerable period of time enshrining the amendments to The Expropriations Act, and thinking them through with consideration, sees them as having validity on a broad basis. Then the Minister of Health sees fit to bring in a bill which rides roughshod over the very heart of The Expropriations Act and the provisions which it embodies.

On top of that, Mr. Speaker, I would like to point out, sir, that I do not think—I can stand to be corrected—but I do not think there is another bill in the entire legislative process which establishes a board of review with full authority and power to rule and

once that ruling has been handed down, allows the Minister to rescind the ruling. I do not know of another piece of legislation, anywhere, in any department, where that is true.

I say to the Minister, Mr. Speaker—I say to him without any particular anger, but with some feeling—that that is an exceedingly anti-civil libertarian clause. All his colleagues have eschewed such a clause. If the Minister himself establishes a board of review for legislation, and it fulfils that precise function, then to arrogate to himself a supreme Olympian authority to overrule the decision is to raise a great many questions about the nature of the intent.

Finally, Mr. Speaker, I would just point out sir, that the regulations in this bill fair boggle the mind. I would challenge the Minister to produce another bill where the regulations are so all-embracing in their effect. Everything in this bill is contingent on regulations. There is nothing—

Mr. Ben: On a point of order, Mr. Speaker. I tried to restrict myself from going into the principles of this bill because of the closure that was imposed by the NDP, and then we find the party that imposed the closure going into the principle of the bill. Not absolutely kosher.

Mr. Lewis: I am trying to abide by the Speaker's ruling. If I am not—

Mr. Ben: If I speak again I shall speak to the principle of the bill.

Mr. J. Renwick (Riverdale): The hon. member does not listen to him.

Mr. Lewis: Well, that is fair enough. The member for Humber has his privileges as I would like to exercise mine by finishing the point I was making.

Mr. Speaker: I would say that the member for Humber has a well taken point. I would hope that the member for Scarborough West would consider it as he continues with his remarks.

Mr. Lewis: I am talking, Mr. Speaker, to both the amendment and the principle, as was agreed upon in this instance.

Mr. Ben: On a point of order, that was not the agreement. No, Mr. Speaker said that we were going to follow his suggestion to speak to the amendment, and if we did not stray too deeply into the principles he would not rise.

Mr. Lewis: Well, I point out to you, sir, that the amendment was put precisely because these features of the bill made us feel that it was ncessary to put the amendment. We would like to refine the bill to make it operate in ways which are rather more effective, and one of those ways would be to make the regulations rather more explicit.

It is seldom that one gets a bill which is as denuded in content and is so contingent in its expression on regulations, which this House, of course, will not see until they are promulgated, and which this House will never have a chance to debate.

Basically, then, Mr. Speaker, our motives for the amendment and our view of the bill derives from a feeling that the bill is preoccupied with repressive features. If one looks at all the clauses that are included in the Act, only two or three of them are positive, and one is necessarily, therefore, suspicious of the motives. Not to the point where one would say a regulatory function was not warranted; but concerned about the motives that underlie the bill—the dark alarums that lurk in the mind of the Minister; even to the imposition of fines.

I would point out to you, Mr. Speaker, that even section 19, which was to portend so much, upon which the press and media immediately fastened when the bill came out, a section which suggested that the Minister would now begin to pay for services for emotionally disturbed children, is also essentially a fraudulent section. It merely enshrines in legislation a practice which has now been followed for more than a year.

The fact of the matter is, Mr. Speaker, that the vast majority of children in the province who will be referred to centres for the emotionally disturbed will continue to be wards of children's aid societies and the money will continue to come through The Department of Social and Family Services. The Minister of Social and Family Services (Mr. Yaremko) confirmed that in this Legislature yesterday afternoon.

So I suggest to you, sir, that if anything of substance is portened in section 19 by way of payment, the numbers concerned can be counted on the fingers of both hands. Let me assure you, Mr. Speaker, that section 19 will hardly be a drain on the public treasury.

And then, Mr. Speaker, I would have wished a different kind of bill, if I may put it that way to the Minister. I would have wished for a bill, Mr. Speaker, which was generous, creative, extending and co-operative with the agencies in the field. I would

have felt that a bill which was prompted by generosity and the obvious intent to act, would have been a far more significant contribution to the needs of disturbed children than a bill which is obsessed with boards of review, *ex-parte* injunctions, The Expropriation Procedures Act, and the generally repressive features which characterize it.

It was said when the bill emerged on first reading that there was a sense of vendetta in the bill. I choose not to believe that, I choose not to believe that, and that did not particularly underlie the amendment. But I do say to you, sir, that the bill has not lived up to what the Minister's white paper suggested many, many months ago—indeed I guess it is some two years—ago now. Because, in the provision of services and facilities for emotionally disturbed children in the province of Ontario, there has been barely marginal evidence of progress in this Minister's tenure—barely marginal evidence.

The only concrete evidence has been the extension, as was indicated before, in the field which a great many people regard as pernicious, the concentration on the Ontario hospital system. The great network of regional diagnostic and treatment centres which was supposed to characterize this province by the years 1968 and 1969 is nowhere to be seen. So the children's aid societies can still say, for the current year, that between 800 and 1,000 children who are disturbed are in inappropriate facilities because there is no place for them.

Mr. Speaker, how can a bill of this kind then make the pretense it has made? It is indicated that most of the sections do not deal with the expansion of services; the one section that deals with financing will apply to only a minority of individuals. I would point out to you, sir, that the one section, section 3, which says "The Minister with the approval of the Lieutenant-Governor-in-Council may establish, and operate, one or more children's mental health centres" is an obvious affront to the members of the House. In the Budget statement of the Provincial Treasurer, it was indicated that additional capital grants for institutions for emotionally disturbed children would be curtailed.

So there is no money going to be appropriated under that section anyway. So one asks: what is left to the bill? What is left of what amounts to an emasculated bill, except for what one hopes and would like to believe, is a basically well motivated principle of providing for some regulation in the field.

Perhaps, Mr. Speaker, I can end the proposition this way: there are more agencies than I can name who are faced with the dilemma every day of the week of having to turn away very severely disturbed children, because there is no funding available from government, other than through children's aid societies.

I made some enquiries—if the House will forgive me personal references, because I think they are pertinent—to the bill. I note with interest that in the case of Browndale, which was mentioned yesterday, and mentioned on first reading of the bill, a referral came from the Guelph social and family services to place a 15-year-old adolescent boy who had already been to court, and was in very serious difficulty with an extreme disturbance. But there is no funding for him anywhere.

And I have on file from the director of that agency, who wrote to me about it, a letter of extreme distraction on his part: that the life of this boy should go down the drain because there is no funding available anywhere in government.

As I pointed out yesterday, Mr. Speaker, to the House, these private agencies in the public sector have been taking the load off government all along.

I am not exactly sure of the date when this bill was introduced—maybe the Minister can remind me—but I believe it was within 48 hours of it being introduced, on April 21, the agency to which I referred received a submission, from The Department of the Attorney General, no less, to take another 15-year-old adolescent boy into treatment; and requested the agency to take the boy at no cost, because there were no funds available from government. This, from the Attorney General, the Minister's colleague in the Cabinet, going to a private agency, in the public sector, to seek services.

Mr. Speaker: I would like to point out to the hon. member that, whether there are funds available from the government for funding or not, has nothing whatsoever to do with the principle of the bill. The principle of the bill apparently would be that the government would make it available, and that is something over which the hon. member has no control.

So I rule his remarks, in that regard, entirely out of order, and ask him to proceed to try and relate what we are talking on now, also to the amendment which is placed before the House by his party.

Mr. Lewis: Mr. Speaker, there are two key clauses in the bill; one of them referring to

capital outlay for expansion and the other referring to particular funding for services. Direct clauses of the bill. And those clauses of the bill—

Mr. Speaker: The hon. member is not discussing the clauses of the bill. He is discussing the Provincial Treasurer's Budget and various other things. And they do not, in my opinion, refer properly to the matter under discussion. I would rule that that discussion is out of order.

Mr. Lewis: I accept your stricture.

Mr. Ben: Do I understand you correctly, Mr. Speaker, when you permitted me to speak, you stated that I must speak only to the amendment, that I could not speak on the principle of the bill; but if I did not stray too far from the amendment, you would not interfere. Is that not correct?

Mr. Speaker: That is exactly what Mr. Speaker said.

Mr. Ben: Then why, I suggest, did Mr. Speaker not maintain this?

Mr. J. Renwick: Because it makes no sense.

Mr. Lewis: It is the first time in my memory in this Legislature, it goes back only to 1963, that second reading of a bill had been so constricted.

Mr. Ben: The member did it. He was responsible for it.

Mr. MacDonald: The rules of the House do not permit debate. It is simple as that according to the Speaker.

Interjections by hon. members.

Mr. Lewis: Well, we have debated many hoist motions in this House in the past five or six years, Mr. Speaker, and I can frankly never remember this kind of stricture on second reading of a bill when I am applying directly to the principles that are contained, and directly on point.

All right. I shall accept the Speaker's intervention, and obviously, I have regard for the Speaker's intervention. I shall not pursue it.

The basic point that I am trying to make is that request for facilities continues to be desperate—not only from individuals and families, but from agencies and from departments of government.

Mr. Nixon: Your six months' hoist is going to correct that.

Mr. Lewis: Yes, because I really do not believe that in the content of the bill, as it is presently drafted, any significant alterations will be made in the situation. I am hoping that if the regulatory function is honourable, if that is the intent, then, in a re-drafting process over the next three or four months, a different kind of bill can be brought in. That is what we are advancing, Mr. Speaker.

I come back to the point I made initially. What should animate this field, and this bill, is a spirit of generosity. I can say to the Minister with confidence that I know that all the groups in the field, who are profoundly involved, would join with him in whatever he wanted to do by way of government to expand the services, and to provide the funding, and to initiate appropriate regulations. And if that is what this bill does, then there can be no cavilling. But the content of the bill, Mr. Speaker, as it presently indicated, suggests that there will be considerable qualification on that. So one is put in the difficult dilemma of recognizing the bare kernel of a principle, but wondering about all the trappings which surround it and ensnare it.

I hope, sir, that we are perhaps wrong in our assessment and that what the bill will do, of course, is to open up the flood gates to services for children.

Mr. Bukator: I have sat and listened for about 50 hours to the champions of the people, because the individuals wanted support, wanted protection, wanted help, wanted assistance. Finally a bill comes in by this Minister, too little maybe, and too late, but the facts are before us, and I have never heard two arguments, Mr. Speaker, as sound as the last two that I have heard. The member for Scarborough West, and the member for Lakeshore, both complimented sections of this bill, and they believe that if the principle were the only thing that we were voting on, then we would support this bill. They, the champions of the poor, come here this afternoon and move an amendment to hoist. I have never in my experience in this House heard any individual—

Mr. J. Renwick: It has nothing to do with—

Mr. Bukator: I would keep my bassoon shut if I were you. I did not interfere when they were talking.

I sat and listened and listened; and I tell you I was boiling within, because I have never seen anybody take white and make it look black as the last speaker did, never in my experience in this House. The very section that would make me support this bill is

section 3, and he said that is the one that ought to be eliminated. Let me read it because he did:

Mr. Lewis: No, no, I said the Budget contradicted it.

Mr. Bukator: Oh, is that right? But the section is excellent, and it is in this bill, and it has to be voted on. I am sorry it was not three years ago because this bill will bring about the very thing that this province needs. I have never seen anything like it. The champions of the people all of a sudden said hoist the bill, set it aside, as a matter of fact, eliminate it. I have never seen anything like it before.

Interjections by hon. members.

Mr. Bukator: Well, I am going to tell you that there is a small institution taking care of about 12 people in my riding—

Interjections by hon. members.

Mr. Bukator: There is a small institution, a group of people taking care of about 12 emotionally disturbed children in the sanatorium in St. Catharines, and what a great job those people are doing for those youngsters. I was there when the Minister opened that particular institution, and this bill is going to bring around similar institutions for other youngsters who need it, and need it badly. The bill ought not to be debated any further, but passed immediately and let us get on with he job.

I must say again I have never in all my experience in this House watched a group of people who claim they are going to help—

Mrs. M. Renwick (Scarborough Centre): Your personal feelings are not what is important here.

Mr. Bukator: That was a good interjection because I say to you that personal feelings are the things that are involved here. The mentally disturbed youngsters of our province are affected here.

Mr. E. W. Martel (Sudbury East): Why has the government not looked after them?

Mr. Bukator: That is what they want to do with this bill, Mr. Speaker.

Interjections by hon. members.

Mr. Bukator: If any supposed hon. member of this House can show me how by hoisting this bill the Minister can bring about the institutions they want, then I will go for the hoist.

Mr. Lawlor: You can change some of these clauses—

Mr. Bukator: I say this particular bill, I can overlook certain sections that I do not agree with. We are coming back to this section by section, and some of these intelligent beings who want these sections changed may, Mr. Speaker, get them amended. So we have another chance at this bill.

But never have I had such an experience as the one I have had. What a performance! Talk about putting them through their paces, and I wonder why.

Let me tell you that I think I know the reason. Never have I seen this eloquent speaker, the member for Scarborough West, get up and compliment the Minister on some of the sections, and say this is long overdue. Never have I seen him say to this House, "We ought to have had it, but I do not like the regulations that you have not as yet drafted". I wonder how many times the members of this House turned a bill down because the regulations were not drafted.

Interjections by hon. members.

Mr. Bukator: Never in my experience have I appealed to the press, but I would like them to publish what was said here by these great champions of the people, this great group of 20. I think Socrates had a group something like that away back when. Do you remember what happened to them? I say to you, Mr. Speaker, having established my opinion—

Mr. Gisborn: Now you are going to be out of order.

Mr. Bukator: Well, I will tell you something, if I am out of order, Mr. Speaker, it is because of the pattern that was set by the others before me. I hardly know what is right or wrong any more. When a thing is as right as this bill is, and they claim it is as wrong as it is, then I am wondering exactly what direction we are heading in.

No, this bill is right.

Mr. MacDonald: That is a normal condition for the Liberals—wondering what direction you are heading.

Mr. Nixon: You are going right down the spout.

Mr. Bukator: Can you imagine an important issue such as this, and they are talking politics. I say to you, Mr. Speaker, that this is an important issue—

Mr. MacDonald: Polish your halo.

Mr. Bukator: Well, I am going to tell you something. If I get there first I am going to put in a word for you because you are not going to make it. I said if I get there first.

Getting back to the emotionally disturbed, I got a call yesterday from a mother of a 12-year-old boy and she wanted to know what could be done about getting that boy in an institution and she said London. I referred her to Mrs. Costanzo and Mrs. Sheppard in Niagara Falls who are working very closely with the emotionally disturbed in that area.

I know they only have 12 beds and they need many more. Again, as I said when I first got to my feet, if this bill will provide anything within the next six months, then for the life of me I could never see why people—

Mr. C. G. Pilkey (Oshawa): We will check it a year from now.

Mr. Bukator: Well, at least we will have a six months' start. I wonder, Mr. Speaker, what more can be said beside what has been said this day, except I must say in complete amazement never have I seen anyone try to make white look black. Never have I seen a group of people try so hard to deprive the emotionally disturbed people of this province from getting what they need, and I say to you the New Democratic Party has found a new low.

Mr. J. Renwick: Mr. Speaker, I want to deal at some length with the provisions of this bill.

The bill in essence is fundamentally bad. My colleagues have been much too lenient in suggesting that there is some merit contained within the framework of the bill. I am one of the members on this side of the House who over a period of time has been prepared to give the Minister of Health some degree of confidence in his capacity to administer his department.

Hon. Mr. Dymond: Really it has never been noticeable.

Mr. J. Renwick: Well, if the Minister had heard many of the comments that have been made about him both within this House and outside he would understand that on occasion it is very difficult to defend him.

Interjection by an hon. member.

Mr. J. Renwick: I must remember that at some point.

But, Mr. Speaker, I do not particularly want to engage in that kind of irrelevant banter about the bill. There is some suggestion being made that there is merit in the bill because there is a provision in it that the Minister can operate homes for emotionally disturbed children.

I happen to be one of the persons who, until the Ministers change in this government, would not rely on this Minister to operate any kind of a home for any group of people. That happens to be a personal remark about the lack of confidence, and I want the Minister to know that my lack of confidence in him is now total. So far as I am concerned, the sooner that this Minister departs this government, then the area of health—

Mr. Speaker: Might I advise the hon. member that at the very best, we are debating the principle of a bill, and the bill does not provide for the employment, or use of the Minister, and he might please confine himself to the motion which is before the House, the amendment and, with a certain latitude, to the bill, and not to go clause by clause in the bill as he is suggesting he might. That is committee procedure.

Mr. J. Renwick: Well, Mr. Speaker, I certainly intend to abide entirely by the rules of the House in relation to this bill, and I object, Mr. Speaker, to any intimation that what I have to say before I have said it, is out of order. Now let us get this—

Mr. Speaker: Order! I pointed out to the hon. member that he had announced that he was going to proceed to consider the sections of the bill in his opening remarks and he did, and *Hansard* will so support my contention.

Mr. MacDonald: This is the most restrictive debate we have ever had in this House.

Mr. Speaker: It may well be that we should have more restricted debates in this House and get the business of the House done.

The hon. member has the floor.

Interjections by hon. members.

Mr. MacDonald: Talk about restricted debate, and it is supported by the Liberals!

Mr. J. Renwick: Mr. Speaker, if anyone thinks that the approval of this bill on second reading is going to be any step toward the founding of the kind of homes which are required in this province in the near future, he is quite mistaken. Because the whole of the operation of this bill depends upon the

regulatory power provided in the bill. Now the whole question of the government establishing bodies and passing regulations is one which is very uppermost in the public mind. The guts of the bill depends on the regulations.

I say to the Minister, either he tells us that he has the regulations drafted and prepared, which I doubt, or he will tell us that, as is usual, he will pass this kind of a bill and sometime—sometime, as we thumb through the Ontario *Gazette*, four, five, or six or seven months later—we will find in small print, in double columns, the regulations which provide the operative content of this bill.

That is the first point. The bill is fundamentally flawed in the statement of a general principle and then leaving the guts of that principle to be determined in the regulatory power. Anyone can cite any general principle and fool people who are otherwise not aware of what is going on, that that principle —despite the procedural defects—is worth supporting.

I am suggesting that the procedural devices provided in legislation in this day and age are the guts of the problem of the implementation of the general principle. And if the procedural arrangements are not made in the bill, there is a vice in the principle. That is the first point that I want to make.

The second point is that if the members of this House—and I draw the attention of the House leader in the absence of the leader of the government or other members of the Cabinet, except the Minister of Revenue (Mr. White)—I draw the attention of the House to the fact that when we pass this bill, this bill will override every other Act of the Legislature of the province of Ontario where there is any conflict with the exception of another bill which is subject to the jurisdiction of this Minister.

I am suggesting that if this Minister—and I would certainly like to be privy, once in my life, to what went on in Cabinet. Either the Minister of Justice and Attorney General was asleep or absent when he allowed this Minister to present a bill to this House, which has an omnibus clause in it, which says that this bill overrides every other statute of the Legislature of this province except for one other Act. That is another Act which is in the purview of this Minister.

That is my second point. My third point is that the Minister of Justice and Attorney General, after a gestation period which goes on for about four or five years, introduced a bill a short time ago to which my colleague has referred, Bill 130, providing for a method by which we can have appropriate appeal procedures from the decision of boards and commissions established by this government and from Acts in the exercise of the executive power of government.

That is today a fundamental issue, a fundamental issue. It is only yesterday—and I disassociate myself from those who feel that their personal privileges were ruffled in some way and were overly sensitive to what Mr. Justice Stewart had to say—but Mr. Justice Stewart, despite the fact that—

Mr. Nixon: That includes your leader.

Mr. J. Renwick: —he broke decorum—

Mr. Nixon: You must have read the *Globe* this morning!

Mr. J. Renwick: —has raised for public discussion a most important and fundamental objection to the question of government tribunals and the rights of persons before those tribunals.

Now we have the Minister of Health introducing a bill which transfers holus-bolus from the Bill 130—which the Minister of Justice wants available for public discussion and debate in the next year—all the procedures of that bill into his bill. And I say again, I would like to know what the comment of the Minister of Justice would be. I am sorry he is absent from the House during this debate, because to my mind the Minister of Justice is in default if he allows the Minister of Health to introduce a bill which incorporates in it substantial provisions of a bill which the Minister of Justice wants to have subject to public debate. It is the last part of a six-year concern and consideration of the very problems which led to the appointment of the McRuer commission in the first place.

Now that is the third point. The fourth point is that the Minister did just exactly, on the far right, what Mr. Justice Stewart did on the far left. The Minister provides that, despite the board of review, either party to it—and either party means the person against whom the licence is going to be revoked or there is a refusal to grant a licence—that either the director of his department or the person who is aggrieved can appeal the decision of the board of review to the Minister, and the Minister's decision is final.

Now I want to make that perfectly clear. What this Minister has done in this bill is

to go directly contrary to the recommendations of the McRuer commission—

Mr. MacDonald: And the Liberals support that.

Mr. J. Renwick: —disguised by the transfer from the Attorney General's bill of the review procedure—of the hearing, of the right to have reasons given of the open and public discussion of the reasons why there is going to be either the refusal to grant a licence or the revocation of a licence—that decision being made, this Minister reserves to himself the right to overrule that hearing and to restore the action of the executive as being untouchable. That is directly contrary to the fundamental principles which Mr. Justice McRuer had been attempting to enunciate and which the Attorney General is attempting to put into law to protect people in this province.

I am saying that this bill, and the reason for the hoist is not for the purpose, of course of destroying it entirely. It is to recall the bill so that the government can reintroduce it at the point where the Minister of Health and the Minister of Justice have resolved the basic conflicts which this bill shows. Because I cannot conceive for one moment that the Minister of Justice, having read the report of Mr. Justice McRuer, having presented to this House Bill 130 for discussion and for public discussion over the next year, would agree with the principle which reserves to the executive—to this Minister—the final decision as to whether or not a licence will or not be granted or will or will not be revoked. That is the exercise of arbitrary power which this government should not introduce into this House, and which the party on my right, in my view, does not either appreciate or understand if they are voting in favour of the bill at the present time.

Interjections by hon. members.

Mr. J. Renwick: Well, I would certainly be delighted. There is no indignation in what is involved. I would certainly like to have one of the legal pundits of the party on my right stand up and defend that proposition—any one of them—and I would like any lawyer on that side of the House to stand up and vote and comment about that principle and defend it. And I would like any member of the government who is aware of what Mr. Justice McRuer has done to stand up and defend the inclusion in that bill of that provision.

Mr. G. A. Kerr (Halton West): In reply to the suggestion put forth by the hon. member, I would say that, in committee, if that section 14 is not amended I very well may vote against it, but certainly I can very well vote for the principle of this bill this afternoon.

Interjections by hon. members.

An hon. member: We are talking about emotionally disturbed children. The member is away off beam.

Mr. J. Renwick: On the next section of the bill, Mr. Speaker, the next point which I want to make in this debate is that there has been a continuous concern in the province of Ontario about an *ex-parte* injunction. For those who may not, at this date in history, be aware of what that means, it means that one party to a dispute—and in this case it is in the course of the hearing where there are parties to it before a board of review set up under this statute—permits the one party, that is the director, to go to the court without notice to the other party, to get an order for the occupation of premises, occupation of the premises.

Now let us be perfectly clear about this. You have a board of review set up under this Act, and if this is not part of the principle of the bill, it certainly occupies a substantial part of the provisions of the bill.

Mr. Nixon: It is called an amendable section.

Mr. J. Renwick: Amendable section in any way, shape or form, there has been no indication by the party on the right, other than that they are going to support the whole bill, not one.

Interjections by hon. members.

Mr. J. Renwick: No, no! This is an afterthought.

Interjections by hon. members.

Mr. Trotter: On a point of order. When I was speaking to the principle of this bill, I stated we objected to sections 15 and 21, there is far too much in the regulations. We try to go by—

Interjections by hon. members.

Mr. Trotter: These are amendable sections, and our friend, the member for Riverdale, is getting completely off the principle of this bill, but we certainly mentioned these sections.

Mr. J. Renwick: I know, Mr. Speaker, that you do not think that I have strayed from the principle of the bill. As a matter of fact, Mr. Speaker, we would be glad in this party to give unanimous consent to allow the member for Parkdale to speak a second time in this debate, if he feels that the remarks which I have made deserve his reconsideration, in the hope and anticipation that the party on my right would, for once, give this kind of legislation the serious consideration which it requires.

Interjections by hon. members.

Mr. MacDonald: If you get me to share your views, you will be repeating the speech the hon. member is giving.

Mr. J. Renwick: Mr. Speaker, let me go back to the point where I was interrupted by my friends on the right.

We are talking about a board of review provision in which the parties are before the board. What the Minister has provided in his bill is that one of the parties, sort of in the quiet of night, can disappear from the hearing without telling the other party, which is right before it, and go to a judge and get an *ex-parte* order on affidavit evidence which will allow them to occupy the premises which are owned or leased, or in the occupation of the other party to the hearing. Now that is a vicious principle. You cannot separate it from the other principles of the bill.

Interjections by hon. members.

Mr. J. Renwick: Mr. Speaker, there is no need to elaborate on the points that I make. Those that have ears to hear will hear, and those that are blind will not see the point which I am making. Let me move on to the next point.

Over many months, this Legislature was exercised about The Expropriation Act, and how it could be made to operate in an equitable fashion. It was, both from the point of view of procedure and from the point of view of the basis of compensation, a pre-eminent point of concern for this Legislature and for the people of the province.

What does this bill contain? In one of those cursory sentences, that, despite the provisions of The Expropriation Procedures Act, this property can be occupied. I take that to mean that this Minister can occupy, without any right—other than the statutory authority, if we are so foolish as to pass it—property of another person. And, indeed, if he causes damage or is held responsible in any way for what he has done, that there is no compensation payable to the occupant or other persons who own that property.

I am simply saying again, I wish the Minister of Justice and the Attorney General was here, so that he could explain why we override The Expropriation Procedures Act. Indeed, there really is no need to specifically refer to The Expropriation Procedures Act, because, as I said, the bill already provides that it takes precedence over every other Act of the Legislature of the province of Ontario, including, I may say, The Habeas Corpus Act.

Mr. Lewis: And does nothing for children in the process. That is what is wrong with the bill.

Mr. J. Renwick: Let me go to the next point.

The Minister of Health earlier this session passed The Nursing Homes Act. And, when we dealt with this question about a nursing home being not licenced and the patients in it not being treated properly, what did he do? He passed a slight, innocuous section, which, if I can find it, I would like to refer to the House. It is a bill which, I think, has now been given Royal Assent:

> In the case of a nursing home—

And we had some horrendous examples given of the kind of operation of nursing homes in this province—

> Where a nursing home is operating without a licence, each resident therein shall arrange to vacate the nursing home as soon as it is practicable and the Minister shall assist in finding appropriate alternative accommodation.

That, apparently, is an adequate way to deal with aged and invalid and chronic care patients in nursing homes.

But of course, when he has to deal with this field which he has neglected for so long, he has very elaborate provision for seizing and occupying private property. On an *ex-parte* application to a judge for an order permitting him to do so in total disregard of the provisions of The Expropriation Act.

Mr. Speaker, the member for Scarborough West has pointed out very clearly that the so-called funds that are provided for the kind of homes to be established under here are illusory, to say the least. I want simply to say to the government, Mr. Speaker, that this is not a bill which will advance the care and treatment of emotionally disturbed children.

Six months from now, when this House will again be in session, it may well be that

the government will have decided, by careful consideration, to have money included in the estimates for the next year. But this bill has been drafted and prepared in such haste and in such disregard of other fundamental principles, that there is going to be no provision placed in the estimates for this year, of this Minister, to deal with this bill.

Mr. Nixon: Yet your colleague believes a six months' stay kills the bill.

Mr. Pilkey: He did not say that. The Prime Minister said that.

Mr. J. Renwick: Let me be perfectly clear about this. There is no provision, as I understand it, in the estimates of The Department of Health for the current year to make any provision whatsoever for the homes which the Minister is either going to operate, or the financial assistance which he is going to provide. There is included in this bill the nebulous statement that money required up to March 31, 1970, will be paid out of the Consolidated Revenue Fund.

Now, I am suggesting that when we do not even have the estimates of his department before us, and when even the Treasury Board order is not adequate for his purpose, that what we are, in fact, doing is giving him a blank cheque on the Consolidated Revenue Fund, not limited as to amount, no specification whatsoever that the money for the operation of this bill will be charged against that fund.

Why, Mr. Speaker, is it being done this way? We know that there will be little, if any, demand on the Consolidated Revenue Fund for the purpose of making provision for homes for emotionally disturbed children before March 31, 1970.

I am suggesting that there is also an additional vice in the bill. I do not think that is the method by which this House appropriates money, by statute of this province, isolated as part of a bill which is supposed to be the forerunner of a new programme. The way in which it is done is to make provision in his estimates for the money so that the matter can be discussed at the time his estimates are up for consideration.

My friends on the right, and I am quite certain, members of the government, are going to say, "Oh, yes, but the principle of the bill, you see, is to provide the homes for emotionally disturbed children." But you see, this bill would be just as valid if the Minister had brought in a bill and said, "I think we should have homes for emotionally disturbed children on the moon. It is a fine principle. It would be a wonderful trip for the children," and so on, and we adopt the principle. But it is totally impossible for this Minister to implement the programme to deal with the problem.

The reason why I am opposed not only to the principle of the bill in the hands of this Minister, but am also in favour of the hoist resolution, is not only in the hope that the Minister of Health will have been changed before this legislation is reintroduced, but because fundamentally, Mr. Speaker, I have no conception during the course of the short time I have been in this Legislature, that there is any fundamental or basic sympathy, or understanding, or indeed mental capacity within the Minister to understand the problem of emotionally disturbed children. He is hung up and he has been hung up ever since the illegal Act—

Mr. Speaker: I would point out that the hon. member is not now talking about the principle of the bill. He is talking about the Minister's feelings and thoughts, and as far as I am concerned I would rule that that again is out of order. The hon. member has had wide latitude to speak to the principle of the bill, from which he has strayed not too badly, and I would like to ask him to stay with the principle of the bill, which, I believe he has been doing.

Mr. J. Renwick: Well, Mr. Speaker, I agree that with those remarks I had strayed somewhat from the principle of the bill. I want to come back to the fundamental point. The fundamental point is that this bill is one in total opposition to the whole of the principles set out by Mr. Justice McRuer. The whole of the principles in embryo form adopted by the Minister of Justice and presented for public debate and discussion provides that this Act will take precedence over every other statute; provides authority by which moneys will come out of the Consolidated Revenue Fund without any accountability whatsoever; provides a back door method by which this Minister, or those in his department, engaged in a public hearing can go surreptitiously to a court and get an order *ex-parte* about the occupation of private property in the province of Ontario without notice to the very party who is with him before the hearing.

And the bill reserves to the Minister the right to alter and overrule the final decision of that board of review as to whether or not the initial act of the director in revoking or refusing to issue a licence was, in fact, proper.

Now, as I say, if there were some clothes, or even skin over the bare skeleton of a principle which nobody could disagree with that emotionally disturbed children require infinitely more facilities for them in the province than the province has at the present time; if there were that kind of clothing or that kind of skin on the bare skeleton in the form of the regulations which are all-embracing in the phraseology within which they can be drafted; if there were that kind of substance to the bill, then the procedural defects of the bill, the substantial procedural defects to which I have referred might possibly be interrelated and some rational separation made of the principle from the rest of the bill.

But I am suggesting, Mr. Speaker, that the bill is additionally fundamentally bad, because if this Minister has the capacity to take unto himself supervisory powers over any of the health institutions of this province, and adequately to supervise them, never would there be a home of any kind in the province for the care of people who are not well which would require the kind of drastic invasion of the rights of people which this Minister wants to have given to him in this bill.

If his department was capable under his direction of providing adequate supervision, there would be no need for this kind of drastic intervention by the Minister.

It is just not possible to isolate the procedural defects of this bill from this so-called principle which we all adhere to and say, "Goody goody, the Minister has finally agreed". Mr. Speaker, a year from now, when we are sitting here, there will not be any further government operated homes for emotionally disturbed children. There will not be during this session any opportunity to confront the Minister in terms of what he has done up to date in this field, let alone question him about the expenditures of any money which he may want to expend in this next short while on this bill.

As I say, Mr. Speaker, I do not know how I can bring it home. I am sorry that the members on the right jumped the gun so quickly. They are kind of hung up on this Browndale proposition and have been for a long time.

Interjections by hon. members.

Mr. J. Renwick: They have been hung up so long on this proposition that they find it difficult to take the time to read the bill. The member for Scarborough West read a brief quotation from May, and what we are saying is a very courteous way of saying to the government, take it back, rethink it, resolve your own internal differences, those of your Cabinet Ministers who were asleep or absent when the bill was shoved through by this rather aggressive Minister of Health, rethink it, redraw it, reconsider it, and resubmit it when the clothes and the guts are there, and indeed, Mr. Speaker, if you will forgive me for departing from the principle of the bill, when there is a new Minister of Health in this government.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I rise to support our party in this bill and I have a letter from the Council for Exceptional Children, chapter 125, from the city of Windsor, county of Essex. It amazes me a little when I look back in *Hansard* on page 1615, February 27, when the hon. member for Sandwich-Riverside (Mr. Burr) to our left asked a question of the Minister of Health:

> Is the Minister giving favourable consideration to the request of the Windsor and Essex Council for Exceptional Children that modern facilities be provided locally for children who are emotionally and mentally disturbed?

And now today they have a motion before us to stop this progress that the Minister is asking for, and it worries me considerably.

Mr. J. Renwick: This is what the Liberals and Tories consider progress.

Mr. Ruston: The answer to that question, of course, was given previously, Mr. Speaker, to the hon. member for Windsor-Walkerville, who was a little ahead, of course. It was on page 978 that the Minister gave the answer to that in *Hansard*, on February 4, 1969:

> I have not made any decision to postpone the development of a regional children's centre in Windsor. My staff will continue to promote the development and assist in the further development and expansion of this service as rapidly as possible.

Well, of course, we have to take the Minister at his word, Mr. Speaker. Maybe he is not always as aggressive as he should be; we will hope that he will be in this matter.

I am reading, of course, part 3 of the bill:

> The Minister, with the approval of the Lieutenant-Governor-in-Council, may establish and operate one or more children's mental health centres.

And really, Mr. Speaker, I do not want to prolong the debate; I know that we are interested in more of these facilities, and I just want to add that to it.

Mr. Ben: What about the mechanics in committees?

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I will not be lengthy at all in supporting my leader on opposing the hoist motion with respect to this bill.

I am going to speak primarily of the nuts and bolts of the bill. That is, the bill authorizes the establishment by the Minister of Health of facilities for children suffering from mental or emotional disorders, and it carries on for three more lines.

Mr. Speaker, the hon. member may say the Treasurer says money is not available. Money likewise was not going to be available to The Department of Education to increase these grants, and all of a sudden money is going to be available. And that will be $50 million or so, not the several million that may be involved in setting up the centres for the emotionally disturbed children.

Mr. Nixon: The money is there; we have got to see that they spend it.

Mr. B. Newman: Mr. Speaker, we could come along and discuss the bill clause by clause, but that is not the purpose of the discussion at this time. And when it comes to a clause-by-clause discussion, you can rest assured there will be amendments suggested to this bill by this party.

It is sort of disturbing to me, coming from an area that has requested the type of an institution as is being discussed here. We happen to have a facility in the community now that does take care of approximately 20, but there is a clamour for extra facilities. Last night, in the discussions on the debates with the Minister of Social and Family Services, I made mention of a Windsor group therapy project, an organization that was interested in setting up a facility to accommodate 12 emotionally disturbed children. This was only 12. They were extremely concerned. This organization had made mention that approximately 20 are being taken care of in the community today; they know of 85 who are waiting for facilities—that is, were the facilities available, they could be taken care of. This does not include the number of families that quite often hide their children and do not come out into the open and say that they do have the children that need facilities, the likes of which could be provided by the passing of this bill at this time.

Mr. Speaker, a six-month hoist by the party to my left simply means that, instead of having the facilities within a given period of time, they will come a year later. If they were so seriously interested in facilities for emotionally disturbed children, they would put their action where their mouth is and let us get it done now.

Mr. H. Peacock (Windsor West): Mr. Speaker, I am afraid I must rise, in the interest of the riding that I represent and in which many of these facilities are located, to appeal to the Minister in much the same way that the hon. members to my right have appealed to him—to launch the projects that I assume are countenanced by clause 3 of the bill. If you will forgive me for dwelling on that particular clause when we are discussing the principle of the bill, which is the establishment of residential treatment facilities for emotionally disturbed children.

Mr. Speaker, I find perforce I am obliged to deal with that particular clause 3, because it is the only one in this bill which has any application whatsoever to the provision by this government of residential centres for emotionally disturbed children. The rest of the bill—virtually every clause—has, as the member for Riverdale pointed out, a contradictory element in it that should have caused the Minister to hesitate before bringing it to the House or to have checked it much more carefully with his colleague, the Attorney General.

In respect to the operation of clause 3, I would like to join with those members to my right in making the appeal for the establishment of those residential treatment centres in the community of Windsor. I have written to the Minister, as I am sure these members to the right have; I have listened to the Minister's answer in respect to the question put by the member for Sandwich-Riverside, who was just quoted by the member for Essex-Kent. I have read through the budget statement of the Treasurer of this province and, Mr. Speaker, I join in the appeal with these members, because if they are blind to each of those indications from the Minister that any implementation of the principle of this bill, as set out in clause 3, is forthcoming, then I am completely misguided by them. And something which I find most reprehensible in colleagues from the very same part of the country as I come from is that they should suggest to me that those answers by the Minister of Health in any way indicate the implementation of this bill, as I understand it in clause 3. This gives me a great deal of concern, because like them, perhaps, I was looking forward in those answers that the Minister gave—nebulous though they

were; non-committal though they were, so vague, so indefinite—I was looking forward nonetheless to the implementation of this section of the bill, this principle of the bill. For a time I may have shared their hopes. But I do not share their hopes at this moment, Mr. Speaker, about the implementation of the principle of this bill because I have reviewed the answers the Minister gave in the House to the question of the member for Sandwich-Riverside. I have reviewed the letters that the Minister sent in reply to the community organizations in Windsor requesting the establishment of residential treatment facilities. I have looked through the budget statement, and any suggestion from members to the right that they can support the principle of this bill as it is set out in one clause, in the expectation that the Minister is going to fulfill that principle, is completely without foundation. Completely without foundation. And that is why, even though it has been suggested on the right, that I am one of a group of members who has been bought—even though I am one of those, who it has been suggested on the right, is a member of a group with a particular vested interest—I am nonetheless going to vote for the amendment, to remove this bill from consideration now and postpone it so that the recommendations and suggestions of the member for Riverdale and the member for Lakeshore can be taken into account by this government.

Mr. Speaker: The hon. member for Kingston and the Islands.

Mr. S. Apps (Kingston and the Islands): Mr. Speaker, I would like to rise to oppose the amendment that the NDP is making, trying to kill the bill. I think, traditionally, this is the method that has been used on many occasions to kill a bill—not to postpone it, but to kill it—and if the amendment were passed, I think that would be the intention of it.

Interjection by an hon. member.

Mr. Apps: I rise to support the principle of the bill for three reasons. First of all, section 3 does give the Minister the authority to establish and operate one or more children's mental health centres. I think every member in this Legislature must agree with that authority, whether they believe it will be done or not. I think every member agrees that this is a good thing.

I, for one, am willing to give the Minister a chance to do what he wants to do in this particular section. I think we all should do that.

Second, I support the principle of the bill because I think the licence issuing authority and inspectors as indicated in the various sections of the bill are specifically designed to make sure that the children are treated in their best interests.

Mr. J. Renwick: Have you read the Attorney General's remarks on Bill 130?

Mr. Apps: I am not too particularly concerned with the Attorney General's remarks on Bill 130. I am concerned that, in this particular bill, the licence issuing authority—

Mr. J. Renwick: That is all he has done—

Mr. Apps: —authority is so designed to make sure that the children are treated properly and—

An hon. member: No!

Mr. Apps: Well, that is my interpretation of it, and that is one of the reasons why I am going to support this bill.

Third, in the regulations in section (f) it indicates that the government will provide support—capital support, as I take it—for those institutions that are already doing a fine job in helping emotionally disturbed children.

I support that particularly, because we in Kingston have one such institution, that is the Sunnyside Centre in Kingston. They have been endeavouring over many, many years to improve and expand their facilities, with very little success—actually no success. I feel that with the implementation of this Act, that they have some hope now of getting the financial resources that they need to expand the work that they are doing.

Mr. Lewis: Not in this Act.

Mr. Apps: Well my interpretation of the Act indicates that to me. Again, I am willing to give the Minister of Health a chance to do what he says he is going to do in this particular bill. I think it is important—

Mr. J. L. Brown (Beaches-Woodbine): Give him a chance to put—

Mr. Apps: You know, it is amazing to me, when I get up—and I do not get up that often; I sit here for many, many hours, listening to people over there particularly, discussing various things and I do not interject very often. But it seems to me that when anybody ever gets up over here and says something that you do not like particularly, then there are all sorts of inane interjections that do not mean a blamed thing.

As far as I am concerned, I think that this bill is certainly a step in the right direction. I think the principle of the bill is correct and I for one, cannot understand why the NDP will not support this bill.

Mr. Speaker: Is there any other member who wishes to speak to the bill before the Minister?

Does the hon. Minister wish to speak?

Hon. Mr. Dymond: Mr. Speaker, I say at the outset that this must be a good bill because it certainly got through to the socialists. One more time the government has invaded what they have held out so long as their own private preserve and it hurts.

I would say, first of all, to the hon. member for Scarborough West—he said something about those in the field who were deeply involved—I cannot remember his exact words—would not support it. I can say to him, sir, without equivocation, that all those in the field who are sincerely involved and highly motivated and not moved by any selfish precepts whatsoever, will support this bill and have already advised us of this. On many sides we have been told that this is good legislation that has been sorely needed for a long time.

Now, Mr. Speaker, a great deal has been made by the hon. member for Lakeshore concerning the almost verbatim reproduction within the body of this bill of an extract from Bill 130, and this was done deliberately and with very careful consideration.

Interjections by hon. members.

Hon. Mr. Dymond: Mr. Speaker, I kept entirely quiet throughout the whole of their discussions. When The Statutory Powers Procedures Act is passed, it will supersede all provisions of this kind, I am assured of that. But the whole process of government cannot stand still waiting for that bill to be passed. We will make the best possible use of the tools available to us at the present time, and, when that Act is—and I think it is a good thing that the Minister of Justice suggest that it be given good consideration and wide discussion—when it becomes law, as it will in due course, then, of course, it will supersede any legislation we have.

First of all, the principle of the bill is very clearly set out. A brief explanation of it is that it will permit the government to establish such facilities, or to enter into agreement with others who have already established facilities, and to support them in every way we possibly can.

A good deal has been made of certain sections. One almost had the impression that we were discussing the bill in committee of the whole House. The review by the Minister, for instance, was belaboured *ad nauseam*, Mr. Speaker. Yet certain members of that group sat on the select committee and I am told that they unanimously voted for the very thing that we have put into this Act. Let me quote, sir, from that report:

> Furthermore, it is our opinion that recommendation 25(14) could be interpreted to mean that the board of review would have the power to review a Minister's decision, to overrule his discretionary powers. We reject this proposition.

This, sir, was supported by the socialist members who sat on that select committee:

> We reject this proposition because it is contrary to the principle of responsible government.

If the review board stands between the public and the government, or stands before the Minister, the Minister comes to this House and defends his action and the government stands or falls on what its Ministers do. If members have changed their minds about this as they do with every wind of fancy that happens to blow, all right, but here are the words that you supported when you were sitting on this committee.

Mr. J. Renwick: Can the Minister tell me that the Attorney General of this province agrees with him?

Hon. Mr. Dymond: In the matter of *ex-parte* injunctions, sir, this is to be used only in the case of dire necessity.

All of us have fresh in our minds, thank Heaven, sir—only twice in my ten and a half year's experience as Minister, but twice is twice too often—when a situation of this kind arose and we were powerless to do anything about it. We had to, in each case, go through all kinds of devious paths to look after children who were in sore need of care and protection.

We are now coming out forthrightly as a government and stating we need this power. When a facility is no longer able to look after its duty as a board in charge did tell us they could no longer guarantee the care and treatment of the children on that basis, it was taken over.

Now we have the power, if, on our inspection, we see reason to step in and take responsibility for the children by means of the *ex-parte* injunction. Of course, the due process

of law, about which the hon. member for Riverdale and the hon. member for Lakeshore know far more than I do, would take effect.

Mr. J. Renwick: Ask the Minister of Justice.

Hon. Mr. Dymond: I discussed this fully with the Minister of Justice and this has his blessing. Indeed, it is written with his active support—his active personal support.

An hon. member: Impossible!

Hon. Mr. Dymond: Then the expropriation, Mr. Speaker; again this is a *pro tempore* situation. We ask for the authority, or we take the authority, through this law—this Act, when it becomes law—to step in and run the organization until such time as other arrangements can be made. But then the ordinary expropriation proceedings would take place.

There is no defiance of the law in this regard at all and I am quite sure that those hon. members who are members of the bar know this, again, far better than I do. I think, sir, they were striving very hard to find something on which to make a good argument.

Mr. Ben: Do not press your luck! Let's vote.

Hon. Mr. Dymond: The hon. member for Scarborough West once said that this would make no difference—that every child who was in need of this kind of care must go through the children's aid society.

Mr. Lewis: No, I did not say that.

Hon. Mr. Dymond: He did, sir, and *Hansard* will show it, unless he has changed it. This is one of the reasons why we introduced this section into the Act—to make sure that no one would stand between the child and the care that could be provided for it. The white paper specifically stated that the government assumed responsibility for payment. We believe that this could be done under the other methods that we have tried in the interim. We found that it could not be done. We found that accreditation did not work because it is too permissive.

Mr. J. Renwick: The Minister has misled the House in the quotation, intentionally or otherwise. The Prime Minister can say what he wants to, he fosters this bill, he is in enough trouble as it is. The point of order is that the quotation which the Minister of Health read from a select committee report, is the select committee dealing with the Smith committee report? And the recommendation is as follows:

> The statutory board of review be constituted within The Treasury Department to hear objections to the assessment of taxes, the levying of other charges, and any other administrative acts performed under authority of the revenue statute.

That is the first point of my point of order—that the matter to which the Minister refers is to the revenue statute.

And the recommendation of the committee is:

> Furthermore, it is our opinion that the recommendation could be interpreted to mean that the board of review would have the power to review a Minister's decision or overrule his discretionary powers. We reject this proposition because it is contrary to the principle of responsible government.

Mr. Speaker: The hon. member is merely repeating what the hon. Minister has read and adding something to it. He has not stated his point or order.

Mr. J. Renwick: In our view therefore, Mr. Speaker, this—

Mr. Speaker: Order! The hon. member will state his point of order, if he has one.

Mr. J. Renwick: To ministerial decisions—

Mr. Speaker: The hon. member will resume his seat. When the hon. member is asked to state a point of order, and he does not, and persists in reading after Mr. Speaker has asked him twice to state his point of order, he is certainly in contempt of the Chair, if such action should lie. I would now yield him the floor and ask him to state his point of order.

Mr. J. Renwick: I had no intention of being in contempt of the Chair. The question of the responsibility of the Ministers charged with raising money by way of taxation—

Mr. Speaker: The hon. member is not raising a point of order. He started out saying that the hon. Minister had misled the House. Now, he must support that and not go on on some other trail as he is doing now. If he has that point of order, will he please support it by his argument.

Mr. J. Renwick: The point which I am endeavouring to make, Mr. Speaker, is that the responsibility of Ministers of the Crown in matters of taxation has nothing whatsoever to—

Mr. Speaker: No! The point of order raised was that the hon. Minister had misled the House.

Mr. Lewis: Let him finish his point.

Mr. Ben: It is 6.00 o'clock!

Mr. Speaker: The hon. member is not anywhere near the point of order.

Mr. J. Renwick: Mr. Speaker, the point of order is that the Minister had quoted the report of the select committee studying the thrift committee report to support the proposition dealing with his bill. It had nothing to do with the question under consideration.

My point of order is that the Minister did not quote the source of the statement which he had made. He left the impression in the House that there is some blanket rule by which members of this party had supported a proposition that the Minister's decision should overrule that of a board of review.

Interjections by hon. members.

Hon. J. H. White (Minister of Revenue): I did hear what the Minister of Health said on the subject, and I did hear the extract which he quoted from the select committee on taxation.

I would like to offer my own considered opinion that the Minister was entirely accurate in portraying the position of the NDP members, and indeed of all of the members of the select committee, because all of the members of the select committee, Mr. Speaker, wanted the Minister responsible in the final analysis, and did not want a board of review standing behind the Minister.

Mr. Speaker: The hon. member for Riverdale raised a point of order that the hon. Minister had misled the House, and in support of that he placed before the House his interpretation of certain extracts from the report of the select committee. The Minister had given his interpretation and I think that each, being a member of this House, is entitled to give his interpretation of what that report of the select committee said.

If the hon. Minister has anything further to say before the bill is put to the House, he has the floor.

Hon. Mr. Dymond: I would like to say, Mr. Speaker, again, this is good legislation, it is sorely needed. Let us get it passed and let us get on with the job.

Interjections by hon. members.

Mr. Speaker: Order!

Interjections by hon. members.

Mr. Speaker: Order, order!

I have no intention of putting this vote until I can have the attention of the members. It is an important matter, and it is one that should not be confused with a lot of noise and inconsequential remarks.

The motion by Mr. Dymond was for the second reading of Bill 138. It was then moved by Mr. Lawlor, seconded by Mr. Lewis, that the word "now" in the motion before the House be deleted; and the word "this day six months" be added, so that the motion before the House shall read:

> That Bill No. 138, An Act respecting Facilities for Children suffering from Mental or Emotional Disorders, 1968-69, be read a second time this day, six months.

The question upon which we now vote, of course, is whether the word "now" shall remain as part of the motion.

All those who are in favour of the bill being now read a second time, will please say "aye."

All those opposed will please say "nay."

In my opinion the "ayes" have it.

Call in the members.

Mr. Speaker: Order. I shall not proceed to call the vote until I have order in the House.

The original motion is for second reading of Bill 138, to which an amendment was moved by Mr. Lawlor, seconded by Mr. Lewis, that the word "now" be deleted and the words "this day six months" substituted.

We vote, as understood, on whether the word "now" shall stand in the motion.

The House divided on the motion, which was agreed to on the following vote.

Ayes	Nays
Apps	Burr
Belanger	Gisborn
Ben	Jackson
Bernier	Lawlor
Boyer	Lewis
Brunelle	Martel
Bukator	Peacock
Carruthers	Pilkey
Connell	Renwick (Riverdale)
Demers	Renwick (Mrs.) (Scarborough Centre)
Downer	Stokes—11.
Dymond	
Edighoffer	
Evans	
Farquhar	

Ayes	Nays
Gaunt	
Gilbertson	
Gomme	
Good	
Guindon	
Haggerty	
Haskett	
Hodgson (York North)	
Jessiman	
Johnston (Carleton)	
Kennedy	
Kerr	
Knight	
Lawrence (Carleton East)	
MacKenzie	
Meen	
Morrow	
McKeough	
McNeil	
Newman (Windsor-Walkerville)	
Newman (Ontario South)	
Nixon	
Paterson	
Price	
Reid (Rainy River)	
Reid (Scarborough East)	
Reilly	
Robarts	
Rollins	
Root	
Rowe	
Rowntree	
Ruston	
Smith (Hamilton Mountain)	
Smith (Nipissing)	
Spence	
Trotter	
Villeneuve	
Welch	
White	
Whitney	
Winkler	
Worton	
Yakabuski	
Yaremko—60.	

Clerk of the House: Mr. Speaker the "ayes" are 60, the "nays" 11.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, before moving the adjournment of the House, I would like to advise the House that tomorrow we will consider estimates.

Hon. Mr. Welch moves the adjournment of the House.

Mr. J. Renwick (Riverdale): Mr. Speaker, before the adjournment. Do you intend to continue with The Department of Mines estimates?

Hon. Mr. Welch: Yes, The Department of Mines. If by chance we finish that quickly, we will start The Department of Transport estimates.

Motion agreed to.

The House adjourned at 6.20 o'clock, p.m.

No. 118



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 15, 1969

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 15, 1969

Schools Administration Act, bill to amend, Mr. Pitman, first reading 4423

Citizenship day, statement by Mr. Welch 4423

OHC resale of private lots, questions to Mr. McKeough, Mr. Singer 4424

Bramalea Consolidated Development Ltd., questions to Mr. McKeough, Mr. MacDonald 4424

Ontario growers of Concord grapes, questions to Mr. Stewart, Mr. J. Renwick 4425

Trent waterway, questions to Mr. Auld, Mr. Knight 4426

Unsolicited credit cards, question to Mr. Rowntree, Mr. B. Newman 4426

Fluoridated water for hemodialysis, questions to Mr. Dymond, Mr. Burr 4427

Oshawa Creek, question to Mr. Brunelle, Mr. Pilkey 4427

Estimates, Department of Mines, Mr. A. F. Lawrence 4428

Recess, 6 o'clock 4467

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 15, 1969

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: We are always very pleased to have visitors in our galleries during our sessions.

Today in the east gallery we have students from the Confederation Street Public School in Sarnia, from the Whitney township school area, Porcupine; and in the west gallery students from West Park Vocational School in Toronto and the 4th award winners from Price Edward county. In both galleries we have students from the Glenwood Public School in Windsor.

A little later this afternoon, in both galleries, there will be students from the Oshawa Catholic High School of Oshawa; and in the east gallery students from the Frank Begley Public School of Windsor, and the Mount Hope Public School of Mount Hope.

We are always pleased to have these visitors and we extend our welcome to them.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE SCHOOLS ADMINISTRATION ACT

Mr. W. G. Pitman (Peterborough) moves first reading of bill intituled, An Act to amend The Schools Administration Act.

Motion agreed to; first reading of the bill.

Mr. Pitman: Mr. Speaker, the present legislation dealing with textbooks in the schools of Ontario is narrow, anti-intellectual and punitive. The particular section which this bill seeks to delete runs in direct opposition to the developments in education both within this jurisdiction and throughout the world. It reveals an attitude of distrust, both of the integrity and judgment of teachers across the province.

Finally, it enshrines the existence of singular truth in the guise of an approved textbook when in fact the search for truth demands the accessibility of a variety of sources.

Mr. Speaker: Before the orders of the day, the hon. the Provincial Secretary and Minister of Citizenship has a statement.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I would like at this time to call to the attention of the hon. members that tomorrow is Citizenship Day in Canada. In this connection they will find at their desks an English edition of the book entitled "The Canadian Family Tree", or the French edition "Les Rameaux de la Famille Canadienne", provided through the kind resources of the citizenship branch of The Department of the Secretary of State. Indeed I would like to acknowledge the part played by Mr. Glynn Allan, the representative of that department who is presently in your gallery, Mr. Speaker.

And while I am sure this announcement comes as no surprise to the members of this House, many of whom have already been actively involved in Citizenship Week celebrations with their local constituents, it seems to me, important, that some formal recognition be given this day by all of us together as a symbol of our common concern and our appreciation of this occasion.

I am certain that members will concur with me when I say that there is more to citizenship than a mere legal status: that it is more than a national identity: even more than a birth right. I believe I may speak for all of us when I say that citizenship is an active dynamic, and exciting process rather than a static state or accomplished feat, and that citizenship cannot be defined therefore in terms other than action and involvement.

Citizenship then has no meaning except as it exists in the actions, responses, and behaviour, of people.

And it is this particular behaviour which forms the basis on which our democracy is founded and feeds, today, with increasing fervour.

Personal reflection, concern for the welfare of others, active participation in community life, meaningful involvement in decision-making processes and continual openness to the

values of others, and our world environment —all of these activities and more are facets of citizenship behaviour.

It is my wish, as I am sure it is the wish of all of the hon. members, that Citizenship Day may be a time when we may focus our attention on the process of citizenship, and reflect on how we may achieve in the following months, greater involvement in this process by all the residents of Ontario. Citizenship Day gives us an opportunity not only to think about our rights and privileges but also our duties and responsibilities as Canadian citizens. It seems to me that each right carries with it a corresponding duty. I hope that a year from today we can say with some assurance, that we have made a contribution to the process of citizenship, and in so doing have strengthened our democracy, our communities, our province and country.

Mr. Speaker: I have questions from the hon. leader of the Opposition (Mr. Nixon) who is not in his seat.

Mr. V. M. Singer (Downsview): Mr. Speaker, I have his question here, but the Minister to whom the question is addressed is not in his seat either so we will let it go until they come back.

Mr. Speaker: Is that question 1541?

Mr. Singer: Yes, sir.

Mr. Speaker: The hon. Minister of Municipal Affairs has undertaken to answer that question if the hon. member would like to place it.

Mr. Singer: All right; then on behalf of the leader of the Opposition the question is this.

What is the estimated profit to Ontario Housing Corporation on the resale of 1,400 private lots which form part of the agreement between Ontario Housing Corporation and Bramalea Consolidated Development Limited?

Will the Minister table the details of this agreement?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, in answer to the first part of the question: the 1,400 private lots referred to remain in the ownership of Bramalea Consolidated Developments Limited and do not form a part of the agreement of purchase between Ontario Housing Corporation and Bramalea. Hence Ontario Housing Corporation has no interest and will obtain no profit from these lands.

The second part of the question: the agreement between Ontario Housing Corporation and Bramalea which was tabled on April 21, 1969, contains details of the entire transaction in which Ontario Housing Corporation is involved.

Mr. Singer: Mr. Speaker, by way of a supplementary question, could the Minister tell us what profit Ontario Housing Corporation is going to obtain from the resale of these lots?

Hon. Mr. McKeough: The Ontario Housing Corporation, as I understand it, is not involved.

Mr. Singer: Are they not selling? Ontario Housing bought some lots from Bramalea—this question is related to the rest—but Ontario Housing bought a substantial portion of lots from Bramalea and are going to resell by a variety of methods.

If the procedures they have used in the past apply here they would be making a profit. My supplementary question is addressed to the amount of such profit that the Ontario Housing Corporation will be making out of the lots they have bought from Bramalea.

Hon. Mr. McKeough: The question referred, of course, to the 1,400 lots which are now a part of that. If the member will re-ask that question tomorrow, I will undertake to get it.

Mr. Singer: We will.

Mr. Speaker: The hon. member for York South.

Mr. D. C. MacDonald (York South): I have a question for the Prime Minister and for the Minister of Energy and Resources Management.

Mr. Speaker: I am informed that the hon. Minister of Municipal Affairs will answer questions 1546 and 1547, both of which have been placed by the hon. member for York South.

Mr. Singer: He is a busy fellow today—pity he does not know very much.

Mr. MacDonald: I would say he has become a successor to Robert Macaulay. My first question was originally addressed to the Minister of Energy and Resources Management.

Has Bramalea Consolidated Development Limited been required to share in the $88

million cost of extending sewage and water services in Chinguacousy and Peel Townships, in which the company has agreed to build 4,602 housing units for Ontario Housing Corporation, and 1,400 private lots from which the company predicts a $20 million profit over the next five years?

Hon. Mr. McKeough: Mr. Speaker, the answer to this really comes from the Ontario Water Resources Commission. The agreement is between the Ontario Water Resources commission and the municipalities. The municipalities in turn make their own arrangements with a variety of buyers of services, including, I would assume, Bramalea Consolidated. Insofar as we are aware, the answer to the question is, "no".

Mr. MacDonald: The second question was originally addressed, Mr. Speaker, to the Prime Minister. What steps is the government planning to take to fully inform the Legislature of the role which the OWRC, OHC and The Department of Municipal Affairs have played, or will play, in the housing development plans which Bramalea Consolidated Development Limited predicts will net that company a $20 million profit over the next five years?

Hon. Mr. McKeough: I am pleased to give the answer to this question on behalf of the Prime Minister. These particular "steps", to use the language in the question of the member from York South, began with an official plan amendment of the township of Chinguacousy.

This is official plan amendment number 19, which paved the way for the residential development in question. It was submitted to me, the Minister of Municipal Affairs, as required under section 12 of The Planning Act. This amendment, as is the normal practice, was submitted by me to all departments in the provincial government, and also to local authorities deemed to have an interest in the proposal. Among the agencies consulted were the Ontario Water Resources Commission; Ontario Housing Corporation; The Department of Highways and The federal Department of Transport—and because of the implications of the expansion of Malton airport or otherwise—the council of Chinguacousy, The Ontario Department of Education, the local board of education.

The amendment was approved by me, I think about three or four weeks ago—I am sorry I do not have the exact date, it may have been a little longer ago than that—only after the proposal had been thoroughly discussed as to the financial impact on the municipality, the availability of water supply and sewage disposal capacity, the relationship to the airport and many other matters.

I think it is safe to say that when we sign an official plan amendment when it is presented to me, and in this case I was a little bit involved, we are satisfied that the various requirements and concerns of all the various agencies which I have mentioned, and others, have been met. As I say I think it was about five or six weeks ago, the final plan of subdivision was submitted by Bramalea. It was, of course, widely circulated, as well, to the various agencies and I approved the final plan of subdivision, I believe two or three weeks ago. Again I do not have the exact dates but I will get them for the members.

Mr. Speaker: The hon. member for York South has a question to the Provincial Treasurer (Mr. MacNaughton). Is he not present?

Mr. Singer: Perhaps the Minister of Municipal Affairs will answer!

Mr. J. Renwick (Riverdale): Mr. Speaker, I have a question for the Minister of Agriculture and Food. Is the Ontario government assisting the Ontario growers of Concord grapes, in the investigation by the U.S. Tariff Commission dumping charges in connection with the sale of $800,000 worth of Ontario grapes in New York state about 18 months ago?

Mr. Speaker: Will the hon. member indicate the number of that question? I do not appear to have it here.

Mr. J. Renwick: Number 1526.

An hon. member: There is lots of time.

Mr. Speaker: That is on May 14?

Mr. J. Renwick: Yes, Mr. Speaker.

Mr. Speaker: Right.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in answer to the question: No, we are not directly aiding, but there have been consultations between the Concord Grape Growers' Marketing Board and the Ontario Farm Products Marketing Board; and I believe there were discussions which took place between them. But we are not actually in the field of assisting in any such representations with the board at Washington. I believe some suggestions have been made that Mr. Edge Harris, who is, I think, one of the foremost authorities on marketing legislation in Canada, and who also acts for

the grape growers' marketing board, is negotiating with some of his colleagues in the United States concerning the inquiry.

Mr. J. Renwick: Perhaps the Minister would permit a brief supplementary question. The indication which I have, is that this is going to be an extensive investigation by the U.S. tariff commission over a substantial period of time, into this whole question. In those circumstances does the Minister not think that the assistance of the government of Ontario should be more directly made available to the farm products marketing board or to the grape marketing board, as well as to the U.S. tariff commission—if necessary through the federal government?

Hon. Mr. Stewart: Mr. Speaker, this is news to us. We did not know that what the hon. member has talked about here was a fact. It must be; I have not heard that. But we will be glad to keep an eye on the situation and do whatever we can to protect the interest of the Ontario grape growers.

Mr. Speaker: I have a question from the hon. member for Port Arthur to the Minister of Tourism and Information.

Hon. Mr. McKeough: Mr. Speaker, perhaps you would just let me finish answering my question of the hon. member for York South. The date the official plan amendment was approved which should have been given in reply to that question, was April 3. Approval was given to the draft plan of subdivision on the same date, April 3, and on April 18 final approval of a plan of subdivision was given. There are three plans of subdivision within the area encompassed by official plan amendment 19. One third of that has had final approval.

Mr. MacDonald: Can the Minister indicate when the amendment to the official plan was first submitted to him?

Hon. Mr. McKeough: My guess would be six months or a year ago. It was talked about perhaps a year ago, and I think the paper work started six months ago. I can remember attending a couple of meetings with the reeve and others three, four or five months ago.

Mr. MacDonald: Would the Minister get that date?

Hon. Mr. McKeough: When it was submitted to us? Yes, I would be glad to.

Mr. MacDonald: Thank you.

Mr. Speaker: The hon. member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, my question No. 1478, from May 12, is of the hon. Minister of Tourism and Information:

What plans have been made to promote tourist attractions along the Trent canal near Trenton this year? And will signs be placed along Highway 401 to advertise the Trent waterway?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, the Trent-Severn waterway will be featured in a new booklet "Cruising Ontario Waters" which will be published by the department shortly. I would remind the hon. member that in our film library we have a 26-minute 16-millimeter coloured film on the Trent-Severn waterway called "Adventure Trent-Severn Style" and this year in conjunction with the CBC we made a one-minute TV filler on the Trent which has been distributed across Canada. The waterway is mentioned, I think, in three other regional publications.

In answer to the second question, my department will not be placing any signs along 401.

Mr. Knight: Mr. Speaker, I wonder if the hon. Minister would indicate whether he has consulted on this matter with the Minister of Highways? Surely it is in the area of tourist promotion. People in that area are concerned as to whether the waterway is being properly promoted along Highway 401, which is the main access route in and out of the Quinte and Peterborough tourist areas.

Hon. Mr. Auld: Mr. Speaker, I can only repeat that it is not the policy of my department to advertise tourist attractions as such along Highway 401 or 400.

Mr. Knight: Mr. Speaker, the Minister obviously sees no—

Mr. Speaker: Order! The hon. member is not asking a question. The hon. member for Windsor-Walkerville has a question.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker.

I have a question of the Minister of Financial and Commercial Affairs. In view of the legislation being proposed in the state of Michigan in connection with credit cards, is the Minister prepared to make it a misdemeanor for a firm to mail a credit card without an accompanying notice that the

recipient is not liable for purchases until he once uses the card or disposes of it negligently?

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, the whole question of the issue of unsolicited credit cards has been and is under study and review by my department. I have nothing to state on the subject at the moment, but I may have something to say about it in the days ahead.

Mr. B. Newman: Is it under active review, Mr. Minister?

Hon. Mr. Rowntree: Yes, it is.

Mr. B. Newman: Thank you.

Mr. Speaker: The hon. member for Sandwich-Riverside has a question.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Health: are there any hospitals in Ontario still using fluoridated water for long term hemodialysis?

Hon. M. B. Dymond (Minister of Health): The answer to the question, Mr. Speaker, is yes.

Mr. Burr: Could the Minister tell me how many?

Hon. Mr. Dymond: No, Mr. Speaker, I could not.

Mr. Speaker: The hon. Minister of Lands and Forests has a reply for question number 1521 asked by the hon. member for Oshawa (Mr. Pilkey). Is he in his seat?

Mr. MacDonald: There is no objection to the Minister giving it today.

Mr. Speaker: I think it will be in order.

Hon. R. Brunelle (Minister of Lands and Forests): Thank you, Mr. Speaker. Yesterday the hon. member for Oshawa asked this question:

> Would the Minister tell the House what action is being taken regarding dipping in the Oshawa Creek as outlined in a letter from the Oshawa Fish and Wild Life Advisory Board to the Minister's department?

The department, Mr. Speaker, did not receive any letter from the Oshawa Fish and Wild Life Advisory Board respecting dipping in the Oshawa Creek.

We did, however, receive a letter from Mrs. Esther Earl, of Oshawa, a member of the Oshawa Fish and Wild Life Advisory Board, writing in the capacity of a private citizen, respecting littering and pollution in Oshawa Creek and other unrelated matters. These matters have been referred to officials of the Ontario Water Resources Commission for their attention.

Mr. Speaker: I have question No. 1018, which was taken as notice, a question from the hon. member for Sandwich-Riverside to the hon. Minister of Health. Does he have that answer?

Hon. Mr. Dymond: Pardon?

Mr. Speaker: Question No. 1018.

Hon. Mr. Dymond: No, it could not have been very important that far back, sir, or he would have called it again.

Mr. Speaker: The hon. Minister of Correctional Services.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, I rise on a matter of personal privilege. I was very pleased to receive this book "The Canadian Family Tree." It appears to be a well documented book, but on page 208, I note that reference is made to the fact that I have held a Cabinet post in this province.

Interjections by hon. members.

Hon. Mr. Grossman: I would hope, Mr. Speaker, that that was not wishful thinking on the part of the Secretary of State. I do want to assure them that this government does not have the quick turnover of Cabinet Ministers that they have in Ottawa and it is obvious that I still hold a Cabinet post here.

Interjections by hon. members.

Mr. Speaker: Order! The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Just for a moment, Mr. Speaker, on a point of privilege. I seldom rise on such points, I want to draw attention to a story in the *Globe and Mail* this morning, on page W10, regarding the debate in the House yesterday with the headline "NDP Loses Bid to Draw Up Bill for Homes for Retarded Children."

I would first like to say, Mr. Speaker, that at some stage someone should point out to the headline writers of the *Globe and Mail*—not the journalists, perhaps, but the headline writers—that there is a distinction between retarded children and emotionally disturbed

children, and that neither group is served by this continual confusion.

In the body of the story it says:

> Steven Lewis (NDP, Scarborough West) termed the legislation "vicious" and indicated he felt that the government was engaged in a vendetta.

I do not recall, sir, ever using the words ascribed to me during the debate and; as to the latter, I would like to read from the uncorrected *Hansard* which is in front of me. I quote:

> It was said, when the bill emerged on first reading, that there was a sense of vendetta in the bill. I choose not to believe that.

Under the circumstances of the debate, I wanted that on record.

Mr. Speaker: Orders of the day.

Clerk of the House: Thirty-fourth order. House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, THE DEPARTMENT OF MINES
(Continued)

On vote 1301:

Hon. A. F. Lawrence (Minister of Mines): Mr. Chairman, on Tuesday night we were, I believe, indulging in a conversation in answer to a question from the member for Port Arthur (Mr. Knight) respecting Texas Gulf and my letter to Texas Gulf, a copy of which I do not seem to have with me here, but which I think was dated April 21. I think the meat of the question to me was just what are the financial implications, respecting the paragraphs of that letter directed to Texas Gulf by me, on behalf of the government.

If I may just recap for a moment. I suggested to the House that the overall benefit or revenue to the Ontario Northland Railway in respect of the freight rates for the sulphuric acid would actually result, it was felt, in an increased revenue to the railway if the smelter was built in Timmins. Therefore, it was well worth the while of the railway to make a special offer to Texas Gulf so that they would be placed in a competitive basis with other sulphuric acid byproducts from other smelters in northern Ontario. That was number one.

Number two, in relation to Hydro I indicated, I think, to the House that there was no special deal offered to Texas Gulf in respect to the Hydro rates. What I was indicating in my letter were the standard commercial rates available to Texas Gulf as they are available to anybody else.

I think just about at that point we broke up. We got into a bit of a question respecting the preproduction expenses allowance. This certainly was a special concession made to Texas Gulf.

The date in the legislation was put there with Texas Gulf in mind, and in my letter to them I indicated to them that we would be prepared to recommend to this Legislature that the legislation be passed if they built a smelter in Timmins.

The question was asked of me—just what is the monetary advantage to the company for this particular concession?

If we use the Ecstall Mining Co. as an example, let me make clear first of all, that these figures I am about to give to the House are not actual figures. They are estimated figures on what would be the advantage to Ecstall Mining, providing the smelter was on-stream and working this year and bearing in mind that the concentrate production would be the same as this year.

In other words, these estimates are based on the 1969 production as we now know it. We cannot really tell what the figure will be in 1971 or 1972 of course, when the smelter comes on-stream. They are based on our estimate of what the production is this year, and the estimate that 51 per cent of the zinc concentrate production would be going through that smelter, which is one of the requirements that we have laid down to Texas Gulf.

So assuming that the company operated the refinery in Timmins for the 1969 operations, the company would then have been allowed to deduct from its profit 75 per cent of 10 per cent of the preproduction expenses of approximately $6 million. In other words, the preproduction expenses were about $6 million, according to the books of the company itself, which our officials have audited.

They would be allowed to deduct from that 75 per cent of 10 per cent of the preproduction expenses, or about $450,000. Because in that event, 75 per cent of the ore would have been treated in Canada—that is, 50 per cent of it is for copper production which goes to Noranda; and 25 per cent of it is to be handled at the new refinery in Timmins. The balance of it is exported.

In other words, if you take a look at the 100 per cent of concentrate produce, you break this 50 per cent each way; 50 per cent of this is copper which is already treated in

Canada at Noranda, the other 50 per cent being the zinc, lead and silver; we have indicated to them that 51 per cent of that should go through their new smelter. So that 25 per cent, in effect, of the total concentrate production should go through their new smelter; that is, their zinc should go through their new smelter. So that there is an advantage to the company there of $450,000.

In addition—and one matter that we did not get into the other night—there are the new procedures which we have evolved in respect of the profits assigned to processing. Quite frankly, the other night I was not prepared to discuss it because it is included in the provisions of the new Mining Tax Act amendments which are before this House.

It does not matter to me whether we discuss it here or on that bill, and because the matter has been raised here we might as well discuss it. We are coming up with a new method of assigning the profit in relation to processing in Canada. There will be an advantage to this company in relation to this particular matter.

As I am sure the hon. member appreciates, the whole last six months for me, as far as Texas Gulf has been concerned, have been a little bit of a poker game in any event. I did not want to tell the company that this was going to be general legislation, that it was going to apply across the board in any event. I admit that to the House. But if you will re-read that letter very carefully, you will see that I indicated to them that the government would be prepared to proceed with this legislation if they built the smelter in Timmins.

It is, however, general legislation. They have indicated they are going to build the smelter in Timmins. Therefore, we are prepared to recommend to this House that this general legislation be passed. However, I would point out to the member that it is general legislation and it is applicable right across the board. The policy decision by the government had been made, in any event, to make this legislation general so that actually it would have applied to Texas Gulf or Ecstall, whether or not they had built the smelter in Timmins. But at the time that they received our letter, they did not know this.

I do not think this is an underhanded way of doing it. As I understand some of the crossfire that is going on between the two parties here in any event, we are being damned on the one hand for giving too much away. And I can well imagine that on the other hand we would be damned if we did not do our utmost to make sure that that smelter was being built in Timmins.

But if you are interested in the procedure in respect of the profit assigned to the processing—and bear in mind that this is an allowance or this is a method of computing these profits only if they process in Canada—then this company would have been allowed to assign eight per cent of 75 per cent of the value of its concentrating plant. I do not want to get you too involved here but—

Mr. T. P. Reid (Rainy River): That is 51 per cent.

Hon. A. F. Lawrence: No. You see, in effect, taking into account both the copper, which is going to Noranda, and the 50 per cent of the 50 per cent remainder which is going through the new smelter, a total of 75 per cent of their overall ore production then will be utilized in Canada through a concentrator.

Then eight per cent of that 75 per cent of the value of the concentrating plant which is almost $59 million—that is the value of the plant—that eight per cent of the 75 per cent is about $3.5 million, a little over, plus 20 per cent of the 25 per cent of the value of the concentrator or $2,939,000. That is right, 20 per cent of the 25 per cent. These are the percentage amounts assigned by our mines assessor in respect of the profit. It is a pretty complicated thing and I am afraid I am not making myself clear on it.

Mr. T. P. Reid: You are right!

Hon. A. F. Lawrence: We are coming up with this new procedure in respect of these profits assigned to processing. We are saying to the companies if they build a concentrator in Canada, then they get a special amount—I cannot call it an allowance because we get into legal and constitutional difficulties if we call it an allowance. Therefore, we have to use this cumbersome phrase "profit assigned to processing". In respect of concentrators, this special allowance amounts to eight per cent of the value of the concentrator.

Mr. T. P. Reid: Concentrator?

Hon. A. F. Lawrence: Concentrator. If they go the next step further and build a smelter, then the percentage allowance is increased to 16 per cent on both. If they move to a refinery, they get a special allowance of 20 per cent on the whole three, so that as they take each one of these processing steps a degree further in Canada, then they get an increased allowance in relation to the cost

of that processing facility as deducted from their amounts. So that here—if I may go over that again—the concentrating allowance of eight per cent is utilized against 75 per cent of the value of the concentrator plant which is just over $3.5 million, plus 20 per cent of 25 per cent of the value of the concentrator which is just under $3 million—$2,939,000.

Mr. T. P. Reid: May I ask the Minister at this point, is this a new formula that you have just come up with?

Hon. A. F. Lawrence: Yes.

Mr. T. P. Reid: Could I ask why this formula was not based on the amount of concentrate put through the concentrator, as well as the capital cost of the concentrator, or the smelter separately?

Hon. A. F. Lawrence: It is—it is based exactly on that. It is based on a percentage of allowance of the value of the concentrator, plus the amount of ore put through the concentrator. And, as you go the next step further on, it relates to the amount of concentrate put through the smelter.

The next step is the amount of smelter product, whatever it is—I am not too sure what the technical name is, quite frankly—that goes through the refinery. The important point here—you are asking me what is the special advantage to Texas Gulf because of this. My answer to you is that even though at the time the company did not know it, there was no special advantage to them, because this is general legislation.

Mr. R. H. Knight (Port Arthur): Mr. Chairman, while we would certainly encourage the Minister to play poker on behalf of the people of Ontario, I think the fact that he has been able to swing this deal in this matter before the legislation was put through—he was in a bind, that is obvious—is certainly to his credit.

I just wonder whether, from the manner in which he has dealt with Texas Gulf Sulphur in relation to this refinery, can we take this as an idea as to how this department plans to interpret the legislation contained in Bill 112 in the future? Is this a good demonstration of how the department plans to do business?

Hon. A. F. Lawrence: Yes, sir, it is. The legislation itself places an extremely wide discretion on the Lieutenant-Governor-in-Council. As I have indicated on the second reading of that bill, I do not think these wide discretionary powers should necessarily be given to a cabinet, but you have got to appreciate that here we are dealing with an international market.

Circumstances change—geology changed; metallurgy changed; procedures and methods change. We have got to be flexible enough, quite frankly, to play poker with these large multinational concerns who can look at ore and transportation costs all around the world.

Our prime purpose is to promote the development of northern Ontario and to promote the mining industry, and we feel that this is the only way of attacking the problem. If somebody has a better idea, I would be glad to hear it, because we are quite flexibly minded about the whole thing.

But this is the way—with the permission of the House, of course—this is the way in which we intend to utilize this legislation for the benefit of areas in northern Ontario.

Mr. Knight: It is obvious that the Minister has, it would seem, to have won this particular poker game. But as poker games go, there may be some in the future he may not be so fortunate in, so there are certainly some members of the House who might be inclined to hesitate on this particular kind of approach. I think the industry of mining being what it is, I would be in a position to go along with this idea.

My main objection to the whole matter, of course, is this. Where Texas Gulf Sulphur is concerned it is all right. We have our smelter up in the north. But where the legislation applies to other companies in the future it could very well be that the smelter will be located somewhere else. Yet it is conceivable that these other companies would get the same concessions as Texas Gulf Sulphur have for doing, in my opinion, far less.

We feel—those of us who come from the north—that these refinery operations should be located close to site, because this is where we are trying to decentralize. We are trying to get population into the north. We are trying to get jobs into the north; it is obvious they are needed.

I wonder if the Minister could tell me this, if an industry should come along and want to put another refinery down on Lake Erie, which we know already is polluted and is threatened with greater pollution, now would the Minister be willing to swing a similar type of deal with such an industry?

Hon. A. F. Lawrence: I am sure the hon. member is a better poker player than I am and I am sure one of the cardinal rules of the

game is not to show your hand ahead of time.

Mr. S. Lewis (Scarborough West): Why play poker at all with the resources of the province?

Mr. M. Shulman (High Park): I would like to ask, Mr. Chairman, through you to the Minister, has the Minister met with any companies other than Texas Gulf and given them a blanket exemption from the new legislation?

Hon. A. F. Lawrence: No, we have not given a blanket exemption to anybody. For the last 20 minutes I have just gone through what we did grant there and the total cost of those items that I indicated in that letter amounts to $450,000 as far as the taxpayers of this province are concerned. I defy any member of this House to indicate to me that that was not a gamble worth taking, to make sure that that smelter would get in the Timmins area.

Mr. Shulman: Mr. Chairman, I just want to make sure there is no misunderstanding. The Minister is saying that he has not met with any company and given them a 10-year exemption from the new Act?

Hon. A. F. Lawrence: No, I have not said that at all. We are talking now about exemptions?

Mr. Shulman: Yes.

Hon. A. F. Lawrence: Well, that is a horse of a different feather.

Mr. Lewis: The devil it is!

Mr. Shulman: The question is, has the Minister met with one or more mining companies and given them let us say a ten year exemption—blanket exemption—from this new legislation?

Hon. A. F. Lawrence: No, the legislation is not even in effect yet. It has not even been through the House yet.

Over the last four weeks, both on this continent and on another continent, I can tell you I have spoken to the top management of at least two dozen companies in relation to present facilities in Ontario, present facilities in Canada, and perhaps potential facilities in Canada, and in Ontario. Certainly this legislation has caused a lot of disquiet and a lot of unrest, perhaps justifiably so, in the minds of certain international mining people. It was designed exactly to do that, quite frankly, but I have given no exemption to anyone yet.

I have given a commitment to one particular company that, if the legislation is approved by this House, and if the certain circumstances surrounding that particular company do not change, and if—I am adding "and ifs" all the way down the line here—and if they make an application for an exemption, that certainly I will recommend to the Lieutenant-Governor-in-Council at that time that that particular company be given a ten year exemption for their main production. It will be a minimum ten year limit—or the amount of time required to pay off their main debenture debt, if they retire it in less than ten years.

In other words, it is a very maximum time of ten years—it could be less than ten years—in relation to their company; their company is a brand new one. Their company will be producing something which, at the moment, is not produced in Canada—there is no need of it in Canada. It will be a glut on the market in a few years and this particular company will start mining operations in an area which very much needs a mining operation.

I am sorry to be so mysterious about it, but the company itself has not got its prospectus through the Ontario Securities Commission, although I have approved a paragraph for inclusion in that prospectus relating to my recommendation to the Lieutenant-Governor-in-Council—if, if, if.

But this is exactly one of the reasons why we have written that legislation in the manner in which we have so that there will be very wide discretion on it.

Mr. Shulman: Mr. Chairman, I hate to embarrass the Minister and it always pains me to find him in error in the House, especially as it happens so frequently. But perhaps, on a point of order, I could point out his error.

First of all, the name of the company is Superior Acid and Iron. Second, the prospectus has been approved by the Ontario Securities Commission. Third, the prospectus has been mailed out to some thousands of people in Ontario. Fourth, the hon. Minister's letter is included in the prospectus. I am sorry to embarrass him in this way—

Hon. A. F. Lawrence: It is not embarrassing to me—I gave them permission. If that has happened, it has only happened—as you may know, I have been away from the country for five days and if it has been approved

by the commission and if it has been sent out, then it has been done within that period of time. I gave them permission to use my letter on it, because it is quite a conditional letter.

If the news is out, I am glad to use this company as an example of why we need discretionary powers in that legislation.

This is a Canadian company and the name is Superior Acid and Iron Company Limited. They propose re-working some old pyrite formations in Goodrow, just north of Wawa. They intend shipping the concentrates through Michipicoten down to the United States in the mid-Ohio area, where there is a very stable but peculiar demand for sulphuric acid of the very pure type which I understand can only be obtained from this type of pyrite.

They come to me and say: "We do not feel we can even go to an underwriter and promote this company, in all honesty, now, in view of your legislation, unless you can indicate to us that you will grant us an exemption."

My first question back to them was: "Why should I give you an exemption?" Then: "Why can you not process this pyrite here in Canada, produce the sulphuric acid in Canada, then ship the sulphuric acid down there?"

They said: "First of all, it is a tight market down there. Secondly, and I would not want to jeopardize anyone's interests, but the sulphuric market in Canada over the foreseeable future, there is going to be an awful lot of sulphuric acid in Ontario." "Now," they said, "if we have to smelt the pyrite to make the sulphuric acid in Ontario, or in Canada, the whole thing is up the flue.

"If it is done here it creates, with this type of pyrite and the type of metallurgy involved a real pollution problem; also it is extremely difficult and extremely expensive, to ship sulphuric acid down in to the mid-west, which simply cannot be done under economic conditions. But," they said, "if you give us permission to ship the pyrite concentrate down then we can make a viable, economic corporation doing some worthwhile business, because we can ship that pyrite concentrate very easily in ordinary railway cars.

"We can store it at Michipicoten over the winter months when the shipping season is not on. They can move it very easily in the United States, they can store it in the United States, until it is necessary to smelt it. Then when they do smelt it and produce the sulphuric acid right there at the source of demand, we can easily sell it—we cannot easily sell it, but we can get a long term contract to sell it there."

They said, "If you do not permit us to do this, then the whole thing is up the flue."

We went into it very carefully. We had our economist look at it, our geologist look at it, other people looked at it and, quite frankly, I felt that this would be a potential industry that is very needed in that area, north of Wawa, especially in view of certain uncertainties regarding Algoma. The Wawa thing, to me, was manna from heaven. They can use the railway line, they can use the harbour facilities, and they can also use perhaps some of the surplus labour force that might possibly be there over the next little while.

I was very glad, quite frankly, to be able to say to them then, "Okay, we will give you an exemption." Unfortunately, they then came back and said, "How long are you going to give us the exemption for?" My feelings are that no exception should be given over a period of three, four or five years. Again, they made the very logical argument that they would not be able to sell the debentures for any period of time less than ten years, or when it retires.

This was the first case that came into me within two days of the announcement in the House. Since then, I have had indications from other people that are going to be after me for exemptions and in each case, we are going to look at them on an individual basis. In some cases, I can tell you right now, there are going to be a few shocks given, because we do not intend granting the exemptions, as we think in some cases the processing can be done in Canada. Nevertheless—

Mr. T. P. Reid: They won that poker hand.

Hon. A. F. Lawrence: They won that poker hand maybe, but maybe the people in the Wawa-Goodrow area won; and that, after all, is what we are after.

Mr. Lewis: You are not here to play poker, you are not the Minister of poker in this government. There are other matters for you to attend to.

Hon. A. F. Lawrence: I am sure there are.

Mr. Shulman: Mr. Chairman, I do not entirely disagree with the Minister in this matter. At this time, he is at the very least, partially right.

But first of all, he is wrong on one of the most important points. It is quite possible to

smelt pyrite ore without pollution. He is right on the economic aspect and let me make my position very clear. I am a small shareholder in this company, so no one will misunderstand, that was why I was so delighted to receive the Minister's letter about two days after we were discussing exemptions. However, thank you, Mr. Minister.

But I think the Minister has a very serious misapprehension about this company in that there are no intentions at the present time of doing anything with this ore. All the company is doing at the present time is raising some $900,000 in order to decide whether or not it is practical to smelt it and whether or not it is practical to mine it and send it down to the United States to sell. So he is away ahead of himself in this.

Hon. A. F. Lawrence: If the opinions and the evidence they have given to us now are the same as at the time they start production, then they will have to apply for an exemption. I have indicated that we will take a look at it at that time. But in the interval, so they can go ahead with their financing, I certainly thought it was only fair, just and equitable to indicate to them that if those circumstances did not change, that I would recommend it to the Lieutenant-Governor-in-Council and that, of course, does not bind anybody either. My record with the Cabinet sometimes, is not very good.

Mr. Shulman: We know that. We are very aware of that, Mr. Chairman. I am not disagreeing with the Minister in this case, obviously. The only thing that disturbs me about it is that this is the first case. Will the Minister assure us that all exemptions will be made public?

Hon. A. F. Lawrence: That is another thing, Mr. Chairman, this whole discussion should be taking place in the committee stage of these bills rather than now, but, as I say, I am just as glad to get it out of the way. But another section in the bill, The Mining Tax Act, takes this discretion completely away from the Minister of Mines at my insistence because these discretions are pretty important things, and I do not think it should be on any single person's shoulders to make the final decision.

Therefore, all of these discretions now will be exercised by the Lieutenant-Governor-in-Council. The Lieutenant-Governor-in-Council acts only by virtue of an order-in-council and orders-in-council are published. Therefore, in short, the answer to the member's question is yes, they will all be made public.

Mr. Shulman: Mr. Chairman, before I leave this matter—I am almost through—just to make this quite clear. I would not want the people to think through this discussion they are going to have a huge mine up there. They are nowhere near that stage and it may never happen.

Hon. A. F. Lawrence: No, I agree with the member. That is why I did not want to mention the name, quite frankly, but the member mentioned it first.

Mr. Shulman: I could not help embarrassing the Minister under the circumstances.

I would like to ask the Minister through you, Mr. Chairman, has Falconbridge mine approached him for an exemption in relation to the ore being shipped to Norway?

Hon. A. F. Lawrence: Yes, they have. They got caught right in the middle in that their present exemption for their post-1917 land runs out in August, 1969. And, therefore, about three weeks before this change in policy was made public, they did send an application to me, actually to the Prime Minister (Mr. Robarts), asking for the exemption to be continued.

No action was taken on that application because, of course, we were well aware of the announcement and what was going to happen. That was just shelved and, of course, Falconbridge right now is busy changing their application for one from the post-1917 land to all of their land. I assume the import of the member's question is, has any decision yet been made? And the answer to that is, no.

Mr. Shulman: May I suggest through you, sir, to the Minister, that inasmuch as the amount of money involved here is many, many times that of the other matters we have discussed until now, including Texas Gulf, perhaps this is an opportunity for the Minister to show the strength of his spine in relation to Falconbridge. We will be looking forward with great interest to see the decision he does make in this matter.

Hon. A. F. Lawrence: I do not want to prejudge anything but again it is not just a black and white question by any means. For my money, Falconbridge has been a very good Canadian corporate citizen as far as its community affairs are concerned, perhaps even more so than other companies in that particular area. Most of their market is in Europe.

In the first place, I am informed that the Falconbridge Nickel Mines complex really

would not have been put together if they had not had that refinery in Norway. As a matter of fact, some time over the next ten days, I hope to take a look at that refinery to see what they are doing over there.

They have just now developed a process in Norway which they intend to apply in Falconbridge for their new iron process. These things really are a two-way street; it is not a black and white matter by any means. If there is any danger that Falconbridge would have to become completely subservient—let me put it bluntly to you, to International Nickel, let us say—simply on the basis that we indicated to them that they could not export any more of their nickel matter to Norway, this would be a very sad day for the Canadian mineral economy. I certainly do not want that to happen. And there may be danger of it happening, I do not know. But we are still looking very closely at the whole picture. They are looking very closely at the whole picture. I cannot indicate to you what the decision is because it simply has not been made yet.

Mr. Shulman: Mr. Chairman, I also have looked closely at this particular picture and I want to assure the Minister that there is no danger of Falconbridge closing up shop or ceasing to make a very reasonable profit if they are forced to smelt their ore here in Canada. Quite frankly, the matter that disturbs me vitally—

Hon. A. F. Lawrence: They do not smelt it; they refine it.

Mr. Shulman: Refine it; yes, they should refine their ore here in Canada. I would like to receive the Minister's assurance that certain donations that Falconbridge has been making on a regular basis will not affect the decision that is made. But perhaps we can discuss this later in the year?

Hon. A. F. Lawrence: No, let us discuss it right now, because the hon. member was kind enough to send me a couple of pages of a manuscript which he said was going to be incorporated in a book in which there are grave allegations made, I think, about the integrity of the people belonging to the Progressive-Conservative Party in this country. And there are snide comments made about the reason—

Mr. V. M. Singer (Downsview): Shame! Off with his head.

Hon. A. F. Lawrence: —the government put the screws on Texas Gulf. I can just imagine the snarl as he dictated it—the screws on Texas Gulf because Texas Gulf did not know enough to make a substantial donation to the slush fund. Are these not the actual words? I think they are the actual words. I guess people can sell anything these days.

Of course, the words are fairly carefully chosen, so that there are no individuals named and therefore no possible danger of any libel action or anything like that. But I can assure the hon. member that I do not know of any single donation made by any mining company anywhere to any so-called election funds, slush funds or anything else.

Do not get me wrong. I am not saying that steelworkers did not make any donation to the NDP fund; or that International Nickel or Falconbridge or anybody else did not make any donation to any other election fund of any other party. I am saying I do not know and in not knowing, how can these matters possibly enter into any decision made by me in respect of what I recommend to the government? Nonsense!

Mr. D. C. MacDonald (York South): Mr. Chairman, may I voice, just briefly, a thought that went through my mind? Just to show you how confused this picture is, I am not so certain that I would not prefer to have the decision made with regard to smelting in Ontario by this Minister, who professes his ignorance, than by the Cabinet, some of whom will know.

Hon. A. F. Lawrence: I do not think that follows at all.

Mr. MacDonald: How naive can the Minister be?

Mr. J. Renwick (Riverdale): Mr. Chairman, let me make—

Mr. Chairman: The member for Port Arthur has been trying to get the floor.

An hon. member: Rainy River.

Mr. Chairman: I am sorry, the member for Port Arthur had been up before. The member for Rainy River.

Mr. T. P. Reid: Thank you, Mr. Chairman. I would like to ask the Minister—I understand that Texas Gulf has to smelt 51 per cent of their zinc ore. May I ask the Minister where the rest of it is being smelted?

Hon. A. F. Lawrence: At the moment their zinc concentrate is mainly sold in the States; some does go to Japan, I think, and some to Europe. Where it will go after this require-

ment is put into effect—in other words once the smelter gets built—I do not know. I would imagine most of it would go to the States.

Mr. T. P. Reid: Why 51 per cent?

Hon. A. F. Lawrence: We felt that the majority of the zinc concentrate in the initial instance should be smelted in Canada. It is as simple as that.

The company, initially, was not prepared to indicate that they would be doing this amount. I suppose mainly it is my position to defend the mining companies, I do not know. But here is a company that has not been in the metal market before. Here is a company that is setting up something that, for them, is a brand new venture, namely, a smelter and a refinery. They are going to be actively injected now into the metal market.

Before, they have had things pretty easy because they have been able to sell this concentrate. For some strange reason it is very easy to sell concentrate but, I am told, as far as zinc is concerned, anyway, it is particularly tough to break into the zinc metal market.

I mean, it is not just a black and white proposition. My understanding is that in the North American Continent and, I suspect, elsewhere in the western world, there has never been a zinc smelter, refinery or acid complex of the type that is going to be built at Timmins, that was built at one fell swoop. In other words, there are other zinc smelter refineries which do exist which do process a larger volume of concentrate and produce a larger volume of metal.

However, none of them have been built all at once. This is a pretty big bite for this company to take off all at once. However, we have said to them that it has got to be done and they will do it. We have also indicated to them that within five years of that smelter-refinery complex coming on-stream they have got to increase that percentage to at least 75 per cent.

Mr. Singer: Mr. Chairman, I wonder if the hon. Minister believes he has the support of the Conservatives with him, when only five members of the Conservative Party are in the House while these debates are going on.

Hon. A. F. Lawrence: No, they know that the Minister of Mines can handle the whole position—

Mr. Singer: Five members.

Mr. T. P. Reid: Mr. Chairman, could I ask the hon. Minister where INCO—the mine that they are going to have at Shebandowan —will be smelting ore?

Hon. A. F. Lawrence: My understanding is that this would be done at Copper Cliff.

Mr. T. P. Reid: Now in relation to this mine at Shebandowan, could the Minister inform me if The Department of Mines and the Minister have anything to do with the development of the mine site and town site? Where do you become involved in the town site?

Hon. A. F. Lawrence: There is an inter-departmental committee which we call the town site committee which does correlate the various regulations and activities of the various departments in respect to setting up town sites. It also gives advice to groups who may have the need for new town sites in the future.

Mr. T. P. Reid: Who chairs that committee?

Hon. A. F. Lawrence: I think the Minister of Municipal Affairs (Mr. McKeough) does or someone out of The Department of Municipal Affairs. I am sorry, I am not on the committee. My Deputy Minister is on the committee, so I suppose it is at the Deputy Ministers' level. If it is not the Deputy Minister of Municipal Affairs, I will get the right man's designation to you. But if you do not hear from me on it, assume that it is the Deputy Minister of Municipal Affairs who chairs that committee.

Mr. T. P. Reid: I would like to point out to you, as the responsible Minister of Mines, that this government made a gross error in setting up a new town site at Ear Falls, in northwestern Ontario, when the town of Red Lake and Balmertown, a distance of 10 or 12 miles by road, already had a town site, and all the services necessary for a town.

Now for some reason, unknown to anyone, The Departments of Municipal Affairs and Mines agreed to have a town site set up at Ear Falls. It would appear that this government again is abrogating its responsibility and is going to let a town site develop at Shebandowan.

My information is that INCO themselves are engaged in planning a town site at Shebandowan. The community of Atikokan, which is in the Rainy River riding is some 60 or 70 miles from Shebandowan. The Lakehead cities are some 40 or 50 miles away.

Surely we are not going to keep putting isolated town sites in various parts of northern Ontario, at huge distances from each other, with all the concomitant costs.

I would like to put it to the Minister that this is going to happen, and ask him if he is prepared now to investigate the situation and to recommend to The Department of Municipal Affairs that a town site not be established at Shebandowan.

Hon. A. F. Lawrence: First of all may I say that I did not want to interrupt the hon. member, but I really think that these matters should be brought up during the discussion of the estimates of the Minister of Municipal Affairs.

We were not that involved in the Ear Falls problem and the decision to set up the Ear Falls town site. In any event it happened before I came into The Department of Mines. But I really do feel that you would get far more sensible, shorter answers out of the Minister of Municipal Affairs and I think there is an item in his vote that does deal with this. May I correct myself—Mr. Don Taylor, the executive director of The Department of Municipal Affairs is the chairman of the town site committee, not the Deputy Minister of Municipal Affairs.

But I think if my hon. friend would not mind bringing this matter up during the discussion of the estimates of the Minister of Municipal Affairs, he will get far more sensible answers out of him than he would out of me because I am not that conversant with these problems.

Mr. T. P. Reid: Well, I do not want to pat you on the back, but you have more confidence in the Minister of Municipal Affairs than I do. I would just like to make the point that I think it behoves you and is incumbent upon your responsibility as the Minister of Mines to bring this situation to the attention of the Minister of Municipal Affairs. I have brought it to his attention in this House before and he has just ignored it.

Meanwhile, a shacktown is going up in Shebandowan, and it is partly the responsibility of the Minister of Mines, surely.

Hon. A. F. Lawrence: Well, all right. If you want to get into it I do not care but I have gone up there. I have inspected all of these sites and looked at them all and there are conflicting interests involved. The people in the Lakehead do not want to see a town site at Shebandowan. On the other hand, I would hate, quite frankly, to work in Shebandowan knowing that I had to commute, what is it—60 miles?—back and forth.

Now you go up to Ear Falls, what is Ear Falls from Balmertown—45, 50 miles?—

Interjection by an hon. member.

Hon. A. F. Lawrence: It is six of one and half a dozen of another.

Mr. T. P. Reid: Mr. Chairman, surely the Minister is not being sensible. Would you rather have the miners commute or are you going to have the children of school age, either elementary- or high-school-age, commute? Surely this is what it is going to come down to.

Already in the north young children have to spend anywhere from half an hour to two hours or two-and-a-half hours a day on the bus. Surely the men, the adults, are more resilient or more flexible in this regard than young children are.

Hon. A. F. Lawrence: I am not going to paint myself into the corner of defending the Ear Falls decision, because I had no part of it.

Mr. T. P. Reid: It is indefensible, you cannot do it.

Hon. A. F. Lawrence: I think it is defensible, but I think you should bear in mind that again, it is not one of these black-and-white issues of children commuting or workers commuting.

Mr. Singer: But you are not going to defend it.

Mr. T. P. Reid: Well no, but yours is a specious argument.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, I would like to follow up this particular point.

Mr. Chairman: I wonder if the hon. member for Riverdale will yield the floor to the hon. member for Thunder Bay? He has attempted to get the floor on four previous occasions.

Mr. J. Renwick: Mr. Chairman, before we depart too far, I only want to share one thought with the Minister, which is that when the Minister and his colleagues are making the decision about exemptions under the proposed Act, it would be much better if the public knew what contributions had been made by the companies which contribute to the Progressive Conservative Party. This, of course, would be the case if we were the

government, in respect of the contributions made by any interested organizations to this party.

Hon. A. F. Lawrence: Well, I suppose the argument of the hon. member might have some validity if these matters entered into the decision in any event. My point is, to you, that they do not. This has been indicated to you before and you do not believe it. So, there you are. You say we are wrong; I say you are full of hot air; what is the difference?

Mr. Chairman: Now the hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Chairman. To get back to Shebandowan. It happens to be in the riding of Thunder Bay. The member for Rainy River seems bent on getting an extension of industries in Atikokan. I am interested in where the people are located only to the extent that if you allow them to locate in a particular area, their equity is going to be looked after.

As you know, with a non-renewable resource—and this has happened in Geraldton, it has happened in Beardmore—where towns are allowed to spring up, you eventually have thousands of miners and their families who are forced to leave a certain area where the small businesses have an equity, and where the government has a tremendous equity in services to that community. They walk off, leave it, and duplicate the thing 50 or 100 miles away.

All I am interested in is that if you allow a town to spring up any place, you be able to justify it economically, so that when the decision is made, you will say this area has a life of 50 or 100 years, based on what is known of the area and the resources of that area. The town that is there as a result of those resources will be able to survive for longer than 15 or 20 years. Has the Minister ever harboured the thought of establishing a fund, say, in Manitouwadge, where the town owes its existence to a base metal find which could be exhausted in 25 years? It would be completely unrealistic for this government to say, "Well, let us walk away from that" in that length of time and allow development to take place in another location based on another non-renewable resource.

Has the Minister ever thought of looking ahead and, in the instance of Geraldton, looking at the known resources that are in that area, rather than allow tens of millions of dollars' worth of services in that area to die while he is going to duplicate them somewhere else? Would you never consider forming a corporation such as Soquem where you go in and do a detailed survey of the area where you know what the potential is? You know what the market is, or project what the market will be, over an extended period of time, and before you allow an ore body to be exploited, say 200 miles away where it does not bother or is not going to affect an existing community?

Hon. A. F. Lawrence: If you are going to start talking about Soquem, that really should be under another vote.

Mr. Stokes: I am talking about the overall administrative policy. Do you not think it would be far more advisable to have a comprehensive survey made of the area? It is quite possible that you can justify a townsite in Shebandowan, given all the information about the resources in that area, whether they be mining, or forest products. It is conceivable that you could allow a townsite to spring up that could support a community of maybe 10,000 people.

But you must have this information in advance in order to make that determination. I am wondering, if you do not do that, would you consider having a fund? From the minute a mining company starts to exploit those resources, a fund should be set aside to make a detailed survey of the area. If you find nothing, at least you can repay miners who have established homes. You could amortize it over a given period of years so that when or if, in the final analysis, people were forced to leave, there would be a fund, at least, to compensate them for the loss or the equities that they had in their homes, or the cost of moving to a new location. I was wondering if the Minister would like to comment on those two aspects of it.

Hon. A. F. Lawrence: First of all, maybe you have not been reading the terms of reference of the inter-departmental committee but you were using a couple of phrases there that are written right into the terms of reference of that committee, I can assure you. In other words, what you are talking about in respect of reserves is exactly what this department is attempting to do and why we have Department of Mines' technical staff on that committee.

Obviously, our purpose in being there is to advise the committee on just such matters as reserves. However, the question of mining reserves in a mine is a pretty nebulous thing that can be kicked around between the

judgment of a geologist and a mining engineer and a Bay Street broker. It is a pretty nebulous thing until you get it.

Mr. Stokes: I am not interested in promotion; I am interested in development.

Hon. A. F. Lawrence: I know, but you talk about reserves of a mine and until you actually start digging the stuff out, you really do not know what is there in a lot of cases. But that is neither here nor there. That is a long argument that I hope we will not get into on this particular vote, anyway. But in respect of setting up funds, this is something that has been periodically considered and periodically rejected as being impractical; the member has brought it up again. I would certainly be quite willing to take a look at it and I can assure them we will.

Mr. MacDonald: Why is it impractical?

Hon. A. F. Lawrence: First of all, one's equity in a place—this can have a pretty deleterious effect sometimes, in being used as a weapon to force somebody to stay in a given occupation that he may not otherwise want to. Like the old non-vesting pension fund racket that used to be you know. There are all sorts of things. The length of time the people stay in the area; there are all sorts of—

Mr. Stokes: If he moves out voluntarily, he just forfeits his equity.

Hon. A. F. Lawrence: Again, you will admit that it is a pretty complicated thing and it is something that has been considered, I can assure you, because I have asked questions myself about it. I have had certain papers and opinions given to me about it. I think it is something that the inter-departmental committee has considered.

I will make sure that the matter is given to them again and as well, within our own department, we will take a look at it, because this is a real problem. I agree with you. The vagaries of the mineral market, the vagaries of resources and reserves, is the big factor in the north, I think, especially where you get communities tied to a single resource or a single industry. The north is covered with examples of what should not have been permitted to happen. You are perfectly right there. How you attack the problem, I do not know. There are many answers. Many answers have been given and not too many of them have been found practical but I would certainly be willing to consider that.

Mr. Stokes: I would like to pursue this one step further. Have you ever said to a mining company: Now we do not think that it is in the interests of the economy and the people in the north that you should exploit this particular resource at this time, because we have one over here that will suit our purposes much better in the overall development of potential growth centres in the north? Do you ever say, No, I do not think it is in our interests that you develop this; I think we have a responsibility to develop this and we only have a market for so many million tons or ounces; or whatever it happens to be.

You have a responsibility—at least, I think the Minister of Mines and The Department of Mines has a responsibility—to see that our resources are developed in such a way that you protect existing towns and allow new towns to grow up that have some likelihood of existing over a period of time. You can justify their existence on that basis.

Hon. A. F. Lawrence: Let me make it clear here. We do not have the power to prohibit anybody from mining a viable economic ore deposit, if they wish to do so and they fall within our safety regulations. Quite frankly, your philosophical-political outlook is completely different from mine in that respect, because I do not want that type of paternalistic power. I do not think yet we have reached the role of government where government itself can absolutely prohibit something on their own views, or their own judgment, or their own opinions in respect of that. However, we do provide very wide consultative services to industry.

Mr. C. G. Pilkey (Oshawa): Even though it is detrimental to the people?

Hon. A. F. Lawrence: Who is going to decide whether it is detrimental to the people?

Mr. E. W. Martel (Sudbury East): That should be an obvious thing.

Interjections by hon. members.

Hon. A. F. Lawrence: All right, let us not get into these long philosophical arguments on this. Let me merely say that we do provide consultative services to industry and to people, and we have certainly told people that if they go ahead with that development they have holes in their heads.

As a matter of fact I signed a letter just today to a member in this House—he has not got it yet and he is going to blow his top when he does—telling him that if he advises the people who have asked him for advice to go ahead with this, that they have their heads screwed on backwards. We do pro-

vide these services; we do tell people where we think it is not advisable, either in the public interest or not economically viable, but we do not have the power to prohibit them. Quite frankly, I do not want that power. I do not think, in government, that we have reached that level of foreseeability where we can tell anybody, really, what their business is as far as something is concerned. If it is economic and if it is viable and if it is in the north and if they think they can make a buck out of it and if they think that they can provide a new industry, why should they not go ahead with it?

Mr. Stokes: All right. Let me take Geraldton, for instance. They have about two years left. It is a community of about 3,500 and their economy is based on a gold mine that is being subsidized through The Emergency Gold Mining Assistance Act. They have a low grade iron ore deposit that is owned by the Little Longlac group and I understand there is either an option, or they are negotiating with Algoma Steel for the exploitation of that particular ore body.

They have got Anaconda, which is a reasonable distance away and could be developed to the advantage of the people of Geraldton. You have Can-Fer where they have signed a 20-year lease with Algoma Steel for that property. Would it not be infinitely more wise to say to these people, "Now we are interested in maintaining Geraldton, which is the service area for an area of 200 square miles. They have the hospitals, they have the churches, they have Lands and Forests, they have got Hydro, they have the Bell Telephone, they have the gas distribution centre —all the services are located in Geraldton.

It seems that it should be in the interest of all concerned to maintain that as a viable service unit, and yet what are you, as a department, doing to assure these people that this will be done and that every avenue will be explored, in order that a viable industrial base for it to exist on will be maintained?

You just said, if there is a buck in it, you do not care where it is located. I suggest this Minister has a responsibility to ensure those people that their area will be given top priority with regard to the orderly development of the natural resources in this province, and I hope that you will agree with me, even to that extent.

Hon. A. F. Lawrence: I do agree with you in that we should provide the consultative services and the advisory services and, perhaps, be sometimes a little stronger in our outlook than we certainly have been in respect of the placing of these things. This will be done. It is now being done.

We are strengthening our consultative services. We are assisting industry to place itself in areas where it is obviously needed—not just through this department, but through half a dozen departments over here in all sorts of ways. Through this department, of course, we are putting out geological bulletins and specialized mapping, more intensive work, in areas where we think exploration and development should and could take place. But to come along and force people into a situation that in the long run may not be economic is just creating even greater problems than the market place laws.

We have not yet reached that age of perfection—as a matter of fact, I do not think anybody has—where we can peer into the crystal ball that far ahead and say, "You shall do that," or "you shall not do that," as long as they themselves have the ability and the means to make up their mind.

We are not yet in that type of a state, thank God.

Mr. Stokes: No, but Anaconda spent $13 million. They know what they have—

Mr. Chairman: The hon. member for Fort William.

Mr. J. Jessiman (Fort William): Prior to leaving, I would address a question to the Minister of Mines and a reply possibly from the member for Rainy River. This has to do with the mine location at Shebandowan, the new Inco development. Having been out there on many occasions, and on two occasions with the Minister himself, and knowing that the Ontario Water Resources Commission are doing a very tight control on all of the development, and having had it explained to me, I am quite satisfied with the work that they are doing. They are also working very closely with The Department of Municipal Affairs, and I would hope that they would not develop, like the member for Rainy River, a townsite in its full capacity at Shebandowan.

My question to the member for Rainy River: I would like him to qualify the location of this "shack town" that he referred to twice while he was on his feet. Is he referring to the 450 cottagers that are resident at the lake, or is there an existing shack town that I did not see when I was there three weeks ago?

Mr. T. P. Reid: Mr. Chairman, perhaps I should reply to the member for Fort William.

As the member is no doubt aware, a number of these miners are buying the existing cottages and winterizing them and you know what happens when you winterize a cottage in a hurry. You are slapping siding on and, let us say the aesthetics of the situation leave something to be desired. This is what has happened.

Rather than commute to the Lakehead as they have to now, some of them have bought these summer homes, summer cottages, and have winterized them. They are turning the cottages that were suited for summer time into winter time shacks, in effect.

Mr. Jessiman: The people from the Lakehead will enjoy reading that the member for Rainy River is calling their cottages a shack town.

Mr. T. P. Reid: I just do not want the same situation as in Ear Falls.

Mr. L. Bernier (Kenora): Mr. Chairman, under what vote do we discuss the—

Mr. Chairman: The hon. member for Sudbury East was on the floor first, but I will take the question from the hon. member. Would he repeat his question?

Mr. Bernier: Under what vote do we discuss the regional development conferences that the Minister announced?

Hon. A. F. Lawrence: Under this vote.

Mr. Bernier: Under this vote? Well, this is fine.

Mr. Chairman: The hon. member for Sudbury East had the floor first. Perhaps the hon. member for Kenora would save his question until the next turn?

Mr. Martel: Mr. Chairman, through you to the Minister, this Minister has a little bit on the ball, I might say—a little bit on the ball. Unfortunately, I think this Minister has been misinformed on many, many occasions. Consequently, some of the replies that we get in this House, or which I get in the correspondence, or the replies that the Minister puts on the record, are erroneous. Certainly I do not think it does this Minister any good, nor does it do any good to the attitude of the employees in the area that I am from.

I would like to go back—just to show you a few examples—to last year's debates when the Minister, in reply to three inquests that I enquired about, made the following statement—

Hon. A. F. Lawrence: Mr. Chairman, I wonder—so that I could have the proper officials in front of me when he says I am being misinformed, I can then pierce the proper officials with my hard glance, you see—if he would mind bringing this up under the proper vote, namely, mine safety, the inspection branch.

Mr. Martel: Mr. Chairman, I would not mind doing that, but I think what I am going to raise now comes under general administration; it is an overall policy. I will come to the mine safety under the appropriate vote.

When the Minister made the following statement about the first man who was killed—one was the result of a drunken driver running over somebody. I am quoting from *Hansard*:

> Good heavens, this can happen, and probably does, right out here on Queen's Park Crescent more often than it does in the mines.

The second one—and I quote again:

> The man signalled the thing open. No more than standing on any waste chute! Again, you can legislate all you want.

The Minister indicated a man:

> Requested a chute should be opened up and he fell through.

And the third one, the third fatality—I have forgotten the details of it, but it was equally as stupid and inane as those other two were, if not more so.

There is a complete lack of information, Mr. Minister. I have the copy of the inquest—

Mr. Chairman: Surely this is under mine safety?

Mr. Martel: No, I am talking—

Mr. Chairman: Order! Surely this is mine safety and public protection and the hon. member need not say no, because it certainly is mine safety.

Mr. Martel: Mr. Chairman, I just do not like your attitude.

Mr. Chairman: I am not fussy about yours.

Interjections by hon. members.

Mr. Martel: That is fine. But I am going to come to the whole point of misinformation and this does not deal with mine safety, it deals with a draeger meter which the Minister replied to some time ago.

Mr. Chairman: All right.

Mr. Martel: Now that has nothing to do with safety. I am talking about information.

Mr. Chairman: The hon. member should keep his remarks within this particular vote and bring up matters pertaining to mine safety in the proper vote.

Mr. Martel: Mr. Chairman, I am not talking about mine safety. I am talking about information that the Minister is repeating that is wrong. It has nothing to do with mine safety. I am not talking about safety.

Mr. Chairman: If the information has to do with mine safety, the vote is 1303.

Mr. Martel: I will go to the next question —I can come back to this—

Mr. MacDonald: He will too.

Mr. Martel: I will go on to misinformation and I would like to quote from a letter. Sometime ago I questioned the Minister about a draeger meter and the Minister—

Hon. A. F. Lawrence: The regulations and the administration of matters relating to draeger meters also falls within our mine safety branch.

Mr. Chairman: Perhaps the hon. member would bring up mine safety matters under the proper vote. We are on vote 1301 which is general. I am not trying to restrict the hon. member in this debate but surely we must keep some order.

Mr. Martel: Mr. Chairman, I am trying to relate the fact that it is not a piece of mine safety that I am discussing. What I am discussing is that information that the Minister is receiving and passing on in this House—receiving it from the administrative staff I presume—

Hon. A. F. Lawrence: Receiving it from the mines safety branch. For heaven's sake, if this is misinformation respecting mine safety then why waste the time any longer, let me get my proper official in front of me during a proper vote and we will deal with it then.

Mr. Chairman: I think this is a reasonable attitude and the hon. member for Sudbury East may recite the same instances and he may bring up the same sort of debate at the proper time. Vote 1301 general administration. The hon. member for Timiskaming.

Mr. D. Jackson (Timiskaming): Two small questions of this Minister, Mr. Chairman. First of all, he mentioned that copper is going into Noranda; is there an on-going caucus between the Minister and the company to try to convince them to smelt in Ontario?

Secondly, he mentioned the fact as he has mentioned many times, that there was a feasibility study done by the company. Did The Department of Mines at the same time do a feasibility study and, if they did not, how do you play poker when you know the other fellow does not have anything in his hand?

Hon. A. F. Lawrence: We are waiting in respect of the copper possibility, and for the company to receive their feasibility study first. We do not ask them for their feasibility study, it is not our property. Following the result of their study, they come to us with a proposal. We are not completely without experience, or without personnel, or without staff, or without statistics, or without records either, and we view their proposals in the light of public policy. We make our decisions in the view of what is good for the people of this country and the people of this province.

In respect specifically to the copper thing —the copper matter and Texas Gulf—it is Texas Gulf you are talking about, is it not? They have indicated to us that the feasibility study would not be received by them until the month of May 1969. As I say, I have not been in my office during the last week and I have not heard from them. I can only assume that they have not yet received that study or if they have, they are still evaluating it. When I hear from them, then the game starts I guess. So far, I have not heard from them.

Mr. Jackson: To follow this up a little further, in the case of Marmoraton mines —Marmoraton Iron Mines—the Minister has already stated that they will be required to process their ores in Ontario or in Canada.

Hon. A. F. Lawrence: Which one?

Mr. Jackson: Marmoraton.

Hon. A. F. Lawrence: Oh no, I have not said that.

Mr. Jackson: Are you referring to a very general situation then?

Hon. A. F. Lawrence: No. You are referring to a very erroneous article that appeared in the Toronto *Daily Star* about two days after the announcement in this House was made. It quoted an authoritative source in

The Department of Mines who indicated that all iron ore produced in the province would have to be processed in the province, or something like that. That is the farthest—I have not found out who that authoritative source was, if I do, there will be a vacancy in the staff of The Department of Mines because that is simply not true. A very erroneous article.

You want to know my general outlook on iron mines and iron ore, is that what you are really asking me for?

Mr. Jackson: No it is not really.

Hon. A. F. Lawrence: Okay. Sorry.

Mr. Jackson: What I am saying to the Minister, Mr. Chairman, is how do you know if it is not feasible, unless you do a feasibility study? Do you accept the company's word?

Hon. A. F. Lawrence: Oh no.

Mr. Jackson: How do you then play this game of poker that you talk about?

Hon. A. F. Lawrence: Oh, no. No.

Mr. Jackson: That is in my opinion, deadshot poker, you cannot win.

Hon. A. F. Lawrence: We will see if we can win or not. In any event, as I said, we do have some experience, some personnel, in our department. It may well be, at some time, that when one of these very complicated situations does come into it, we may have to go out and retain our own consulting firm. The mining game is a pretty complicated and a pretty unique one. I do not foresee that this will happen because we now have a mineral economist on the staff, we have some people on the staff who have spent most of their adult years in the mining industry or in this department in relation to financial matters respecting companies. We have some of the best geologists in the province of Ontario on our staff. We have very experienced mining engineers and others. I ask them for their opinions on these things and in effect their evaluation of other people's evaluations. I do not think the cards are stacked against us at all. If it is, then we will certainly take steps at that time to correct it. So far, we have only gotten into the game, but I would not say we lost the first hand, would you?

Mr. Jackson: We never win the game until it is over. As the Minister has mentioned, I would like to hear what his general policy is on iron in Ontario.

Hon. A. F. Lawrence: Quite frankly, I think the iron ore-steel business in this province is a very viable one in which great strides have been made over the last 10 or 15 years. The emergence of the pelletizing process especially, has now made economic the mining of our low grade iron ore deposits of which we have many in this province. I am very loathe to interfere in any manner, shape or form in the iron ore-steel business. I say iron ore-steel business because this is the trend in the industry, complete integration in the industry with about three—there are only about three examples of mines at the moment that are not fully integrated within a steel business.

The economic forecasts that we have are, that over the next ten years the need of our own existing blast furnaces and foreseeable blast furnaces will require twice as much in the way of our own domestic iron ore than we now produce. This is a pretty healthy situation and I do not want to upset the very fine, delicate balance that now exists in the iron ore business by coming along with any heavyhanded ruthless decisions here, that would upset that balance.

We do export iron ore. At the moment, it is my intention to permit those iron ore companies to continue to export that iron ore because we are utilizing most of the iron ore of course that we do produce within the province and as well we import iron ore. If I can put it in layman's terms—and maybe the hon. member knows more about it than I do which would not be surprising—but the mix that goes into a blast furnace is like making beer or making whisky, you need a blend, and there are some types of iron ore that we do not have in this province. A great deal of the iron ore that we now import goes on the credit side of the ledger, or debit side, it all depends on how you look at it, in respect of the iron ore that we export. It is not quite in balance but it is fairly close to it.

In short, I think the iron ore-steel business is a pretty happy one and I do not want to do anything to upset it right now. Therefore, if they provide us with the proper evidence and information which we are going to request of them, respecting their exports and the capitalization of their companies and what-not, I anticipate that any of the iron ore companies right now who are exporting will be permitted to continue to export. There may be one or two examples of where this may not be permitted but, as I say, until we get the required information from them, that is my general overall view at the moment.

They will have to apply for exemption and when they apply for exemption there is certainly going to be a lot more information required of them, which we do not have now in respect of their operations, their reserves and their ownership. But they are going to be required to apply to us for an exemption just like any other mineral producer in the province.

Mr. Jackson: I have just one more question, Mr. Chairman. The Minister stated that the projected use of iron ore in Ontario is, in the near future, going to be two and a half or twice as great as it is now. What is The Department of Mines doing to insure that we will have that ore when we need it?

Hon. A. F. Lawrence: Any company at all. This was what I was doing last week and this is what I will be doing next week—talking to some overseas people about this thing. I can assure the member the Minister is spending a lot of money travelling around, trying to tell people that we do have very massive amounts of low-grade ore in this province.

We are building roads to them. We will build airfields; we will do anything. We will give them very consultative opinions from a geological point of view; from an economic point of view; from a transportation point of view, to interest these people in coming to this province to exploit our low-grade iron ore deposits. We have all sorts of them within the province.

We want them to come in and to utilize these deposits. This is the way the north is going to get developed. Dr. Thomson points out to me that at the moment—and it is a very conservative estimate—we have over 8 billion tons of iron ore in Ontario which is not being mined.

Mr. Chairman: In an effort to try to keep order, may I point out that the hon. member for Kenora has graciously yielded the floor to the hon. member for Sudbury East when he asked on a point of clarification. I think, in fairness, the hon. member for Kenora should be next; then the hon. member for Port Arthur.

Mr. Bernier: Thank you Mr. Chairman, through you I would like to compliment the Minister on his announcement that we are having thre regional development conferences in the north this fall. I note that the plan is to hold one in Sudbury, one in Timmins and one at the Lakehead.

I think the Minister is aware of the distance that Kenora is from the Lakehead. Through you Mr. Chairman I would like to ask the Minister if he would consider the suggestion or the possibility that perhaps a satellite of this meeting at the Lakehead be held either at Kenora or possibly in Dryden.

Hon. A. F. Lawrence: I am indebted to the hon. member for bringing that to my attention. Our problem as in all things of course is one of money. We have not that much money to throw around; we are operating under a pretty skeleton budget on these regional conferences.

I would be glad to take it under consideration. I do not want to establish any precedent here though you know. If we do it for Kenora why should we not do it for Moonbeam or Sault Ste. Marie or a few places like that? I do not know but, anyway, let me take a look at it. I am indebted to the hon. member for the suggestion.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Knight: Mr. Chairman, I think the Minister has demonstrated this afternoon that he has some very progressive ideas about developing mining in the north, and being a northerner it makes me very happy. I think he has us reasonably convinced also that he has the mighty mining industry of this province standing at attention.

I wonder, while he has them there, if he could bring in another aspect of his departmental operation, that of conservation.

Thumbing through the table of contents of the annual report, I see no mention of conservation, nor do I see any mention of it in the estimates, Mr. Chairman. However, I think—

Hon. A. F. Lawrence: May I help the hon. member there? I think this is a very lively topic within the department right now, but it comes under the geological services vote. Specifically, we do have industrial mineral geologists. I can tell you something about that when we get to that vote, if the member would not mind. Geological services, that would be vote 1302.

Mr. Knight: Mr. Chairman, while I have the floor, I have a couple of other questions. We know that the department has been in the business of—what shall I say—centralizing certain mine recording offices and the cost—

Hon. A. F. Lawrence: That is a "no no" word. We are not centralizing by any means.

Mr. Knight: You are not centralizing?

Hon. A. F. Lawrence: We are consolidating.

Mr. Knight: Consolidating—that is the word that I want.

Hon. A. F. Lawrence: I wonder if that could come under vote 1304, when we have the chief of the mining land branch right in front of us. Again, we will be able to pierce him with an arrow if you do not like what we are doing.

Mr. Knight: Okay. Mr. Chairman, I have a couple of other items. We were talking at length under this vote about Texas Gulf Sulphur and the Minister has given us a very lengthy explanation. However, the department's estimates for this year are up about a couple of million—close to $7 million—and a couple of million over last year. Is any part of that increase attributable to the concessions made to Texas Gulf Sulphur?

Hon. A. F. Lawrence: Not at all.

Mr. F. Young (Yorkview): Mr. Chairman, it is difficult to keep a debate like this in order because of the jumping from one subject to another. The question I wanted to ask the Minister relates to a subject we were discussing a moment ago, when he said that in order for the exemptions to be granted now to mines, they have to make the application. Then at that time certain bargaining can take place.

My question is—

Hon. A. F. Lawrence: No. That is not bargaining, that is where we are going to acquire information. In other words, we put the onus on them for the first time to indicate to us why they should export.

Mr. Young: Right.

Hon. A. F. Lawrence: Okay?

Mr. Young: Right. Then that has some relationship to the pricing. This is my point. Are you going to ask them about their pricing policy at that particular juncture? For example, we have mines that are captive mines of United States companies. They are exporting the raw material at a certain price and that price is likely set in the United States.

If a United States company wants to keep the profit level of the Canadian subsidiary at a certain level, they can do so by selling a product to themselves at a lower price than it might otherwise be sold. That has also a bearing on independent mines. I think Steep Rock is a case in point. It is an independent mine. But Steep Rock, exporting its raw material, has to meet the competition of the captive mines and so its pricing policy has to be in line with the pricing policy of the captive mines which have their prices set in United States by the parent company.

It seems to me that this is one of the key points in this whole matter of whether or not we are going to ask these companies to set up the manufacturing or refining facilities right here in Canada. At that point, it seems to me, the Minister ought to be asking some pertinent questions as to whether or not the price of the material which is being exported is an economic price or whether it is a dictated price below, perhaps, the cost of production or just on the cost of production or just above it enough to keep the Canadian profit at a minimum level.

Now I think the Minister understands what I am getting at here, and I wonder if he would comment on this problem.

Hon. A. F. Lawrence: There are two aspects of this. First of all, how this can effect the taxability or otherwise of that Canadian captive corporation? I will put it to you that way. Of course, our taxation policies are based not necessarily on what the captive company, if I can use that term, actually sells to the parent company or to a holding company in relation to their product, namely their ore.

Our taxation policy is based on the selling price as indicated every day on the international metals market or the international ore market and such a thing is in existence. For instance, all iron ore in the Great Lakes basin, as I understand it, is based on not a day-to-day variable price—I am sure it is a week-to-week, certainly a month-to-month variable price—in relation to delivery in U.S. funds to the lower lake ports.

I think that is the standard that is used. It is something like the stock market. This thing does vary but, of course, it does not have great variances. This, in turn, is a factor in relation to these prices paid. If you cannot beat the tax people in respect of these matters, then there is no sense in doctoring your books by using phoney selling or purchase prices. And my understanding is that it is not done.

By the way, you picked the wrong example because Steep Rock now does sell most of their products in Ontario. But take Caland as an example.

Of course, you cannot because Caland is a captive company, but our experience has

been that the selling price in relation to a captive company, as contrasted to an independent company, does not vary. The price is so well known that there is no sense making phoney purchase and sale prices and showing them on your books because the only purpose, presumably, of doing that is to attempt to fool somebody. Either to fool the union, let us say, so that you can come up with some bleeding cry that you cannot pay the demand on the next collective bargaining agreement negotiation, or to fool the tax people. You simply cannot do it because these prices are well known. They are published; they are available to everybody.

There is no angle in it as far as these people are concerned. At least, that is the information that I have and that is what we base our inspection and perusal of the books of these companies on.

Mr. Young: So there is no possibility in Minister's mind that this sort of thing could happen? That they could say that because we have only made so much profit this year, we cannot afford to smelt here in Ontario?

Hon. A. F. Lawrence: We would certainly take a very good, hard, close look at that. We would use their books in taking a hard look at it but we would also compare the selling price of their product with the published market price which is available to anybody and quite frankly, does appear in the popular press every week as well. It is a known price.

Mr. Young: So the method that has been talked about, of the parent company bringing raw material in at a lower price in order to pay the dividends through the parent company, is not as prevalent as the device of letting the dividends accrue at the Canadian side of it and then bringing them into the total corporate structure at that point?

Hon. A. F. Lawrence: We do not think that situation applies. We are always on the lookout for it though because it is a possibility. But, as I say, because of the known published prices in the metal market and in the ore market, I do not think anybody who tried it would get very far with anybody.

Mr. Jackson: Mr. Chairman, I would like to make a couple of comments on this and then have the Minister speak on my comments.

Right at the moment, most of the iron ore that is leaving Canada or that is mined in Canada ends up in the United States steel mills.

Is the Minister saying that because the tax people look at the books—

Hon. A. F. Lawrence: That is right.

Mr. Jackson: —because the tax people inspect the books that it makes no difference? It is not profitable for the company to set a false price on their ores, and that it would be picked up by the tax inspectors if it was done?

Hon. A. F. Lawrence: No, I am not laying that much—

Mr. Jackson: Let me—

Hon. A. F. Lawrence: —that much emphasis on that part of it. I am saying because the ore price—

Mr. Jackson: Let me finish and then—

Hon. A. F. Lawrence: The ore price is a known price, you cannot fool anybody that way. You certainly would not fool us that way.

Mr. Jackson: The situation does exist where most of the ore is shipped to the United States. The taxation that would be paid in the United States would be on manufactured goods. So it really means nothing to the American tax department; in fact, it might mean something if they were to set it too high. The American tax people will collect more money if the ore price is set low. I suggest to you that that is just exactly what has been done by the parent company, that the ore—

Hon. A. F. Lawrence: If you want to make these allegations and you want to name names we will certainly investigate.

Mr. Jackson: I think we could name every company.

Hon. A. F. Lawrence: Name a parent company in the United States. Name a few.

Mr. Jackson: The investigation should be made.

Hon. A. F. Lawrence: Name a few.

Mr. Jackson: Any of the companies that are receiving ore from Canada.

Hon. A. F. Lawrence: Let me get you straight now. Are you saying that there are doctored or artificial price structures in relation to the ore that is shipped out of this country, as far as the books of these companies are concerned in Canada?

Mr. Jackson: You are putting it in a different way; it does not have to be a doctored price.

Hon. A. F. Lawrence: Are you saying it is an artificial price?

Mr. Jackson: If you are buying from yourself you can set any price you like. This is just what these companies do. They set an artificial price that really has no relation to the cost of taking the ore out of the ground, and a reasonable profit which would be charged by any other company.

Hon. A. F. Lawrence: It is the price that emerges from the market place and there is a very active market place in respect of iron ore. I am sorry, you are leaving me way behind. Your mental processes are far in advance of mine obviously, because what I am saying is that I can tell you though I cannot tell you this afternoon because I did not bring the material in here—but I can tell you tomorrow what the published ore prices are. They are published every week in the *Northern Miner*.

These are well-known prices, just like a stock market quotation, and as I understand the situation there is no percentage in it for anybody, from any point of view, to use any other price, whether it is a subsidiary company of not, in their books in relation to these matters. You do not fool anybody; you would not fool shareholders, you would not fool auditors, you would not fool tax people, you would not fool customs agents, you would not fool anybody. So why do it?

What I am saying to you is the information that has been given to me is that there are no artificial prices shown on these things to our knowledge in any event. Now, if you have information to the contrary, then stand up and give it.

Mr. Jackson: I am saying that I believe it is happening and the Minister says it is not happening. So it is a case of him saying it is not, and—

Hon. A. F. Lawrence: What companies are you talking about? When? What type of iron ore?

Mr. Jackson: All of the iron ore leaving Canada.

Hon. A. F. Lawrence: Where? From whom?

Mr. Jackson: The market price that is published each week is artificially set, in my opinion. I say this on the basis that most of the iron ore that is shipped out of Canada goes to parent companies from captive mines. To parent companies that have full rights to set any price they like, quite right, but by setting that price they control the market.

Hon. A. F. Lawrence: And I am saying to you that there are enough independent producers on the North American and international market that—

Mr. Jackson: Would the Minister, tomorrow if necessary, give us the figures on how much ore leaves this country from captive mines? And how much goes from independent producers?

Hon. A. F. Lawrence: I can, yes. But I do not really know what relation this bears to the estimates of this department.

Mr. W. Ferrier (Cochrane South): Mr. Chairman, there is a point that I think would come under this vote. I am not sure of the date, but quite a long time ago The Department of Mines issued to Hollinger Mines a licence of occupation permitting them to dump tailings in Gillis Lake, just outside of Timmins. Of course, they filled in a great deal of this lake and cut off the natural outlet on the Porcupine River. A year ago the Hollinger Mine ceased operations. Previously to ceasing operations, the Hollinger Mine had been pumping out the water into, I believe it was, Pearl Lake, so that the lake did not flood.

Now since they ceased operations there has been quite a to-do as to who should bear the responsibility for keeping the level of the lake as it was. In this licence of occupation it said:

> The Crown shall not be liable for any damage done, or alleged to be done, by the placing of such tailings upon the said lands, or by the overflowing of the same upon lands adjoining, or for any damage of any other kind whatsoever done, or alleged to be done by the said company, their agents or workmen, but the said company shall indemnify and save harmless the Crown with respect thereto.

Now I hear that something like $70,000 is going to be necessary to dredge a channel or something to fix this up. They say now that with a 24-hour rain there has been flooding. There has been flooding this spring, and I would like to know if the Minister can say if the government has made a decision as to who is responsible? Does the government feel that it is the Hollinger mine—

Mr. Knight: On a point of order, Mr. Chairman—

Mr. Ferrier: —or is it the province of Ontario, or—

Mr. Knight: On a point of order—

Mr. Ferrier: I can hear you. You do not need to shout your head off.

Mr. G. Ben (Humber): Why did you not sit down then?

Mr. Knight: Mr. Chairman, my point of order is that when I attempted to open up the subject of conservation a little while ago, the Minister indicated that this would come under the next vote. It seems to me that this pertains to conservation.

Hon. A. F. Lawrence: It really should come under vote 1302, not this one.

Mr. Chairman: Anything else under 1301?

Mr. Knight: Mr. Chairman, getting back to the actual breakdown of the estimates. This business of maintenance; the way it comes up in these estimates all the time is certainly confusing, there is so much jammed in under maintenance. There has been an increase of some $53,000 in maintenance over what we provided in the estimates last year and this year.

I wonder if the Minister could tell us; this maintenance surely cannot apply just to the administration of mining in the province? It must extend further than that. I wonder if he could give us an explanation?

Hon. A. F. Lawrence: Yes, I am very glad to.

First of all, we are setting up a Telex communication network. This bears relationship to what I call our consolidation of our offices, not our centralization of them. We are trying to put the services all in one building in each of the mining divisions, so that we can link them by Telex communication.

We have not yet succeeded in being able to get all of our services in one building in each area where our services are available. But as an experiment—and quite frankly, to convince the Treasury Board that this will be an economic operation—we are going to set up this year a Telex communication link between our Kirkland Lake, Sudbury, and Toronto offices, and that accounts for $20,000 of the increase.

As well, we are increasing our publications by $20,000. There will be, I hope, before this session is over, the laying before you of draft amendments to The Mining Act, part 9. This will be a complete revision of the safety regulations within The Mining Act, and as soon as these are passed by the House this will have to be printed.

Therefore, we have put $100,000 of an increase aside for that, because this is something that does not happen too often. We will then have to republish the remainder of The Mining Act in consolidated form. Again, this does not happen very often, so we have estimated this will cost $8,500.

There are as well other publications, small ones, which we hope to get out, which we have estimated will cost about another $1,500.

This year, for the first time in seven years, this province is host of the provincial Mines Ministers—in the second week of September, I think it is. This only happens once every seven years and it is a very important meeting of the Mines Ministers and their staffs from right across the country. The cost of this is estimated at $20,000. Again this does not happen every year, so that is in there.

There are other minor miscellaneous items which we hope to do this year which we have not done before and which may, or may not, recur, which come to a total of $10,300. I think if you total all of those up they equal the increase this year over last year.

Mr. Knight: Mr. Chairman, obviously the cost of bureaucracy has reached The Department of Mines as well. This idea of consolidation, at least when it is in the hands of this particular government, seems to increase costs rather than reduce them.

However, we do find in the other estimate pertaining to legal fees a fantastic reduction and I wonder if the Minister could explain that? It has gone down here from $81,000 last year to $1,000 in the estimates for the coming year.

Hon. A. F. Lawrence: Gosh, I hope you are not quoting from last year's estimates. My understanding was that last year we did not have any amount in for legal fees, even though every year we are called upon to retain outside counsel in the matter of appeals from our mining commissioner and from the municipal board to the courts. This year we are estimating an amount of $1,000 for legal fees, just as a nominal amount, to be put in. Because, in other years, we have hit the rather embarrassing situation where we have had to go by way of warrant or Treasury Board order to get this amount out.

We have been very successful in our appeals in the past from the mines assessors' decisions. We generally utilize—I should not say generally utilize—but in the past we have utilized a Toronto lawyer by the name of Arnott on these Supreme Court of Canada appeals. There is one that he has under his wing for us now.

Mr. MacDonald: Who is he?

Hon. A. F. Lawrence: I think he is a Liberal actually, but I am not too sure about that. But, in any event, we find him—in spite of his political affiliation—to be a very good counsel on appeals to the Supreme Court of Canada, because wherever there has been this partnership, we have won.

Anyway, to really get down to it, we are putting $1,000 in the estimates this time, because we have not had one in in the past. We have always been embarrassed by having to go to get a Treasury Board warrant or order in respect of these amounts when they have not been in the estimates in the past.

Mr. Singer: Mr. Chairman, I just could not resist getting into this phase of this discussion.

I am sure the hon. Minister of Mines has heard on many occasions the contention that we on this side have put forward that the legal advice of this government should come from and through, the Attorney General, the Minister of Justice (Mr. Wishart) of the province of Ontario. I just wonder why you have to go to outside counsel, as eminent as they may be, unless the cases are so very unusual that it is beyond the ability of those people who work for the Minister of Justice to handle.

It is rather interesting that the Minister of Mines should mention Mr. Arnott and have $1,000 in for anticipated fees. I do not think you would get in the door in that firm to see Mr. Arnott for $1,000, on the basis of taking a case to the Supreme Court of Canada, so really he is just sort of pulling the wool over our eyes.

If there is a substantial amount of legal work to be done, I wonder if the Minister could tell us, in some detail, the extent of the consultations he has had with The Attorney General's Department of Ontario insofar as setting up some facilities that would be available to The Department of Mines, because surely that is the objective?

Mr. Chairman, the Minister of Mines sat in the Cabinet council when we had the new Department of Justice Act and urged, when the Minister of Justice and Attorney General brought it into the House, what the objective was. I am sure that the Minister of Mines is a very able lawyer who has practiced law in the province of Ontario and may some day soon again subscribe to this view that the Attorney General of Ontario should be all of the law for the government of Ontario.

He has been with this kind of thinking over the several years and I am surprised that he gives this explanation to my colleague from Port Arthur.

Hon. A. F. Lawrence: Yes, we have requested the Attorney General for the services of a full-time lawyer, but in the words of government, this has been turned down on the basis that there is a gentleman within that department who can handle our prosecutions on a part-time basis. It requires a pretty specialized knowledge of some of these matters in respect of prosecutions.

I would very dearly like to have a lawyer within the department, but this has not been feasible.

Mr. Singer: Would the Minister mind telling us then, insofar as his department is concerned, is the new Department of Justice Act meaningless?

Hon. A. F. Lawrence: No, no! I am saying that we do not have a lawyer and therefore we are following the provisions of The Department of Justice Act that, when we want one, we go to the Attorney General. He now presumably has the duty and the responsibility of getting us one from his own department. This has happened and this is happening. Since I have been in the department, we have not retained any outside counsel, that is, there has been no new retention of any new outside counsel.

The one that we have retained, on this latest Supreme Court of Canada appeal, is working on the one that has been dragging on for seven years. Each year, presumably, we get a bill and this particular gentleman that I mentioned was retained seven years ago on this thing. Every year to pay the portion of the bill that comes in, because there has not been any item in the estimates for it, we have had to go to Treasury Board to get payment. This year, I thought it was a lot more honest and realistic to put the $1,000 in the estimates so that we would have this type of enlightenment and discussion with the hon. member for Downsview. The cards being right on the table we can pay the bill when it comes in without further nonsense or furor.

Since I have been in the department, we have not retained any new outside counsel.

Mr. Singer: Mr. Chairman, the Minister raised a very interesting point. Is he telling us that there has been one case pending before the Supreme Court of Canada for seven years? And that there has not been a hearing yet?

Hon. A. F. Lawrence: No, it has been worked all the way up to the Supreme Court of Canada. I am not going to go through the appeal procedure because I am sure the hon. member for Downsview is more aware of the provisions of the very wonderful appeal procedure respecting our mine accessory decisions than I am.

Interjection by an hon. member.

Hon. A. F. Lawrence: Are you not? Oh, well, in any event, this particular appeal, as it relates to Rio Algom, has been going on for seven years and judgment, I am informed, is expected from the Supreme Court of Canada in September. So this is the story.

Mr. Singer: Could I ask the Minister then when it was argued before the Supreme Court of Canada? How many days the argument took?

Hon. A. F. Lawrence: I am told that the argument took six days and it was two weeks ago? About two weeks ago.

Mr. Singer: Well.

Hon. A. F. Lawrence: But this is something that hung on for a great length of time.

Mr. Singer: Well surely the Minister, Mr. Chairman, does not expect us to be naive enough to believe that Mr. Arnott's bill for six days in court, before the Supreme Court of Canada in the year 1969 is going to be only a thousand dollars?

Hon. A. F. Lawrence: Oh, no, but I hope the hon. member would believe that the Minister of Mines was naive enough last October, when these estimates were made up, to not really know how much the bill was going to be, or how long the argument was going to be, or really even when it was going to take place. So, I did honestly, really, sincerely and humbly feel that there should be an item in the estimate indicating these fees just so that I would give the opportunity to the hon. member for Downsview to stand up and make his annual case about it.

Mr. Singer: Mr. Chairman, we will give the Minister—

Mr. Knight: On a point of order.

Mr. Chairman: Point of order.

Mr. Knight: If my hon. colleague from Downsview will excuse me, the Minister keeps repeating that there has been nothing in the estimates for legal fees in the past and yet if you look at the estimates for 1968-1969, page 90, number 4, fees, salaries and expenses, legal, professional, miscellaneous—to the tune of $81,000. It might have been appropriate had the Minister explained that there has been a new way this year in appropriating different services and I think this is what is confusing.

Hon. A. F. Lawrence: You are perfectly correct. You will see there on items 3 and 4 that last year the item did include I think, the terminology was professional and legal fees.

Mr. Knight: How much is legal?

Hon. A. F. Lawrence: Nothing. Nothing was spent for legal fees last year.

Mr. Knight: The case was going on for seven years and nothing was spent?

Hon. A. F. Lawrence: No. There was just nothing to pay for last year. We did not receive an account actually.

Mr. Singer: I am quite prepared to give the Minister one gold star for—what was that string—"his honesty, forthright—"?

Hon. A. F. Lawrence: I did not say forthright.

Mr. Singer: Well, whatever he wants a gold star for, we will send him one. I suggest however, Mr. Chairman, that while the estimates might have been prepared some time ago, the Minister felt some pangs of conscience and put in the $1,000 fee. But before the vote is passed, he has explained to us that somewhere along the line, charged to his department, will be the costs of the supreme court action that took six days in court to argue. The Minister, Mr. Chairman, knows enough about the billing and the practice of law, to recognize that the figure of $1,000 is completely unrealistic. So why do you not change it before the vote goes through?

Hon. A. F. Lawrence: Because I still do not have any knowledge of what the bill is going to be.

Mr. Singer: It is going to be a lot more than $1,000.

Hon. A. F. Lawrence: It could well be, but $1,000—

Mr. Singer: You know darn well it is going to be.

Hon. A. F. Lawrence: Again, if we are going to get into a poker game, I am not going to indicate to Mr. Arnup in advance that his bill may be $75,000 when I—

Mr. Singer: Try to tell him it will be $1,000, and see how far you will get.

Hon. A. F. Lawrence: Very well, next year, we will put it in, if you want to play the game that way.

Mr. MacDonald: Is $1,000 a suggestion as to what his bill should be?

Hon. A. F. Lawrence: Sure it may well be.

Mr. Chairman: Vote number 1301. The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Does the issuing of mining licences come under this vote?

Hon. A. F. Lawrence: No, that comes under the mining lands branch vote which is 1304.

Mr. Haggerty: I am particularly referring to the moving of sand and gravel on lakeshores.

Hon. A. F. Lawrence: That would be vote 1304.

Mr. Chairman: Vote 1304 would be the one. The hon. leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Chairman. I want to find out if the Minister has any responsibility to his regulations for the control of gravel pits, stone quarries in the southern part of the province.

Hon. A. F. Lawrence: Vote 1304.

Mr. Chairman: We are on vote 1301. The hon. member for Sudbury East.

Mr. Martel: Sir, a small point. My colleague brought up a question, and the Minister jumped up and immediately asked that names be named, with respect to people reducing their prices so that they could go across the border. That brought to mind an article I just finished reading by Professor Cary Levis, the associate professor of economics at McGill University and co-director of the West Indies industry project, and she has something to say about this. I would like to quote it, Mr. Minister, and ask for your comments.

> It is reported in the above statement that the raw material supplied by the subsidiary to its parent is under-valued as an export from the hinterland. Indeed there are good reasons why it serves the interest of an integrated corporation to under-value raw material.
>
> One of these is that the output of small independent producers can be purchased at a depressed price. Another is that to show unduly large profits might result in the reduction or the withdrawal of concessions or increases in taxation. Then again, low valuation of export stables, reduces the exchange risk to the companies where hinterland government find themselves in revenue or balance of payment difficulties and might seek to prevent repatriation of profits. Consideration of corporate securities bests points towards pricing policies which provide the parent company with cheap imports.

I would appreciate the Minister's comment. This is from the commerce.

Hon. A. F. Lawrence: Very interesting. We went all through that. You have my opinion I think.

Mr. Martel: No.

Hon. A. F. Lawrence: I would say that is very interesting.

Mr. Martel: Very interesting. But the Minister also wanted my colleague to name names that this was not going on and Professor Levis says it is going on.

Hon. A. F. Lawrence: I can only repeat that the information given to me by people in whose judgment I place great faith is simply that in the Great Lakes basin there is a well-known and published iron ore market which truly reflects the value of that iron ore on the international metal market of the world. And there are enough independent producers or potential independent producers in the Great Lakes basin that this market is a true and reliable indication or indicator, really, of what is or should be paid for the various types of iron ore that are utilized in the Great Lakes basin.

Mr. Martel: Is this applicable to all minerals? Is the Minister aware of that?

Hon. A. F. Lawrence: Yes, any we produce.

Vote 1301 agreed to.

On vote 1302:

Mr. Chairman: Provincial geological services. The hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Chairman. I would be interested in getting the reaction of the Minister to certain criticisms that have been levelled at his department with regard to the overall policy for geology, disseminating of information and following up on bits of information that have been given to him by prospectors and people who are interested in geological formations. I would like to read excerpts from a letter which I received in this connection:

> Some years ago, a passing American tourist reached my home town of Schreiber and waved a newspaper article from his home town in Minneapolis, showing that the world's oldest fossils had been located just two miles south of the town of Schreiber and that these minute fossils were predating any earlier finds of fossil in a rock by a billion and a half years. And also proved a lot of theories regarding the evolution in biology from single-plant cells to the more complex life on earth.
>
> Well, the townspeople knew nothing of this and sent the prospector in to me. I keep fairly well up on mining and geological news but had nothing on this, but from the description in his paper I located the spot and satisfied him by sending him some samples of the same rock, in which he eventually found the micro-fossils.
>
> I re-read my geological reports on this area and sure enough the Ontario geologists had stumbled on this same structure, taken samples and declared no fossils found on examination. This set me back as I do not appreciate American tourists making ours look silly.
>
> Shortly after this, our postmaster called me in and asked if I could procure the same type of samples for an American in California and he asked because his university was very anxious to study these fossils. I did so and made a good friend who returned me blown-up prints showing the fossils in the rock.
>
> What is the point here? Well, how come the public is not made aware of these news items? Does the bureaucracy of Toronto believe that the natives are too ignorant for this kind of information, or were they just a little bit ashamed that the two American geologists outdid and corrected the work of their own? If this occurred in the U.S. it is quite possible their tourists or other organizations would have had a plaque or a road constructed as a tourist attraction. But not in Ontario. Why?
>
> Now, these fossils intrigued me so I kept my eyes open and finally found a quite similar type of rock located right on the Trans-Canada Highway at Rossport. In fact, there is a nice plaque there now, but it is not there on that account. It was put up to honour the George Wardrope one-acre park which was cleared two years ago—

Mr. Singer: The name has been changed to the Allan Lawrence Park.

Mr. Stokes: To continue the letter:

> —by The Department of Lands and Forests to commend his great work as the Minister of Mines.
>
> Knowing from past experience that this find would not evoke anything but a "thank you" or a very dull technical reply from the Ontario government, I sent samples to my friend in California to test for the bugs, as we call them; he went right to work, received co-operation from the aircraft company for whom he worked and they made a blow-up.
>
> In turn, Standard Oil took over and finally the University of California finished the work with perfect photographs of about 3,000 magnitude showing the bugs and several important features that were different from the Schreiber bugs.
>
> We were both very pleased with ourselves. It occurred to me that here now is a fine tourist attraction for Canadians and Americans. So I took it to The Department of Mines geologist. Well, he professed ignorance of fossil knowledge and did not think it worthwhile forwarding or asking for a copy of it. Besides, he said, they are so understaffed they do not have time for fossils of that type.

Mr. MacDonald: No time for the bugs.

Mr. Stokes: To continue:

> He is also too busy to look over new showings made by prospectors. He claims this would interfere with the professional geologists and so our mines department is unaware of the mineral finds being made in the area. Great co-operation by our Department of Mines.

> However, I understand the University of California is interested enough and will likely publish a paper on these fossils. We have sunk so low in this regard that we accept this situation quite calmly. It would be quite useless to approach the tourism department; they would want some information from The Department of Mines, which would not be forthcoming. So I suppose this interesting attraction will remain like many others, unexploited and ignored.

He goes on to say how he thinks that The Department of Mines is not concerning itself about disseminating the kind of information that would popularize the geological structure in northwestern Ontario and this area in particular. He adds that he had found a quite useful find of gemstones that were unique in North America; in fact, I think there was only one other find in the whole world and that was a find of a particular kind of spectrolyte or Labradoryte and the only other source of this gemstone is in Finland.

He made application to the Ontario Development Corporation, through the Northwestern Ontario Development Council, to try and interest somebody in developing this. Now it is not speculative, inasmuch as the gemstones are there; they are quite visible. I had the opportunity of showing some samples of it to the Minister during the members' northwestern Ontario tour and he was quite impressed with them.

But any time he tries to get some assistance from various governmental agencies and departments, he always runs up against a blank wall. I am wondering why the Minister of Mines and his department do not have somebody in the department who is interested in gemstones and who is able to advise these people as to where they can go to get the necessary capital and the necessary consultation to bring a find such as this into production.

I am sure that the Minister was very impressed with the samples that I have given him and everybody else that I have spoken to, but this fellow just keeps running up against a stone wall and really he does not know where to turn. I am wondering if the Minister—I do not want to take time with the rest of the information in here. I think it is an industry that could be developed to a much greater extent than it is at the present time, particularly in the north around the Precambrian Shield. And I think it is incumbent upon the Minister to provide all the assistance necessary to get this kind of an industry on the road, popularize it and make it a viable industry; much more viable, at least, than it is at the present time.

Hon. A. F. Lawrence: First of all, if I can boil them down, I think there are a number of complaints there. No. 1, that our information services are not good enough or big enough in respect of these matters. This I would dispute. I do not think there is any Minister, of course, who would not like to lay his hands on more money for his department, if he could see the need, and I can certainly see the need.

But we are bound by certain strictures as far as taxation potential is concerned, and with the amount of money that we have, we feel that we are giving pretty good value. The hon. member may have a different view. I would be glad to have his views.

I would be glad to have that letter so that we could publicize these things a little more fully than we have been able to in the past. I would remind him that we have embarked on a new series of booklets devoted just to "rock hounds" and amateur prospecting.

As a matter of fact, I think the hon. member was quite impressed with that book by Dr. Pye that was produced and distributed. I thought he was one of the many northern members who complimented us and Dr. Pye on it. This is one of a series that we had hoped we would get going.

I do not want to bring any personal troubles of anybody into this, but the hon. member may know that, over the last couple of months, Dr. Pye has had a heart attack. And he was a man we were relying on; I would say one of the best people in the province, if not in the country, to do this type of work. He embarked very enthusiastically on this work and it may be that he has overworked upon it. We do want to encourage amateur work; we do want to encourage "rock hound" clubs; we do want to encourage our publications people to get more out on this and we have planned on doing this.

However, now fossils. I think in a federal system we are bedevilled sometimes with duplication of services available to the public. I do not think that this is applicable as much in the mining services available out of Ottawa and out of Queen's Park as it is in some other fields of governmental endeavour.

My understanding is that there is an unwritten rule among the various geological

staffs of the federal department and our department that we have sawn-up realms of activity. We have left the fossil activity, if I can put it that way, to Ottawa, quite frankly. They do research work in fossilization and fossil-bearing rock formations. We do not; it is as simple as that. I think your man, if he had properly asked the resident geologist—this is certainly within the knowledge of our resident geologist—he would have directed him to the proper services available to that man out of Ottawa, in respect of the fossil matters.

In respect of the gems—may I put it that way—you are right. I was impressed with the samples that I have seen. Other people have been impressed with the samples they have seen that this man has produced. It is incorrect to say that they have not been examined here; we have examined this spectrolite deposit; we have given information to this man; we have helped him in every way we can. The facts of the matter are that we are not going to finance out of this department a private enterprise endeavour, or something that could or perhaps should be a private enterprise endeavour. There are people who earn their—

Mr. Stokes: Specifically, what help did you give him? All you did was ask him for money so it could be patented.

Hon. A. F. Lawrence: I do not think that is true at all. We had geologists there examining the thing, giving him advice. I cannot tell him what the technical advice was that we gave him. But advice was given to him, I have been informed, and the deposit itself was examined by our geologist for this man.

Mr. Stokes: Were you impressed with it?

Hon. A. F. Lawrence: I do not know. Were we impressed with it? There is your answer. Dr. Thompson is shaking his head. It is a deposit. We examine all sorts of deposits for people. In some cases we tell them that they have got something worthwhile; in other cases we tell them it is marginal; in other cases we tell them, as I indicated before, and which, I think, you indicated we should indicate to them, that they have holes in their head to go ahead with something.

I cannot tell you what the advice was in respect of this particular deposit. It would be rather unfair to the man anyway if I could tell you because that is something that our geologist may be right on; he might be wrong. But I would not want to unfairly prejudice the man's economic future if he intends making this his life work, in getting into it.

Anyway, I have never seen this letter nor had any knowledge of it. If he would like to write to me, I can assure you I will do my utmost to make sure that he gets a worthwhile answer. I am surprised that he feels he has been neglected by the resident geologist there. If you would care to send that letter over to us, I will certainly take a look at it.

Dr. Thompson, the head of the geological branch, I can tell you, is a very jealous man when it comes to his people. He expects great things of them and, so far, in my estimation, he has got great things out of that branch. It is a very good branch; we have some very excellent geologists who work under sometimes very trying circumstances in the government service. If anybody has got any complaints about the services we provide, we would like to hear about it.

If you would be good enough to send that letter over to me, if you want to—you may not want to—or parts of it, I would be glad to take a look at it and go through it. All right?

Mr. Chairman: The hon. member for Cochrane South.

Mr. Ferrier: Am I to assume that this is the thing about Gillies Lake? I thought it should have been under the policy of the department, but—

Hon. A. F. Lawrence: All right, the member may raise it.

Mr. Ferrier: Have you decided who should be responsible? Whether it is this province, the town or the company?

Hon. A. F. Lawrence: The hon. member is going to think I have pulled a sneaky one on him. We had a meeting just this morning for which his municipal people were down. We had the engineering firm representatives available, who have been the consultants to the water resources commission on this matter.

We had the water resources commission themselves; we had the Minister of Lands and Forests (Mr. Brunelle) and his officials, and we had the Minister of Energy and Resources Management (Mr. Simonett) and his officials available.

It really, honestly, was not scheduled just because it was coming in advance of the Minister of Mines estimate, as it has been scheduled for some time. This is a real problem

and it is certainly a divided responsibility. However, there have been all sorts of matters floating around about it but, if I can summarize the results of this meeting this morning—the mayor was here, along with the secretary-treasurer, I do not know his full title, Jules Bergeron, anyway, from the town—it is simply this that we have now received an engineering report. By "we", I mean the conservation authority and the water resources commission have received a report on what they think would be the best course of action to clear up this very unsatisfactory condition respecting the flooding and the pollution of Gillies Lake.

So far, this is supposed to be a confidential report, although I noted with amusement that the Timmins press the other day ran a story on the front page about it. I am not going to say whether that was right or not. In any event, it was supposed to be a confidential report to the department here. This, in turn, has been turned over to the mayor for discussion with the municipal council.

The mayor himself indicated that this has not been discussed yet in council. He indicated some reservations about the recommendation. So, from our point of view, certain commitments were made to the mayor today respecting certain percentages of cost of any remedial measures that have to be taken. But we said to them, "All right. This is the proposal that we are now advancing on behalf of the conservation authority and the water resources commission; you think that this is not right; you discuss this then with your municipal council. Come back to us then with your counter-proposal as to what you think is the best way of solving this problem". We will then look at it, and as Minister of Mines, I will make sure that the mining companies involved are brought into the picture. We will go on then to working out the responsibility of who should pay for what when there is finally a decision with the concurrence of the town council as to just what "what" is, if you get what I mean. All right?

Mr. Knight: Mr. Chairman, on the same subject. I think if this Minister is going to apply some vigour to some areas, this is one area where it has got to be applied, not conservation. I think we must have an Act or a bill regulating these mining companies because, as well as the type of incident that the hon. member brought up, I can bring up another relating to Loon Call Lake on which I have an entire file here. It seems that a mining company, for the sake of development is allowed to go in and disturb any number of people and there does not seem to be anything to keep them out of that. I notice through this correspondence that we have a lake all surrounded by cottages; an island in the middle. They are drilling there and through that drilling they are disturbing all of these people.

Perhaps there is not any danger of pollution in the lake, but there is constant annoyance and there is concern. When people are coming to a lake like this, which is obviously a recreational area, to relax for a couple of weeks, they have got a worry with this noise. They have got to worry what effect this mining development is going to have. Obviously, it is a recreational area. What are they doing there?

An organization, Loon Call Cottagers, get together; they try to do something about it and they get a runaround. They get good intentions. I could go through the pile of letters, but I do not want to take up the time of the committee at this time with that. Obviously, OWRC says, "Okay, your water is all right. They are not polluting the water". Lands and Forests says, "Well, we have given them the okay to go ahead and do some explorations and so on". The Mining Department says, "Well, it is more or less in the hands of Lands and Forests".

I understand you have an inter-Cabinet committee, or something, to handle things like this. I think it is time for a definite policy on conservation, because what is the use to develop these resources, these minerals, if people at some future date will have to go around with oxygen masks on, unable to drink the water; the land all marked and gouged out because we have taken all the riches out of the land? There has to be an accompanying policy of conservation and it has to be that has got some teeth in it. I wonder if the Minister would bring the committee up to date at this time as to what exactly his plans are along these lines, Mr. Chairman.

Hon. A. F. Lawrence: Yes, sir, and a lot of what the hon. member says I agree with completely. For too long, I think, we have let our resources be exploited in this province. They have left a great gaping hole for unsafe conditions, certainly, conditions which, to say the least, do not coincide with what the hon. member's aesthetic views and my aesthetic views might be. We certainly intend stepping into this whole situation.

We do not call it conservation because we run into difficulties then with other de-

partments. We call it environmental control, and we do have an interdepartmental committee that has been handed the job of coming up with a policy. I regret to say to the hon. member—though I do not say this in any criticism of the department because it is an extremely tough nut to crack—we have handed to this interdepartmental committee the job of coming up with some recommendations to the cabinet and to me and to the government respecting control and regulations for the future.

I must say to him though that our immediate attention in this respect, we feel the climax right now or the focus of our attention, is on the Niagara escarpment. Even though there are some bad conditions in some of the northern communities as well, down in the Niagara escarpment—in respect of rock quarrying operations and land and gravel pits and so on—we feel that here, right now, is a situation that is long past the day when we should have stepped into it. I will be frank and admit that. We are now groping toward some sort of policy about this. I have hopes that we might be able to make an announcement about this in the not-too-distant future, but so far we are still very actively considering the whole thing.

This is not just a problem here, of course; it is a problem wherever there is resource development going on right across this hemisphere. We are looking at what other jurisdictions are attempting to do. It is a very lively issue in the province of British Columbia right now, as you may know, and we have taken a look at what they are attempting to do. We feel that conditions there may be somewhat different from what they are here and we do not feel that to translate their activities here is necessarily the right answer for Ontario.

But this mineral resources committee, if you are interested, is composed of representatives of The Department of Mines, Highways, Municipal Affairs, Treasury and Economics and we do have representatives of the industries concerned on this matter. Regulations have been drawn up already governing the operation and rehabilitation of pits and quarries. The only two matters which remain under discussion right now are performance deposits or bonds and the operation of The Department of Highways wayside pits. This is in relation to sand and gravel matters in the rock quarries, more than anything else.

The committee will be recommending to government shortly the adoption of a mineral resources zoning policy for municipalities which will assist in insuring the development of deposits of essential construction raw materials near urban areas. I made a speech on this matter down in Woodstock about a month or so ago. I have to send a copy over to the hon. member.

The committee is also recommending the publication of a rehabilitation manual for pits and quarries which will guide the pit and quarry operators in the proper type of reclamation and rehabilitation for their land after mineral extraction.

The study of stone resources of the Niagara Escarpment is complete, and the maps and report covering the survey of this area should be available in a very few weeks.

Once we get this situation out of the way in respect of southern Ontario and these operations, we will be able to turn the attention of this field of experts to the mining operations in the north and what we should do there about reclamation, rehabilitation and environmental control in general.

It is my very earnest desire to come up with a complete policy in respect of these aesthetic matters and safety matters in the north and in the south. I really cannot give you a deadline on it because no deadline has been set. It is a really mammoth job. The deeper you get into it, the more you realize what the problems are. Again, it will have to be a series of policy statements that will have to come out respecting these matters, rather than any single line of regulations that will cover everything. Because this simply is not possible.

But we are working on it. I am sorry that is the best I can say to the hon. member, but I hope I have said enough to indicate to him that we are working very hard on it.

Mr. Chairman: I must point out to the committee that it was agreed we would take votes 1302, 3 and 4 by programme of activity. In vote 1302 we have the geological services and the laboratory services. I wonder, if we entertain discussion on this matter, is there any further discussion on this particular point.

Mr. Knight: Mr. Chairman, the hon. Minister did not make any specific reference to the Loon Call Lake problem at all. I wonder whether he could offer those people any hope at all.

Hon. A. F. Lawrence: I hate to admit my ignorance. I may have heard of Loon Call Lake before, but I do not remember it. If the hon. member will leave it with me, obviously it is a pretty specific matter, I know

the officials under the gallery are scribbling it down right now. We will review the files and I will be in touch with the hon. member about it.

Mr. Knight: One other point, Mr. Chairman, relating to conservation. I think this is a point that could be brought up right now and that is what the federal jurisdiction might be. Now, any day of the week in the cities of Port Arthur and Fort William, in that area, if you see an ore train go by, you will see that ore dust flying from that train. If you look along the tracks you will see the discolouration of the iron ore. One has to say ore is probably about the only material that is transported in open cars in this manner. I do not know how the hon. Minister would go about getting a railway, which is a federal matter, to clean up its operation. It is a very dirty operation the way they transport ore, and I hope that in setting up the investigations of this committee this is one aspect that they will really look at.

Hon. A. F. Lawrence: You are perfectly right. It is a rather divided jurisdiction as to whether our pollution control—it is not really pollution; it is a damn nuisance, that is what it is. I do not know whether it is pollution or not, but whether we have any control over the federal railways or not—

All I can say to the hon. member is that on the one railway we do have jurisdiction over special cars were designed and utilized for the transporting of the iron ore on that particular line. They are covered cars. Quite frankly, my information is that this is paying for itself because obviously when they high-ball it down the track, and all that stuff floats all over God's creation, they are losing money. That red dust is flying all over the place and it is dollars and cents, but so far we have not found a way of attacking this.

If the hon. member can bring pressure to bear on some of his federal colleagues to get the situation clarified or to turn control over to us—certainly not this department—there is a department of this government that is quite involved in the thing, and would dearly love to be able to exercise jurisdiction there.

Mr. Chairman: Anything further under this topic of conservation?

Mr. Knight: I am glad the hon. Minister brought it up because I would like to ask him specifically if he is consulting with the department of the hon. J. J. Greene, the Minister of Energy and Resources at the federal level? And whether the department is being brought into what I call this environmental conservation, because I want to question the Minister somewhere along the way about this department's proposals for advanced methods of discovery of ores. Here again, I would suggest some co-operation with the federal government.

Hon. A. F. Lawrence: That subject really does fall right within the matter that we are talking about now, but I must admit to him that I have not discussed this with Mr. Greene. I have not been able to discuss very much with Mr. Greene over the last year due to his illness, as you know.

I must admit that I do not know whether this has been discussed by any of our officials with any of their officials—I rather doubt that it has. But the hon. member has brought it up now, and we shall certainly indicate to the federal people that the subject matter has been introduced here and see what their comments or suggestions are in respect of the matter.

But if you want to get into exploration, this is the vote to get into it.

Mr. Knight: Mr. Chairman, I have noticed some other members may be interested in this conservation thing, so perhaps I will hold my question.

Mr. Chairman: I will see to it that this particular topic on so-called conservation is thoroughly covered so that we do not go back to it again. There is a difference of opinion as to the proper terminology.

Mr. T. P. Reid: I must apologize to the Minister—I just came in on the tail end of his remarks. I was going to enquire about his policy on strip-mining. I realize that this particular phrase pertains mostly to coal mining, but would open-pit mining and quarrying and gravel pits come under this vote?

Hon. A. F. Lawrence: We have looked at this mainly in relation to the safety aspect of it, not the aesthetic aspect. As I indicated to the member for Port Arthur, we are devoting all of our attention right now in respect of the aesthetics—may I use that term?—to certain very immediate problems in southern Ontario.

Once we get some sort of regulations, or manual of guidelines published in respect of these things, then perhaps we will get into aesthetic or environmental control regarding open mining.

We do not have any strip-mining as such, but we certainly do have of course a mammoth open-pit mine in the province.

Mr. T. P. Reid: That is one of the particular things I was interested in. Of course the Minister is aware of what has taken place in Kentucky, which of course is coal mining, and in B.C. But you are talking about the aesthetics of such things as gravel pits, and I understand that Uxbridge has a problem with this.

There is more than just the aesthetics involved in this; there is the erosion of the land, the danger of pollution, and there is a safety factor that you mentioned. They fill up with water and people swim in them or drown in them, or whatever they do, and there certainly is a responsibility in your department to come up with some kind of policy and rules and regulations in this regard, and you tell me now you are involved in this sort of thing.

Hon. A. F. Lawrence: I agree with you that that is our responsibility. I agree with you that so far we have not done it. What I am telling you today is that we are pushing this as fast as we can.

Mr. T. P. Reid: I would like to ask about the geological services.

Mr. Chairman: Anything further on environmental control or conservation before we move to deal with the programme of geological services? The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): I heard that the Minister mentioned the escarpment. One sometimes wonders just what department does take care of the individual problems. There is some overlapping and at times there is an area that no one touches.

I was surprised to hear, and I should not have been, that the Minister's department takes care of the quarries and the rock that is being taken out along the escarpment. I suppose that would be mining all right.

You did say that there is a report coming out: you are making a study of whether they will continue or discontinue that?

Hon. A. F. Lawrence: As the hon. member knows, there is already an overall study of the escarpment that has been done for us by Professor Gertler of Waterloo, there are other departmental reports available.

We feel that the Niagara escarpment area is a real asset of this province that is in danger right now of all sorts of commercial interests. We have got to move, and we have got to move very quickly. Balanced against this however, is the fact, and again I do not think the industry—the mining industry, the sand and gravel industry, the rock quarrying industry itself—has been forward enough in presenting its point of view to the public at large, that the Niagara escarpment area is the reservoir of some unique building material without which the economy of the whole area of southern Ontario would suffer.

Material is available there that is available almost nowhere else to us, and if we came in with a heavy-handed programme of closing up some of these things, not only would there be an awful lot of people without a job, but as well the construction industry in this province would suffer greatly. We would all be paying a lot more for construction work at the moment than we are at present.

We are blessed in southern Ontario by having these unique formations available to us. Not too many areas in the world have this, and if we had to ship it from a long distance, it would affect our balance of payments. It would affect all sorts of things.

So we are in the ticklish position of having to balance what we feel are certain aesthetic values and certain God-given formations, such as the Niagara escarpment, against the obvious need of industry and the economy for some of the unique products available there.

I must say to the hon. member that it just burns me every time I drive along Highway 401 now, and I see those scars on that hillside over there near Milton. I think it is totally unnecessary, and I have said this publicly on more than one occasion. Before very long we hope to come up with guidelines and regulations that will prevent this, because I do feel that what has gone on in the past has been unnecessary. There are ways of getting that stuff out of there without scarring the hillside.

And in this respect, we have been dogged—and I might as well indicate it here now today—in that the municipalities have had quite a control over this in the past as a result of provincial legislation, there is no question about it. But it may be that one of the recommendations this committee will be making to the government, which the government will be acting on, will be to take the zoning power away from the municipalities in respect of some of these matters, so that the control will either be placed directly in the hands of the province, or put in the hands of the regional government, I do not know.

Mr. Singer: The Minister of Municipal Affairs took that power last year.

Hon. A. F. Lawrence: The hon. member has a couple of municipalities within his area down there that are quite jealous, shall I say, of their interest in this field. It may well be that when the legislation does come along, and a decision is made here, we shall have a real dog-fight on our hands.

I would be interested in the views of the hon. member as to whether this power in respect of outlawing by zoning procedures certain mining operations in this province should be taken away from the municipalities, and should be vested either in the regional government or in the province.

Mr. Bukator: Mr. Chairman, I am well acquainted with some of the areas of which you speak. I did not know that a report was being compiled by this province to see what we will eventually do with it. I know that there are many people who depend on that kind of work. They have even gone as far as Italy for employees and did go to that country to bring them back to cut the stone. The limestone is some of the finest in the world.

My concern was when you mentioned the Niagara escarpment; there is a big gap back of the sanatorium in St. Catharines that used to be the Sagani Quarry, near the Brock University. It is a big gaping hole there now. It would appear to me—and I know something of this work—that they take the top soil off, remove it and pay contractors so much per yard to take it away. There could be a possible chance of removing it in areas where you would not interfere too much with the beautiful escarpment. Let them provide the necessary stone to a certain depth. In some areas they could dig as far as they want but I think by proper control you would have the show on the road.

I think that the workers that are affected by this should jealously defend their position as labourers. I think the industry, by all means, should continue because that rock is needed. I do believe the government should have, long before this—or someone should have—stepped into that area. Because take it as you will, near the Lewiston bridge, just beyond the boundaries of my riding, where the Provincial Secretary (Mr. Welch), I believe, represents that area—they have a monstrous development there, right close to the new highway. I forget the number of the highway but it leads to the bridge, the Lewiston bridge.

I would be the last to say that we ought not to continue the operation, but if the government is going to get a survey and get it completed within a very few weeks, that particular report I will be interested in, because we must balance both sides of the problem before we make a decision. I do not want workers out of a job; I do not want the industry discontinued; and I do not want that rock that is necessary and wanted by many people to be done away with, because it means a lot to us.

I say the gravel, the stone they crush beyond the fine plates that they make, or whatever they call them, the carving the good rock, the flagstone that they have and send out over the country. The second product, I think, is a result of the first and the better one, but then the balance is crushed into the finest base stone that your highways can get, I believe. I see the Minister sitting there like the poker game that we were talking about, and I do not see any expression for or against, but we will get to him one day.

Hon. A. F. Lawrence: You are the better poker player.

Mr. Bukator: I am very interested in knowing what this report will reveal. I am sure that you are not going to cut off that revenue. I am sure that you are not going to put the workers out of a job, but some control should have come into existence long before this. One of my colleagues tells me that some of the Ministers on your side of the House have had this control for some time, at least the authority of the control and have done nothing about it. That I would be interested in hearing more about.

Hon. A. F. Lawrence: All I can say to the hon. member is that we are moving now into this whole field and perhaps he would be interested in some of the considerations that are taking place. First of all we did—I do not know whether we did, but somebody here did—commission Professor Goodler to produce his report, it is a very worthwhile report. It has been available, I think now, for a while.

Mr. Bukator: What is the second report that you—

Hon. A. F. Lawrence: We are now having this interdepartmental committee, made up of the representatives of the various departments that were indicated a few minutes ago, take a look at this and other things. We are helping, or we are, I hope, providing the

initiative in the thing, in that we are producing maps and inventories of the area of not only what is now in production but also areas of these unique formations which we feel must be preserved as mining areas, too.

You can imagine some of the conflicts that we are going to hit here, where a town wants to spread out a residential area and we say, "No, sir, if you do that you are going to be sitting on something that is only available here." It is not going to be an easy thing and we are going to have a few hassles before the thing is completed, but we are working on this inventory.

It is well along the road now to completion, as well as a complete geological report of the whole area there. What we can do about it, we can do all sorts of things about it. We can provide better consultative services to the people who are in the business, as to what they can do with these gaping pits once they move off from it. You would be interested to know that there is one out here, just west of Toronto, south of the Queen Elizabeth Way, I think, or it may be north, between there and the 401, in which the owner of the thing, I am told, is making a lot more dough out of it now, than he ever did, when he extracted the rock out of it, by using it as a sanitary garbage fill site. By the time he gets this basic gaping hole full of sanitary fill, he will then have a very valuable commercial building site on his hands.

These are some of the ideas that we want to protect. Not all of these sites are, of course, available for this. I am sure the hon. member, when he goes up to Stratford every year and stops in along with Mr. Trudeau for a swim in the St. Mary's pools up there, realizes that there is a very good swimming facility available to the town of St. Mary's up there for things like that. We have another one right close to the hon. member as a matter of fact, who wants to do some work along this line and he wants to guarantee to the local municipality that when he is finished with the extraction of the rock over there, he will turn it into a golf course, which is badly needed in the area.

So, there are all sorts of ways in which the land itself can be utilized, and we want to gather these things together to advise these people what they are. The obvious answer in some of them, of course, is to do a lot of tree planting and a lot of tree screening of some of these things. Some of them may be available for all sorts of uses. On top of it all, of course, is the problem of the escarpment, and what we are reaching for there, quite frankly, I think—and it is still under active consideration—is going to be a set back rule of, I do not know, a quarter of a mile, a hundred yards, I cannot tell you what the details are as yet, where they will be prevented from defacing the face of the escarpment.

If they want to come up to and utilize the formations, the deposits, near the face of the escarpment they can come only so far. Again, there is going to be a lot of screaming from certain people who have got an interest down there and have been holding on to some of these lands for years for their economic values, but, nevertheless, people might get hurt, I do not know, but this is one way we are looking at to save the face of the escarpment.

On top of it all we are going to try to come up with some sort of a policy respecting trust funds or bonding or some manner such as that, so that when a company is ready to move off it is not just an empty corporate shell that is left. We have something to make them, either rehabilitate the site, or reclaim the site, or turn it into something useful, or at least screen it or plan it. If they do not use it we can use the money in the bonds or the trust funds to do it ourselves.

These are some of the ideas we are looking at but it certainly would be unfair of me to indicate to the House that we have come to any conclusions. We are still looking at these things very, very actively, and I hope that before long we will be able to come out with some sort of a policy. I hope it meets with the approval of the hon. members.

Mr. Bukator: Then if you are working closely with the different departments of your government and you talked about the escarpment, I must relate a bit of history to you.

When I was first elected to the House here, one of my first speeches in the House was about the escarpment drive. The tri-counties of Lincoln, Welland and Haldimand were talking about an escarpment drive into Hamilton long before the houses were built along the escarpment in Hamilton and we were talking about preserving this trail that they now speak of. The Prime Minister two years ago made a statement in the House that I was overjoyed to hear—the tri-county committee was working on this back in 1956 and I was a member of that committee from the county council. Since that time much of it has been taken from us by buildings. So, we have not moved as quickly along this line as we should have.

You are now telling me you are working with committees and I am wondering if you are working with that particular group which was set up with the Minister of Highways plus two other Ministers, the Minister I believe of Energy and Resources Management and one other, about the escarpment drive.

The counties of Welland and Lincoln even had pictures, movies, "away back when" of the drive that would come about to preserve. You are now affected with your digging of holes to bring about or preserve the area that was rock on it, you have not made up your minds.

Are you working with this committee? Have you had a meeting with them to see what can be done about expediting and bringing along this escarpment drive soon, so that you will know where your road is going at least, and you will not be digging there?

Hon. A. F. Lawrence: The hon. member has put his finger on one of the very great problems here.

As I understand it, the county set-up in this province is made up of representatives of the local municipalities, under our existing provisions of The Municipal Act zoning. In other words, the prohibition or regulation of the use of land, under The Municipal Act, is in the hands of the municipality.

Now here you have county organizations set up, which are representatives of the municipalities. Yet, in some of the more flagrant cases there have been either no zoning regulations respecting these from the municipalities themselves, or in some cases there have been overly restrictive zoning regulations respecting these things. This is the situation that has been permitted to be developed.

One of the things that I may be coming forward to the House with, if not this session, next session, will be a request to take this power away from the municipalities, because they have not been doing their job on it—some of them, not all of them, but some of them. I would like to hear the views of some of the hon. members opposite as to whether we should do this. I do not know of any other way in which we can establish control of it, other than doing this.

I dislike taking those powers away because I think they are better handled at the local level, quite frankly. But here we have a very obvious example of where the local control simply has not worked out. These are one of the many problems and factors that we have been grappling with in this interdepartmental committee.

Mr. Bukator: This particular problem was no problem in the area from the Niagara River at Queenston to Hamilton. The three counties had been waiting on this government and had been here with committees over the years since 1956, saying to them, "this has to be preserved. We want you to help us with it. How can we pursue this thing?" And I want to tell you the hearings have been excellent because I, too, was here.

But nothing has happened and I do not see anything right now that would indicate to me that you have made any further progress in that area since 1956. I think the blame should fall on somebody's head and, honestly, I believe these counties, three of them, were so sincere about this and wanted to assist, that the problem lies with the government. You have come short of the mark as the government because you have not done your job.

They went more than half way, and I hope that this Minister, with his colleagues, who have heard what I have had to say here this afternoon, can say to me, "Yes, we will preserve this particular strip for that reason, and we will have this trail"—or whatever you want to call it—"from here to Tobermory." But you had it in 1956 from Niagara Falls to Hamilton and nothing was done about it.

Hon. A. F. Lawrence: To say that there are no problems south of Hamilton is simply not true. There are as many problems south of Hamilton as there are north of Hamilton. But my point is that up until now—and maybe the government is to blame for leaving it this long with the municipalities—control has been at the municipal level.

In any event, we are looking at the thing. It may well be that we have been derelict in not taking this away from the authority of the municipalities before this, but I can assure you that my understanding is that this interdepartmental committee has been correlating these reports. It has certainly, through Municipal Affairs and Highways, been hearing representatives of municipalities.

I do not want to indicate that there is any great quarrel between the municipalities and ourselves on this. All I am saying is that when, and if, we do make the decision to take it away from the municipalities, there are going to be great screams of anguish from certain quarters. I am glad to hear the hon. member indicate that he will support us on it.

Mr. Bukator: The Minister of Public Works was at a meeting in Hamilton with these

very people who said, "You are not taking anything from us. We want you to take it and go on with the job. We will assist; we will even throw in some money to help the government, so there is no taking." You have had them approach you on many occasions saying, "We would like you to go on with it and we will assist financially," so it is a one-sided proposition.

We have wanted to go on with the job, but someone has been dragging their feet and I do not know where to lay the blame. If we bring it out in the open now maybe something will be done in the near future.

Mr. Haggerty: Mr. Chairman, may I have a clarification from the Minister? He says "taken away"—what? Does not the Minister of the department issue the licence for mining, for quarrying, for removing sand and gravel under The Mining Act?

Hon. A. F. Lawrence: Not completely, no. There are certain sand provisions—we only licence them when it is on Crown land, so in southern Ontario there are a lot of these operations that we have no knowledge of.

As a matter of fact, again I think this is a discussion that should either take place on the mining lands branch vote, or on the provisions of the amendments to The Mining Tax Act, because in our Act this year the amendments are still before the House. We are trying to clothe ourselves with the authority to get more information in respect of sand and gravel pit operation in this province and rock quarries, industrial minerals.

Mr. Haggerty: Well—

Hon. A. F. Lawrence: In other words, we do not have to grant a licence, as I understand it, if it is not on Crown land.

Mr Haggerty: Can I pursue this later on then, in the—

Hon. A. F. Lawrence: Yes, in vote 1304.

Mr. Haggerty: But to carry on what the member for Niagara Falls has been discussing here. I think in 1967, the Parker consultant firm at Hamilton made a study of the Niagara peninsula escarpment from Hamilton east to the Niagara River. This report cost somewhere around $70,000 and I think it said that they should not allow any more quarrying within this area.

I think this was enough warning to the Minister and perhaps to the government on the other side that some control must be implemented soon to preserve this land as a park site and tourist attraction.

Hon. A. F. Lawrence: You are making a general statement and I will make a general statement in return. Certainly, to attempt to close down any quarrying operations in the Niagara peninsula would be idiotic in the extreme. Obviously there has got to be a compromise position somewhere in between where the best interests of the industry and those of the people who work in the industry are protected, but at the same time, these natural, God-given formations are protected as well.

This is what we are reaching for and, as I say, we do have this interdepartmental committee which I hope is on the verge of coming up with very specific recommendations to us.

Mr. Haggerty: Mr. Chairman, I did not want to leave the impression that they could close up all quarrying operations. There is a compromise, I think, in this report that they can extend over a planned programme for a number of years.

Mr. Singer: Mr. Chairman, as I listen to this discussion and the Minister's answers to the points raised by my colleagues from Welland South and from Niagara, I just wonder really if the Minister has any idea what he is talking about.

We have listened, Mr. Chairman, on this side of the House to great plans like Designs for Development. Every time they have a nicely worded PR release they put the Prime Minister up on his feet and he reads out something that is going to revolutionize the province of Ontario. But "Design for Development" still does not mean anything and the Minister of Municipal Affairs finds that out day after day.

His second effort, or one of his later efforts after "Design for Development," was the great escarpment plan. The Prime Minister read it and was surrounded with newspaper headlines and PR work and on and on, and there was a great escarpment plan. Now, listening to the Minister this afternoon, Mr. Chairman, the escarpment plan that Professor Gertler is going to study—

Hon. A. F. Lawrence: We have got it—

Interjections by hon. members.

An hon. member: Well, what are you going to do about it?

Mr. Singer: Just read them. Well, all right, that—

An hon. member: How can you read it if you are sitting on it?

Hon. A. F. Lawrence: My understanding is that the Gertler report has been received and is receiving the consideration of this interdepartmental committee. I am sorry I do not have the date when the thing was received, but my vague understanding is that it was received within the last month and a half anyway.

Hon. A. Grossman (Minister of Correctional Services): It is very complex.

Hon. A. F. Lawrence: I do not know whether that is right or not.

Mr. Singer: May I continue?

We get the great pronouncements which are supposedly full of greatness, fantastic significance, it is going to revolutionize the whole face of Ontario—

Hon. A. F. Lawrence: Who said that?

Mr. Singer: The Premier did in his announcement about what was going to be done for the escarpment, now we still cannot find out what that is.

What particularly concerns me this afternoon, Mr. Chairman, are the sort of half veiled threats about the lack of co-operation that is coming from municipalities.

I would like to know if the Minister can tell us what requests he has made to municipalities that have been refused and what suggestions have come forward from his department that the municipalities have discarded? And why—because apparently he has not—why he has not sat down with his colleague the Minister of Municipal Affairs to discuss these things?

I am sure the hon. Minister will recall that, a year ago, this House gave to the Minister of Municipal Affairs the most unique power—over our violent objections. He can now go into any municipality and without a hearing, without notice, without anything, do away with any existing zoning bylaw.

What is the purpose of the threat that you are making this afternoon? Are you afraid to use the power that you took over the violent objections of the Opposition or the violent objections of the press? Or do you mean something more than that? Are you really just covering up for lack of something better to say?

Do you want the municipalities to do something that they are not doing? Are the zoning bylaws preventing you from doing something? If there are zoning bylaws you can repeal them without notice, without hearing, just with the Minister's signature, if they are to be put in a new official plan.

Now what is it that you want? Are you unhappy with county systems, local systems, regional systems? You have all the control right over there. This Minister said this afternoon to us, Mr. Chairman, that it is all the fault of those municipalities, and they had better be careful over there, or we are going to slap their wrist, or we are going to take more powers.

What does he want from the municipalities? What do his threats mean? Do they mean something more than the Minister of Municipal Affairs meant when he brought in the amendment for The Planning Act last year, or do they mean something less?

If he has a complaint about the way the heads of these municipal governments are carrying on, the way their elective councils are carrying on, surely this is the place to air them? If he is concerned that he is not getting co-operation, tell us about them. If he—

Hon. Mr. Grossman: That is what he is doing.

Mr. Singer: Oh no, he is not. He is saying if they are not careful we are going to take unusual action and perhaps some legislation this year, or next year we might do something. Do you want more arbitrary legislation than you have already taken? Tell us.

All right, elaborate on it.

Hon. A. F. Lawrence: All right. First of all, I may be wrong about this because I have not looked that carefully at it, but I think the amendments to The Municipal Act last year did not cover the one specific section of The Municipal Act relating to the power of a municipality to prohibit the operation of sand and gravel pits and rock quarries. So that the power last year which you indicate was arbitrarily taken—what is your frothing phrase? I cannot quite repeat them all—

Mr. Singer: Arbitrary, dictatorial—

Hon. A. F. Lawrence: You forgot arrogant, did you not? Oh, you have not?

Mr. Singer: It takes one to know one.

Hon. A. F. Lawrence: Oh, I know, I know it does, and you are pretty quick in indicating what is arrogant.

In any event, my understanding is that those amendments last year did not cover this specific clause. I say this in all seriousness. The hon. member is much more conversant with The Municipal Act than I am. I cannot tell you what the—

Mr. Singer: The Planning Act.

Hon. A. F. Lawrence: Well, this is the section of The Municipal Act. It is not really in the zoning section either. This is a very specific clause provision on its own which has proved a thorn in the side of the public policy of The Department of Mines.

I will say that to you because, under this, the municipalities have been able to attempt to regulate the operations of these things. There is quite a jumble of conflicting regulations and standards and rules and establishments all down the picture. For the people within the industry to attempt to live with these varying standards and regulations has been pretty tough, to say the least, for some of the rather widespread operations that go on.

There is no veiled threat to the municipalities. It has been, as I say, suggested to them. I have publicly indicated that perhaps it would be wise to take that out of The Municipal Act, so that we ourselves have the power of regulation of these things. It has certainly been indicated to me by some of the municipalities that this might not be a wise thing, and certain indications from some of them that they do not want us to take it away.

Perhaps the information of the hon. member for Niagara Falls is different to mine. I am not saying that we are in any great hassle, or that I am making any veiled threat. If I wanted to make a threat, it would not be veiled; I think the hon. member appreciates that.

I try to call a spade a spade, and if I thought we should take it away, then I would say so. We have not come to that conclusion yet, we are still groping here for that answer. I do not know whether that satisfies the hon. member or not.

All I can say to you is I think we are on the verge of having a very experienced interdepartmental committee report to us as to what should be done. I have not yet received that report.

We are moving on a number of fronts this way, and when we get it, certainly there will be a report to the House and to the public about it, because obviously it will require statutory action. It will certainly require regulatory action, and I am assuming it will require statutory action as well.

Mr. Singer: Mr. Chairman, this is the very thing about which I complain. We get a series of Ministers—it starts from the Prime Minister and reflects its way all down through the front benches of the government, where every Minister goes off on his frolic of his own without any concern—without any real understanding—of what is attempted to be done by the legislation in other departments.

Hon. Mr. Grosman: Oh that is nonsense!

Mr. Singer: Now if the Minister had taken the time, before he made the answers he did today, to talk either with his colleague the Minister of Municipal Affairs, or with the officials of The Department of Municipal Affairs, he would see that there lies in government all sorts of autocartic, dictatorial, arrogant authority. It can do anything you want in any municipality in relation to zoning or land use without a public hearing or without anything else and the Minister of Reforms can wave his hand and say "oh" until he is blue in face, but that is in fact the case.

Hon. Mr. Grossman: Where is the Minister of Reforms?

Mr. Singer: Mr. Chairman, I would like to know, again, what the Minister of Mines really means. Because surely, when we are going to get a programme, whether it is a veiled threat or not—and certainly, as I have listened to him twice, saying, "I am not making a veiled threat, but unless we can do something we are going to do it by legislation," that is a threat. All right, it is not a veiled threat, but it is a threat—does that please you more?—it is a threat. Certainly the Minister, in threatening municipalities, unless something happens, should make himself abundantly clear.

This government has put all the municipalities in this province into fantastic turmoil with their county boards of education, and their regional government, and their lack of consultation. No municipal council really knows whether it is going to be here or there tomorrow morning—

Interjections by hon. members.

Mr. Singer: Now here we get another Minister adding to the confusion, and surely to goodness that is not what we need. You are in enough trouble now—

Hon. Mr. Grossman: Progress means turmoil.

Mr. Singer: Do not add to it. Give the municipal councils a break and tell them what you need.

Are you going to take more power away from them and put it in your department, or in somebody else's department, or have you taken enough? Are you going to change the set-up of responsibilities? Are municipalities going to continue to be responsible for planning and land use within their own area, or not? Make yourself clear. No more threats, now let us make the record clear—

Hon. A. F. Lawrence. One question at a time. I am sorry I do not have the mental ability to absorb 75 questions, but one.

Hon. Mr. Grossman: He wants to know if you are arrogant.

Hon. A. F. Lawrence: Just give me one question at a time.

All I am saying is that this interdepartmental committee is considering, as one of the remedial measures that we undertake, to take away from The Municipal Act, the existing power to the municipalities to prohibit and regulate the operation of sand and gravel pits and rock quarries.

There has already been an indication to me by some municipalities that they would not look kindly to this, and I am merely trying to indicate to the hon. member that there may be a conflict coming up. I would appreciate having his ideas, one way or the other, if he feels we are arrogant and we are moving arbitrarily.

All right, I am saying to you that we are groping for a decision along this line. How can you say that we are moving arbitrarily or we are moving arrogantly in this field when, if he is going to paint himself and clothe himself in the guise of being the great defender of the downtrodden municipality, here is his chance.

Tell me, do you think we should do it, or do you not think we should do it?

Mr. Singer: I am glad the Minister made that valiant appeal for my opinion. I will give it to you. I gave it to you last year and it made no impression at all.

When your colleague, the Minister of Municipal Affairs, brought in that new power and put it into The Planning Act, even as strong a critic of the government as John Bassett was moved to write an editorial saying that it was arrogant and dictatorial and had no place in the statutes of Ontario.

I am repeating again that, surely, the time has come before you move in this way—that all of you should get together and decide on one policy. That you should consult with the municipality, you should consult with the boards of education and you should consult with the people affected. Do not bring it down on top and say, "tomorrow morning we are taking over your jurisdiction". This is what you are threatening to do.

Hon. A. F. Lawrence: No.

Mr. Singer: No, I am not saying yes or no. I do not think the action is clear cut. But I say that standing up and making idle threats worsens the situation and does not improve it at all. If the Minister has a policy that he is going to enforce by legislation, say so or consult. Who are you consulting with? You are not even consulting with the Minister of Municipal Affairs.

Hon. A. F. Lawrence: Sure we are. If the hon. member had been on his feet he would have heard that we were. As I said, he was right on the department. But anyway, this is pretty—

Mr. T. P. Reid: That must be quite a conversation between the two of you.

Mr. Chairman: Vote 1302 agreed to.

On vote 1303. The hon. member for Sudbury East.

Mr. Martel: Should I wait?

Mr. Knight: On a point of order, Mr. Chairman, when I wanted to get back on the matter investigating advanced methods of discovery of ores and I had an opportunity to speak, I bowed out, so you could go on with this.

Mr. Chairman: Are we back on vote 1302?

Hon. A. F. Lawrence: That is right. I am sorry, Dr. Thompson, do not go away. Would you mind coming back?

Mr. Chairman: The hon. member had risen on a point of order. I thought vote 1302 had carried. We were on vote 1303.

Mr. Nixon: Is this the matter of open pit?

Mr. Chairman: I recognize the hon. member for Sudbury East who had risen in his place and addressed the Chair.

Hon. A. F. Lawrence: I am sorry. I thought the hon. member wanted to talk about aid to exploration and things like that which clearly falls under—

Mr. Knight: I want to talk about advance techniques of ore discovery, of geophysical survey. That is what I want to talk about.

Hon. A. F. Lawrence: That takes place in the vote we just passed, vote 1302. But if you want to go back to it, it is all right with me.

Mr. Chairman: I had called vote 1302 and it was carried. I called vote 1303, and the hon. member for Sudbury East—

Mr. Nixon: Mr. Chairman—

Mr. Chairman: May I just finish my remarks, please?

Mr. Nixon: Yes, certainly.

Mr. Chairman: If the hon. members of the committee feel that I had moved too quickly, or if there was anything wrong with the manner in which I dealt with the vote, with the consent of the committee, we will go back to vote 1302. Does anyone object?

Hon. A. F. Lawrence: May I say, Mr. Chairman, I think the whole committee appreciates your leniency here, because these things are confusing when they start dealing with these things. Certainly there would be no objection from this side to let the hon. member have his say.

Mr. Chairman: If the committee agrees, we will refer to vote 1302 for the hon. member for Port Arthur.

Mr. Knight: My deepest appreciation to you, Mr. Chairman, and the Minister and the committee because I think the matter that I wanted to bring up is very, very important.

We have a Minister here who all afternoon has been expressing a willingness to go at this fantastic, this magnificent industry of mining with a forward view, thinking way ahead. I am very, very fascinated with the business of satellite exploration. I am anxious to find out whether the Minister is investigating this field as an advanced method of discovery of ores. I think the topic is certainly timely, what with the Russians' latest rocket arriving at Venus tomorrow or Saturday and the Apollo going up on Sunday, surely this is a 1969 type of topic.

Mr. Chairman, I do not know whether reading is permitted, really, in the estimates, but I would like to read the following material. It is kind of involved and I am no authority on the subject I am introducing, but then I will make it as quickly as I can.

These techniques—the advanced techniques to which I have referred, Mr. Chairman—initially involve satellites with advanced sensing devices to detect magnetic, gravitational, convectivity, gamma ray and even infrared radiation and absorption patterns, all clues to the presence of minerals and their characteristics.

And now that the Defence Research Board telecommunications establishment in Ottawa has largely become declassified as it is passed into The Department of Communications, I should like to see a liaison unit maintained between The Department of Mines—this Department of Mines, Mr. Chairman—and Shirley Bay. Perhaps a team of two or three specialists up there working on sensing devices, transducers and telemetry systems that would be included in a geophysical satellite in the near future.

Because such a satellite would not need to be in synchronous equatorial orbit, and, because it could be small, it might even be possible to fund this project entirely from the resources of the mining industry. There are now two very practical possibilities for the launching device.

As revealed on the front page of the *Globe and Mail* of Wednesday, March 19, the Canadian Aeronautics and Space Institute symposium was told by L. H. Ohman, of the National Aeronautical Establishment, that a cluster of Canadian-made Black Brant rockets could put a 100-pound payload into orbit. Using micro-electronic circuitry, such a payload would be more than adequate to carry out all the necessary mapping and exploration functions required to give the mining industry a shot in the arm. It could be fired from Churchill.

Another alternative is the Barbados HARP project which is now back on its feet and could, very cheaply indeed, loft a micro-electronic package to do the necessary survey job on a grand scale. I am told the present airborne equipment used by The Department of Mines is very old-fashioned and inefficient and that the industry itself does better with its more diverse and accurate sensing devices. What I want to see now is a partnership of government and industry to orbit the most advanced equipment and help Canadian mining and aerospace industries at the same time.

This might be one way, Mr. Chairman, that this department could get a jump ahead on industry, if industry could not be talked into a co-operative programme of financing such a satellite.

Now, I am sure there may be some members in this House who were not acquainted with the subject, Mr. Chairman—or at least, are acquainted with it less than I am—who are not aware that the United States is planning to put up a geophysical satellite of the kind I have just mentioned within three years time. The Department of Energy and Resources in Ottawa, which is headed up by the Hon. J. J. Greene, is already communicating with the government of the United States. It is already sending people out to keep an eye on what they are doing in this field. Because, obviously, whatever power is able to put up a satellite that is capable of penetrating the earth's surface and discovering what is below it—not only the anomalies that are there, but the ore content, the density, the quality, and so forth—would certainly be in a commanding position in the world. I think, myself, Mr. Chairman, that the Minister should keep in step with whatever the federal department is doing.

I have already been in contact with at least one person in The Department of Energy and Resources and I have indicated to him what my feelings would be on the matter, and it occurs to me that the doors are open. So I think that this would certainly be advanced planning. This would certainly be of a great benefit to this Minister, this department and the people of Ontario. When the first satellite goes up, Ontario's equipment is on it.

Mr. Chairman, I wonder if I could get some comment from the Minister in relation to this suggestion?

Hon. A. F. Lawrence: Yes, Mr. Chairman, I am glad to hear the hon. member bring this subject in because it does show sometimes the almost unbelievably astounding and fantastic things that are available to us now, or will be very shortly in the future, in respect of exploration and prospecting. They are just changing whole concepts of industry and, in turn, this will change the north.

The great thing about it is that we are one of the blessed nations, or the blessed parts of the world, in that we do have these resources. And when these fantastic-sounding methods of exploration and mapping and surveying come into force, they can only benefit us. They can benefit others, too, I suppose, but primarily they will benefit us.

But we are involved in it. We are involved in it in that this is a sharing agreement with the federal government. The outfit that actually has control and administration over these exciting prospects, of course, is the geophysics section of the geological survey of Canada. This is a share agency between the provincial Department of Mines and the federal government. We are involved in it. It is a shared cost thing.

Naturally the federal government's contribution to it is far more than ours, because it is more under their control, sir, than ours, but I can assure the hon. member that there is a very full and free and easy exchange of information back and forth between the federal and the Ontario provincial Department of Mines on this and related subject matters.

We are involved; we helped to pay for it. But again, it is a money matter and the cost of the research and the development work and experimental work in this particular field and one or two others, are almost as fantastic as the visions that these researchers are coming up with.

I cannot give you the exact amount of the budget of The Department of Mines, Energy and Resources at Ottawa, but the figure of $108 million keeps cropping up in my mind as the one. I may be wrong about it. Compare however, a budget for a single department in Ottawa of $108 million and then look at the amount that we are presenting to you for our budget, and you will see why we could not possibly embark on these expensive research programmes on our own.

Mr. Knight: Mr. Chairman, I would not suggest that the province of Ontario attempt to launch a satellite all of its own, but I would think that this department, this is their bailiwick. I would not like to think that Ottawa or Washington, for example, had all kinds of knowledge about what is under the surface of Ontario and that we would not have some access to that information, or would not be trying to get access to it.

Hon. A. F. Lawrence: As a matter of fact, we published a map that came out of some of these shared arrangements. I do not know whether the hon. members are interested in seeing one of these preliminary maps, for instance that come out. There was a new one out a few weeks ago. Have you got that Patricia portion preliminary map? If anybody wants one, there is a new map covering the whole Patricia portion there that they can have.

I give this to you as an indication of the rough work of a preliminary map. This is not the coloured map, these are just the preliminary maps that come out accompanied by a report and we feel that, in The Department of Mines, we have one of the best cartographic units and geological staffs in existence in this country, as far as government services are concerned in any event. This is just an indication to you of some of the work that is produced. That is a preliminary map only, but that is the one that comes out with the geological report. Later on, a glossy coloured thing comes out that is much more detailed.

Mr. Knight: This is a means of survey?

Hon. A. F. Lawrence: That is right.

Mr. Knight: What are the means of survey?

Hon. A. F. Lawrence: What is the means of survey? Ground surveys, geophysical surveys, a small portion of electromagnetic surveys, but only where we gather this in from private EM work. We do not do our own EM work.

Vote 1302 agreed to.

It being 6 o'clock, p.m., the House took recess.

No. 119

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Thursday, May 15, 1969

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Thursday, May 15, 1969

Estimates, Department of Mines, Mr. A. F. Lawrence, continued **4471**

Motion to adjourn, Mr. Welch, agreed to **4509**

LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 15, 1969

The House resumed at 8.00 o'clock, p.m.

ESTIMATES, DEPARTMENT OF MINES
(Continued)

On vote 1303:

Mr. Shulman (High Park): On a point of order, Mr. Chairman. The Minister of Mines has misled the committee.

Hon. A. F. Lawrence (Minister of Mines): Unintentionally.

Mr. Shulman: Unintentionally, of course, I would never accuse this Minister of misleading the House intentionally.

An hon. member: Do not commit yourself now.

Mr. Shulman: Up to now, Mr. Chairman.

In the debate this afternoon there was some discussion of Falconbridge Mines—and I hope I wrote the Minister's words down correctly, if I did not I am sure he will correct me.

As I wrote it down, he said we must take care not to take actions that will make this fine Canadian company subservient to International Nickel. Well, I thought at the time that that was an odd comment, but I thought before chastising the Minister I should make sure of my facts—which I have done.

If this is a fine Canadian company, Mr. Chairman, we are in very sad shape in this province, and I was a little surprised that the Minister used those words because this "fine Canadian company", Falconbridge Mines, is controlled by another "fine Canadian company", also in quotation marks, MacIntyre Porcupine, and this "fine Canadian company" is controlled by another "fine Canadian company", the Superior Oil Company of Canada, and this "fine Canadian company" is controlled by the Superior Oil Company of California, which, sad to say, has no Canadian shareholders.

Mr. R. H. Knight (Port Arthur): Mr. Chairman, on a point of order.

Mr. Shulman: May I complete my point of order please?

Mr. Chairman: I think we should—

Mr. Shulman: The point of order is that the Minister has misled the committee. This fine Canadian company is not a Canadian company at all, it is an American company which has some Canadian shareholders. Now, we are aware that the Minister has—

Mr. Chairman: Order. The hon. member who is making a point of order should not make a speech. The hon. member for High Park has pointed out that the Minister has made certain statements which were incorrect. Does the hon. Minister wish to comment on that?

Hon. A. F. Lawrence: No, I would not.

Mr. Chairman: All right. Now, the hon. member for Sudbury East had the floor just before the supper recess.

Mr. E. W. Martel (Sudbury East): Mr. Chairman, I was in the process of saying this afternoon that the Minister of Mines certainly displays some willingness to bring some of the giants in the north to a point of being able to talk to them, at least. For this I give him credit. However, I was making the point that I am afraid the Minister of Mines, has frequently been misinformed and it must be from his own staff, unfortunately, certainly by the International Nickel Company.

I started out by pointing out the inquests and I read from the debate last year, where the Minister made the statement that one man ran over another man while he was in a drunken stupor, and this is certainly contrary to fact.

Oh yes, Mr. Minister, the first man in question drove over the edge of a—

Hon. A. F. Lawrence: I did not say he drove over another man.

Mr. Martel: Oh, yes, Mr. Minister.

Hon. A. F. Lawrence: You had better open it up.

Mr. Martel: Better open it up and just get it straightened out, and I read: "One was a result of a drunken truck driver running over somebody."

Hon. A. F. Lawrence: I stand corrected there.

Mr. Martel: The second one was just about as bad. Neither one of these is correct, and I might say to the Minister that some of the things he had attempted to do soured the men on him considerably by the very irrational statements in that they were completely erroneous.

I do not believe that the Minister did this on his own, I think he was misled, and consequently misled the House. But I do not think he did so intentionally in all fairness to him.

Hon. A. F. Lawrence: Do you want to deal with them one by one?

Mr. Martel: If you would like.

Hon. A. F. Lawrence: I think it would be far better if we did not refer to the names of the deceased.

Mr. Martel: Oh, fine.

Hon. A. F. Lawrence: For obvious reasons. But you may be perfectly right, maybe I have misled the House, maybe I have been misled, I do not know. But the information I got in respect of the one individual, for instance, was a truck driver X of X limited, who was killed when the dump truck that he was dumping went over the stop block timbers and dropped with the deceased a distance of 100 feet to the bottom of the cliff.

Mr. Martel: That is right, I agree with that.

Hon. A. F. Lawrence: Right, an autopsy was performed—

Mr. Martel: Right, he was full of booze.

Hon. A. F. Lawrence: —and a blood sample analyzed and the tests revealed that his blood contained 3.12 parts of alcohol per 1,000.

Mr. Martel: Right.

Hon. A. F. Lawrence: Upon questioning the pathologist at the inquest, the pathologist indicated that in his opinion this level of impairment could be attained by taking 12 shots of liquor in one hour.

Mr. Martel: Right, no objection. What I am saying, Mr. Chairman, when I quoted, was that the Minister stated last year that he ran over another man, and this is erroneous.

Hon. A. F. Lawrence: Oh, now listen, to be perfectly honest, I did not check that *Hansard* afterwards, but at no time did I mean to indicate—and I am positive in my own mind that I did not indicate—that he ran over another man, he ran over a cliff—not a cliff, he went over the timbers at the end.

Mr. Martel: Right!

Mr. R. F. Nixon (Leader of the Opposition): That is probably where the confusion started.

Hon. A. F. Lawrence: I thought you were objecting because I implied that the man had been drinking.

Mr. Martel: No: I have—

Hon. A. F. Lawrence: Well, was not your initial complaint that our safety regulations were not enough? Was not this the meat of the thing? Was I not saying to you at the time that in some of these respects you cannot legislate safety where somebody drinks ahead of the job?

Mr. Martel: Right.

Hon. A. F. Lawrence: Well, what is your point?

Mr. Martel: Well my point—I am making my point, Mr. Chairman—firstly the man should not have been drinking, I realize that. The point I am making, though, is that in that case for several months the timber in that area was broken and the company saw fit to put a piece of two by four and wrap some wire around the two by four and I objected to the fact that the company had never bothered to repair the broken guard that was there.

Hon. A. F. Lawrence: Well, let us get into that then. The site of the dump was fairly level. I am referring here now to the engineer's report.

> The site of the dump was fairly level. The edge was squared up by means of long 10 by 10-inch B.C. fir timber trimming.

Mr. Martel: Which was cracked.

Hon. A. F. Lawrence: To continue:

> The stop block consists of two 10 by 10-inch B.C. fir timbers, the bottom one 25 feet, 10 inches long, the top one 24 feet, 8 inches long. These were held back by three-quarter inch twisted cables, one on each end, and a tightening twist was held in place by means of a steel some

4 feet long. The cables were 19 feet, two inches apart.

And so on.

There is nothing that I have in any information and I would like to know where you indicated that this was a mere two by four rather than 10 by 10.

Mr. Martel: I did not. I said it was cracked, the 10 by 10. For some months there had been complaints about the fact that one of the 10 by 10's was broken and in order to repair it the company simply put a two by four up against the crack and wrapped some wire around it. This is what I objected to, that the company had not seen fit to replace the broken timber. They simply put a two by four up against the crack and wrapped some cable around it, and this is what I was objecting to.

Hon. A. F. Lawrence: Well, there is a reference to that in the engineer's report. It says:

> The ore dump had been built during the latter part of December, 1967, and had been used almost daily since the first of the year. During the winter season a scoop train had been used to clean the area and in some manner the blade of the machine had engaged and cracked the top of the 10 by 10-inch top block timber.
>
> At that time it was rapaired by nailing three by six inch spliced timbers over the crack on the top and on either side. These spliced timbers were heavily nailed in place. The two remaining cables were anchored by two large boulders, one on each cable, weighing from five to seven tons and secured in a wrap-around system similar to that used on the two 10 by 10-inch timbers.

Now are you indicating that the jury finding was wrong where they said the truck went over?

Mr. Martel: No, not at all.

Hon. A. F. Lawrence: Are you indicating that through some negligence on the part of the legislation or the inspection by the safety engineer that the man went through the timbers instead of going over it?

Mr. Martel: All I am saying, Mr. Chairman, and the whole point I have been trying to make for a year-and-a-half now, is that when conditions are found to be faulty they are not corrected, the company never rectifies these situations. It is always a battle to make this company take the necessary steps to repair the damage properly.

Hon. A. F. Lawrence: Did he go over the timbers or did he go through them?

Mr. Martel: He went through them, he went through them with a truck.

Hon. A. F. Lawrence: The jury said he went over.

Mr. Martel: How could he go over the top of timbers this high? The only point I am making here, Mr. Chairman, is that you led this House to believe that he ran over someone, and you will recall last September in your visit to Sudbury—

Hon. A. F. Lawrence: Oh, well then if I left that impression I was wrong and I apologize. There was certainly no other person injured as a result of this accident.

Mr. Martel: Well if the Minister will recall visiting in Sudbury last fall they were very upset about this particular set of statements with respect to the two inquests that were referred to.

Hon. A. F. Lawrence: Oh no, if I remember rightly the complaints that came to me were why did I indicate he had been drinking. And I said that the information I received was that he had been drinking. That was the point that they were upset about in my mind.

Mr. Martel: No, I was not upset because I do not think anyone should go to work drinking at any time, even in here.

The next bit of information where I think the Minister is being misled is with regard to the monitor which I questioned him about some weeks ago. I have a letter directed to his predecessor. When the union in question first offered to buy a monitor I asked the Minister why The Department of Mines had refused.

Hon. A. F. Lawrence: Never refused.

Mr. Martel: Well, he has a copy of the letter from Mr. Falkowski some time ago on this, but there is also—

Mr. G. Demers (Nickel Belt): Not him too.

Mr. Martel: But there is also a letter from Mr. Valentine on this same thing and I will quote just a little bit of it:

> Once again on February 8, 1968, the steelworkers have met with Cabinet Ministers and other representatives of the provincial government in an attempt to get

them to take immediate action to clean up the unsafe and unhealthy conditions at the INCO operations in Sudbury.

The Steelworkers delegation, comprising Ken Valentine and Paul Falkowski met with the then Minister of Mines, Mr. Brunelle; the Minister of Health, Dr. Dymond; the Minister of Labour, Mr. Bales, and their advisors. The steelworkers were accompanied by a group of observers including Jimmie Keel, Henry Martin, Wilf Reed and Jim Caster. The steelworkers' presentation lasted for nearly four hours and covered a variety of subjects ranging from the inadequacy of The Mining Act to the problem of heavy fog encountered periodically between Sudbury and Copper Cliff.

It was pointed out to the government representatives that some employees, notably the stationary engineers, cannot leave their work position.

Then I go on to the paragraph I am talking about:

In the past the government at least acknowledged the *tlv's* did mean something, their position now seems to be that *tlv's* do not really mean too much. Besides that, the union's allegation of high gas concentration was questioned. The union in turn offered to purchase a monitor and place it at the disposal of The Department of Mines or Health within the INCO operation so that government could satisfy themselves as to the actual conditions our people have to work with. Needless to say, our offer was declined quickly.

So there is a second letter stating that The Department of Mines objected or refused to accept a monitor for gas—the point I am trying to make is that frequently I think the Minister means well but he is being misled. He is not getting accurate information.

I could make reference to this last visit he had in Sudbury when the Minister was advised that the company washed down the coal plant every Sunday. Yet people who work in the coal plant who were at that meeting indicated to the Minister this was not so, in fact for the three previous Sundays prior to his visit the coal plant had not been washed down.

So what I am simply trying to say here is I think the Minister gives the impression to the men that he is really interested in them and yet somewhere along the line, Mr. Chairman, because of improper information getting back to the Minister, the good that he does in this respect is destroyed because some of the information that is getting out is not what he should be learning.

This is the point I am trying to make. The accuracy of the information he is receiving leaves quite a bit to be desired and it gives this feeling of mistrust.

This is the point I am trying to make here so I can relate it with other matters that I feel are just as pertinent when and if we decide to discuss the great number of problems I have raised with the Minister in the past year.

My argument has always been with the Minister that regardless of the number of forms that are being signed—complaint form after complaint form after complaint form—the reply that comes back to us constantly is that the inspectors never find anything wrong.

Really, the men who are making these complaints cannot be wrong all the time. And this is what I have said to the Minister on many occasions, they have to be right some time, they are working in these plants. And yet the information that comes back to us regularly is that the men are never right, the company is always right.

You know, they work there, day in, day out. They must know what they are complaining about. They are willing to put their names down on documents, complaint forms; they sign these. They cannot be wrong all the time, Mr. Minister.

But the reports that we get back, I would say that 99 per cent show that the men are wrong, and, you know, the company knows this. And how can we ever expect conditions, safety conditions, to be improved with that company if they think that the Minister is favouring them.

Hon. A. F. Lawrence: At no time have I ever said that the company is always right. At no time have I ever said that the men are always wrong, or vice-versa, in either respect. Obviously, this is not so, and quite often the company is wrong and the employees are 100 per cent right.

However, it is a very, very, very strange thing that with Local 6500 at Sudbury, and I am beginning to realize it more now, there are a couple of divisions in there.

Now you bring up the question of the monitor. Today is a very good example in respect of the monitor. I received two letters from Local 6500 respecting the monitor—one signed by a certain Falkowski dated May 14, one signed by Homer Seguin, the president, dated May 14. Mr. Falkowski says, in effect, you

"blankedy-blank" Minister of mines, why don't you get off your "blankedy-blank" and do something, "blankedy-blank-blank-blank-blank".

The monitor is a good question—"why have we not heard back from you about the monitor? We have offered you a monitor and rah-rah-rah-rah-rah-rah!"

Mr. I. Deans (Wentworth): How do you get that in *Hansard*?

Hon. A. F. Lawrence: Really, really! I could show you a fairly vituperative, nasty letter. All right, May 14, same date, same letterhead from Mr. Homer Seguin.

Mr. Shulman: Mr. Minister, here is the letter—

Hon. A. F. Lawrence: Well, no, I agree with you, it is not as vituperative as some of the comments of the member for High Park to me, but—

Mr. Shulman: Why do you mislead the House?

Mr. V. M. Singer (Downsview): Everybody is a crook except Shulman. It is sickening.

Mr. Demers: That's right!

Hon. A. F. Lawrence: I get a very reasonable letter, and a very nice letter from the president of the local, saying to me, "We are glad to hear that you want to find out more about our monitor, that we have offered to the company". I have not got the letters here, I am paraphrasing. In effect, "can I come to see you to tell you what we have got in mind?"

Both letters, both dated Sudbury, same date and everything else, both arrived here on my desk the same day. Now, somebody somewhere along the line is getting their signals crossed. I said it last year, and I will repeat it here, this is the only local in which I have these very grave politically-oriented questions that get thrown.

Mr. Martel: It is the only local that is dealing with this company.

Hon. A. F. Lawrence: Homer said: "I am the president of the local".

Mr. Nixon: Who was the other letter from?

Hon. A. F. Lawrence: A man by the name of Falkowski who is an international representative of local 6500, isn't he?

What is he then? He is what? He is on the staff. He is not on the staff.

Mr. Demers: When he's not in Florida.

Hon. A. F. Lawrence: He is the safety director then, or on the safety committee, rather.

Mr. D. C. MacDonald (York South): Mr. Chairman, on a point of order, the Minister has just said that he got a vituperative letter, "rah-rah-rah-rah-rah-rah-rah-rah-rah-rah". Now just—

Hon. A. F. Lawrence: No. I had about four more "rahs" in there.

Mr. MacDonald: Okay. I only put half enough "rahs" in to satisfy the Minister and he has objected, but that can be noted in *Hansard*.

Let us, just for the fun of it, put this letter in *Hansard*, and you can come to your own judgment as to how vituperative and "'rah-rah-rah" it was.

Mr. Chairman: Is the hon. member speaking on a point of order?

Mr. MacDonald: Yes, Well, in the debate the point of order is—

Mr. Chairman: Well, perhaps, we should state that I recognize the hon. member's—

Mr. MacDonald: To continue: "The Hon. Allan F. Lawrence, Minister of Mines—"

Interjection by an hon. member.

Mr. MacDonald: Once again:

Parliament Bldgs.,
Toronto 5, Ontario.

Dear Sir:

Re. crushing plant, Copper Cliff smelter gas and dust concentrations.

To my dissatisfaction, the undesirable environmental working conditions in the crushing plant have not been corrected as of this date, nor does your reply dated April 17 deal with all the matters raised in my letter dated April 15, 1969. In regard to the information concerning the monitor, I have requested Mr. Homer Seguin, President of local 6500 USWA, to contact you. As I have mentioned earlier in my correspondence with you, sir, that on February 8, 1968, our union offered to supply an automaticaly operated monitor to detect accurate readings of gas concentrations.

Our offer was rejected and valuable time to collect accurate, acceptable readings to

everyone concerned has been lost, but the gas and dust concentrations in the crushing plant with prevailing winds are still present and the men are not able to wear protective devices while performing heavy manual labour.

Therefore, I am asking to be advised; one, for what reason was my offer to supply the monitor to The Department of Mines rejected; two, should the employees involved leave their working area and go to an acceptable location in the event the gas concentrations exceed the threshold limit value.

I hope to hear from you and remain, yours very truly, Paul Falkowski, USWA, Local 6500.

Hon. A. F. Lawrence: Now that is a vituperative address. This Minister has become so sensitive he is really in a bad way. I thought that was vituperative bearing in mind that under the very same date from the president I get a very conciliatory letter saying to me, acknowledging, that no rejection of the monitor was made by any means.

I have written back to them, and I have written to the hon. member, saying to him, we are looking at the whole picture. We want to know more about the monitor. How can we find out what you have in mind about a monitor?

I have a letter here, April 30, to Mr. Martel, asking Mr. Martel to inform them, no, I guess they have not been asking him to inform them, but indicating that we want to know more about the monitor they have got in mind. They know that I want to find out, and this is really the first answer I have had from them on it. Granted they have not had much time to digest it either, and my replies are sometimes a lot slower than that, so I am not indicating this. But this is the first reply I have had from anyone saying, o.k., we will be glad to come down and discuss it. I welcome this.

This is a partnership. We have to work hand-in-hand on it. but the tone of the letters from a portion of these people is certainly galling, I can tell you.

Mr. Martel: First of all, let's get this straight.

Interjections by hon. members.

Hon. A. F. Lawrence: By the way, how did the hon. member get a copy of that letter?

Interjections by hon. members.

Hon. A. F. Lawrence: And is there a denial now that there are political influences to bear here too, where you people get—

Mr. Martel: No, we get money from—

Interjections by hon. members.

Mr. Shulman: This letter was sent to various members of this body, including one Elmer Sopha, MPP for Sudbury. Unfortunately, he has not been here to speak for his constituency. I'll read the whole list if you like. The Hon. Dalton Bales, Minister of Labour; Doctor E. Mastrometal, director of the Environmental Health branch; Mr. A. F. McArthur, executive assistant, Workmen's Compensation Board; Elmer Sopha, and—

Interjections by hon. members.

Mr. Chairman: Order!

Will the hon. member for Sudbury East please be seated. The hon. member for High Park had risen on a point of order. He proceeded to read a letter to the hon. Minister and the hon. Minister asked him a question and that is the reason he read the list of names to whom the letter was sent. The hon. member for High Park was perfectly in order. The hon. member for Sudbury East.

Mr. Martel: Mr. Minister, we are not criticizing you. What I started out by saying—

Interjections by hon. members.

Mr. Martel: The hon. members from the right have nothing concrete to say. What I am saying, Mr. Minister, is that you have been misled too frequently. This is the point we are making. And if you want to know why United Steel in Sudbury seems to be so radical—if that is what you want to call it, well, disturbing then—

Hon. A. F. Lawrence: Call it politically-oriented.

Mr. Martel: No. I do not think so. We are dealing with a company that refuses to move on anything. It is the only union dealing with INCO. Now, the Minister knows full well what it is like to deal with the International Nickel Company. They do not care about anyone. All the decisions involving this company are not made by the staff in Copper Cliff or in Toronto.

The decisions governing that august body are made in New York. They do not even sweep the floor without getting permission from New York. They could not care less about pollution. They could not care less

about the men. The thing that they have in their head is profit—and the more you can make the better it is.

It is interesting, Mr. Chairman, that last year for the first time after we had so much kerfuffal about the International Nickel Company, they saw fit to send the president from New York to speak to the people who were getting their 25-year pins. The president, for the first time, spoke the whole evening on safety. Then he went into the smelter and told some of the shift-bosses.

They came back and told me what he said: "Do not forget, safety is important. But productivity comes first." That is the reason, Mr. Minister, there are so many problems in that company.

The only thing that counts is profit! People do not count. The environment in the Sudbury area does not count. But profit does!

Hon. A. F. Lawrence: I am not going to defend INCO. INCO can defend itself.

Mr. Martel: They do a pretty good job of ignoring the government and everyone else.

Hon. A. F. Lawrence: They do not ignore the government.

Mr. Martel: So I can leave this, Mr. Chairman. You have been misinformed by this talking about the coal plant. You are misinformed by the company.

I can give you all kinds of examples where other Cabinet Ministers have been misinformed. You know you are not alone in dealing with this company. They have misinformed every Cabinet Minister that has dealings with them. The Minister of Energy and Resources Management, I shall show you all kinds of cases where there has been misinformation.

Hon. A. F. Lawrence: You might as well listen.

Mr. Martel: It is high time that the government took action against this bunch of birds, and made them realize they have responsibility to the people here.

I would like to get down to some of the problems involving this company. I would like to deal with points that I was contradicted on last year by the member for Sudbury, who told me that this was the safest company in Canada—the safest mining company.

They did not force the men back into work after they break themselves, but the interesting thing about this company, Mr. Chairman, is that once they get injured they are coerced into going back to work.

Mr. Knight: What would Sudbury do without them?

Mr. Martel: Oh, do not give me that.

Mr. R. Haggerty (Welland South): Mr. Chairman, on a point of order, I think the member from Sudbury is misleading the House on many issues here tonight.

An hon. member: It is a fair argument.

Mr. Haggerty: I know, I happen to represent an area that has a smelter company, International Nickel Company in Port Colborne. Men that are injured often do go back to work, but they sit in the change house and do nothing, but again I have investigated this, and this is an agreement with the union. If the union does not want to go to bat with these men, which they should do—

Mr. Deans: Prove it.

Mr. Haggerty: I would not be standing here tonight talking like I am if I had not got proof.

Interjections by hon. members.

Mr. Chairman: Order! The hon. member for Oshawa has a point of order.

Mr. C. G. Pilkey (Oshawa): I want to make a comment on this point that the member raises in terms of Port Colborne. When people go back into the plant, even if they sit around and do nothing—

Mr. Chairman: What is the point of order?

Mr. Pilkey: I want to talk to that point of order. What happens is that the company are the people that bring them in, and if they refuse to come in, they would not get any compensation—

Interjections by hon. members.

Mr. Pilkey: That has nothing to do with the union. Do not hand me that stuff.

An hon. member: What are you talking about?

Mr. Chairman: The hon. member for Sudbury East was speaking about mine inspection—

Interjections by hon. members.

Mr. Chairman: We are speaking about mine inspection now.

Mr. Martel: Were we not dealing with mine safety?

Mr. Chairman: Mine inspection. We are dealing with vote 1303—order please—under three separate programmes, the first of which is mine inspection.

Mr. Martel: Mine inspection! Can we not attend to all three Mr. Chairman? All in one?

Mr. Chairman here is a prime example. I knew what I would get from that side of the House, so I had some of the men write me letters. I want to read into the records a letter from a man who has never worked.

I know what to expect from you people. Anybody who straddles the fence like the Liberals do Mr. Chairman, who could flop either way depending on the wind—

Mr. Chairman: Order!

Interjections by hon. members.

Mr. Chairman: Is there anything further under the programme of mine inspection?

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Martel: Mr. Chairman, because I knew what to expect I had some of the men who were injured write a letter. Here is a typical letter: To whom it may concern:

> I the undersigned was injured on November 8, 1963.

It is interesting, Mr. Chairman, this man has not worked, since he got injured. The company that led the attack on him before the compensation board, was the International Nickel Company, and he had worked 21 years for this company, "While working on the 2,200 foot level, at Garson, I was asked to return to work, and I was advised I would not have to work at all."

Hon. A. F. Lawrence: I really do not want to interrupt any plight of specific instances that the hon. member may have, but I would really suspect, sir, that these relate far more to workmen's compensation board records than they do in respect of mine safety. I would respectfully suggest, sir, that unless the hon. member is indicating that these accidents came about as a result of a flaw in the mines safety legislation, that really they would be far better discussed under the appropriate vote in the estimates of the Minister of Labour (Mr. Bales).

Mr. Chairman: The hon. Minister is quite right, we are dealing with mine inspection. I do not believe that the reading of the member's letters relating to compensation or compensable accidents should have any relationship really. I have not heard the hon. member so far read completely any letter in this respect, so if he will proceed, and bear in mind that we are not dealing with workmen's compensation, but mine inspection.

Mr. Martel: I am not concerned about the workmen's compensation bit at all, Mr. Chairman. I am concerned that a company who just last Tuesday put a full page spread about how safety conscious they were to keep its record intact, forces the men, coerces the men, to go back to work. They broke their leg, the day after they broke their arm, the day after they had been seriously injured—this is mine safety—it has nothing to do with compensation.

Hon. A. F. Lawrence: No. But, Mr. Chairman, surely it has got something to do with compensation, the hon. member is talking about the company's safety record, this is in relation to the safety record of the company in respect of the rate payable under the workmen's compensation board. I mean, he can bring out all sorts of letters and statistics, sir, and individual cases he may want, they may be perfectly correct, they may be perfectly true, but there may be a wrong emphasis placed on these matters by the hon. member. We have got nothing to do with these things. If someone is injured and applies for compensation or something like that, we have no record of this.

I am sure that what the hon. member is searching for here is a grain of truth in relation to these matters. He would like to have the appropriate officials and the appropriate Minister in front of him so that he can either give him blue blazes, or the Minister himself can turn around and give a corrected version of the facts.

You have me at a real disadvantage. This department has absolutely no jurisdiction or records or facilities or people when somebody is injured in relation to them getting compensation or being medically treated; or in anything of that nature.

Mr. Martel: I am not concerned about compensation but I am concerned about safety. The safety records that this company boasts about which, when I raise issues in this House or through correspondence with you, 99 per cent of the time, I get the same reply. Your inspectors have inspected and they

have found nothing wrong and the safety record that the company presents to them is a beautiful safety record—a million hours here with nobody injured. Yet we know that every day men are being injured in that company and it is being covered up. It is being covered up by putting them in places like the one in Garson, called "Hernando's Hideaway." They bring them in in taxis and somebody punches the clock for them even, and they are taken over to "Hernando's Hideaway" and they are hidden there so that the men do not see them.

We know it is going on day in and day out. This is why I just took seven or eight from the union files of the type of injury that is being sustained every day and there is never a record showing it. It destroys this whole fallacy that the International Nickel Company has a good safety record. They do not, and it is time your inspectors started to find out what is going on in that ruddy company. I have not been able to prove it through a barrage of letters and the same negative response I get all the time. There is nothing wrong; everything is good up there; but it is not and it is high time it changed; it is high time your inspectors found out what is going on from day to day in that monster.

Hon. A. F. Lawrence: I have never said it is all good.

Mr. Martel: I am not saying you have. Again it comes back to my initial point. You are constantly being advised that things are being found in fairly good shape and this is not true.

Mr. Knight: Where is the union?

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Martel: Mr. Chairman, I can just read a couple of these to show the type of injury that is going on.

Mr. Waslyenko, March 27, 1968, broken left foot. Back to work on light duty on March 29—two days later he was back to work.

Mr. Chairman: Is this a point the hon. member is making? Because this has nothing to do with mine safety.

Mr. Martel: It has everything to do with safety because you cannot find anything wrong.

Mr. Chairman: Order! The hon. member recited to this committee the fact that a certain individual was off work and back to work the next day—that has nothing to do with mine safety. If it has he has not related it.

Mr. MacDonald: Mr. Chairman, perhaps I can convey it to you and to the Minister if he has not got it. What the hon. member for Sudbury East is saying is that men are being hurt day in and day out because there is not adequate inspection. We do not have a record of the accident because the man is sent back and back in Hernando's Hideaway or somewhere else.

We are not going to argue about the workmen's compensation board, because the record is not in the workmen's compensation board. What they want to do is to get at the root of the trouble and the root of the trouble is inadequate mine inspection.

While I am on my feet, let me make a comment. The hon. member does not need any help, but let me make a comment that ties this debate with previous debates. The mines inspection branch has been a kept organization. We have plenty of evidence of that down through the years.

Every time there was a complaint, International Nickel knew the inspectors were coming in. Indeed, we have faced your predecessor—I am just telling you what it was like before you got there—we have faced your predecessor time and time again with evidence of how suddenly something began to happen, and it happened so consistently that the men knew there was going to be an inspection. They were obviously rolling out the red carpet. In short, there has not been an arm's length relationship.

Hon. A. F. Lawrence: This has not been happening lately.

Mr. MacDonald: Whether it has been happening lately or not I am not in a position to vouch for, but I am willing to listen to the hon. member for Sudbury East because what he is doing is bringing a situation up to date.

Just let me conclude my intervention this way. I agree with the hon. member for Sudbury East that this Minister is attempting to do a job—

Hon. A. F. Lawrence: Flattery will get you nowhere.

Mr. MacDonald: I am not trying to flatter you. You are attempting to do a job, but

the record of the Mines Inspection Branch has not been a record of doing their job because quite consistently the company knew that they were coming in. There is just too much documentation for that to be dismissed. Whether that has changed it is a little too early to say. Perhaps if we hit the issue and hit it hard here it will change. Perhaps we will persuade the Minister and he will see that the whip is cracked and make some changes, if necessary.

Mr. Chairman: If I may just speak to the point raised by the hon. member for York South, as the hon. member for Sudbury East was on his feet speaking he simply read into the record the fact that a certain individual had an accident and he returned after a period. But then the hon. member concluded his remarks and went to go on to another letter. Now he did not relate the fact that the man went back to work with any matter. If he would carry on his remarks to show the relevancy perhaps he would be in order.

Mr. MacDonald: Mr. Chairman, he did it before. He said he was not arguing compensation, he was not interested in compensation, what he was trying to prove to this Minister is that accident after accident takes place but it is hidden because there is no record of it. But the accident takes place because we do not have adequate mines inspection.

Mr. Chairman: If the hon. member for Sudbury East will put it that way it will be in order but he was not doing it.

Mr. Knight: Mr. Chairman, may I speak to the point of order raised by the hon. member for York South?

Mr. Chairman: You are speaking to a point of order?

Mr. Deans: There was no point of order.

Mr. Knight: I would simply like to rise to support the right of the hon. member for Sudbury East to bring this matter up. The facts that he states are—

Mr. Chairman: This is not a point of order. I did not dispute his right. I directed the hon. member in the manner in which he could bring it out so it would be in order.

The hon. member for Sudbury East.

Mr. Martel: Thank you, Mr. Chairman. I apologize if I did not put it as refined as my leader was able to do it.

I could go through a whole series, Mr. Chairman, but I would like to read just one more and we will leave that portion. Mr. Joseph Campas—date of accident, March 17, 1968, injury broken left wrist—back to work March 19, 1968.

These do not appear on the record against the safety record that is there. This is my complaint as it is with a great amount of material the Minister knows I have before me because he has the same file—I saw to it that he got it. The inspection leaves a great deal to be desired.

I would move on to another field—and the Minister was very helpful several weeks ago when he suggested that his inspectors, if notified, would come into the plant if the men complained about excessive concentration of gas. The unfortunate part, Mr. Chairman, is that the second a man goes to phone your inspector to ask him to come in and inspect the quantity of gas that the men are being subjected to, INCO immediately opens the flues and then it is all gone by the time he gets there.

Hon. A. F. Lawrence: In all fairness, I do not believe it is that simple for them to get rid of smelter gas. It is simply not that simple to change those procedures so that the stuff does not get produced, or to get rid of it that quickly. You just simply cannot do it.

Mr. Martel: They can clear that plant of gas in half an hour—and they do it. They do it time after time.

Hon. A. F. Lawrence: I have mining engineers that tell me that is not so, so—

Mr. Martel: Well I have the record of 16,000 employees who work there regularly and who say it can be done and done very, very quickly.

Mr. Shulman: Come in with me on my next trip.

Hon. A. F. Lawrence: Do not make a great fetish of this one trip you have made up there, for heaven's sake. You come along with me some time.

Mr. Shulman: I would be delighted. Is that an invitation?

Hon. A. F. Lawrence: No, it really is not.

Mr. Martel: Mr. Chairman, I spent one year of trips into the smelter. I know what it is like.

I would like to move on to a couple of other points dealing with safety, and a couple

of cases, because we have had the argument again, Mr. Chairman, that the gases are not injurious to the employees. Is it safe to talk about this?

Mr. Chairman: Yes, if it has to do with mine inspection safety it will be in order.

Mr. Martel: It has to do with safety. Unfortunately they are compensation cases but I am not relating them to compensation, I am relating them to the fact that the gas does affect the men very adversely. Again there has been a great denial. The Minister of Health denied it. You know, there is real knowledge of men suffering as a result of excessive concentration of gas in the plant and this certainly is safety.

I have two cases before me, one dealing with a man by the name of Vic Akkanan, who suffered poisoning as a result of working too near it. I will just read it:

Mr. Akkanan was a fitter's helper—

Hon. A. F. Lawrence: Would you mind telling us what it is you are reading from?

Mr. Martel: I am reading a statement from the summary of information gathered by the United Steelworkers and then I will read some material from the workmen's compensation board and some of the doctors involved.

Mr. Akkanan, at the time of being exposed to gas, was working the four to 12 shift. He was on the job of changing blank about 8.30 in the evening and blank had to be changed from the No. 2 scrubber line to the No. 1 scrubber line. The temperature of the gases in the line at the time was about 120 degrees and the pressure on the line continuous.

The procedure for doing this is you loosen the bolts on both flanges—and they are 16-inch bolts—and remove half of the bolts from each one to enable the removal and placing of blank. The job takes about 45 minutes under normal conditions, with light and a blast of air blowing. On this occasion, however, the conditions were bad. There was no light and there was no adequate supply of air. The kiln pressure was one and a half kilos.

Mr. Akkanan had been assigned to be a helper to a man by the name of Ignace. Ignace went up on a platform and began to work on the No. 2 line, loosening the flanges, while Akkanan stayed below. After about 15 to 20 minutes, gas began to escape and Ignace came down and Akkanan went up to resume. As a rule, the workers have to alternate because of the lack of space and because of the bad conditions there and these conditions include heat, gas and so on.

Mr. Akkanan worked for about ten minutes and all this time the gas was escaping under pressure from the flanges. Ignace stayed in the doorway holding a sheet of plywood, trying to divert a stream of air on Akkanan. He said he felt no air on himself. This is according to Akkanan's own testimony. After about 10 minutes he came down for fresh air and he knew there was gas present, he could smell it; he went outside to cool off and to get some fresh air. But he felt very tired, slight dizziness and weakness. After 10 minutes of exposure, his breathing was very hard. He stayed outside below this area for about 20 minutes and the gas continued to blow out of both joints all this time.

Ignace also stayed below all this time and finally went to get something. Akkanan went to work again and probably worked about another 15 minutes, but he does not remember. He went down for more air. Every time he went down for more air, he got weaker, shakier and felt very bad.

He felt as though his supper wanted to come up. His head began to ache, he started to sweat, his heart was pounding and he was extremely weak, his hands and knees shaking and he started to breathe faster than normal. And even the breathing became painful. He does not remember too much on how he finished up the job.

He figures he saw somebody with a Scott airpack about five to ten minutes before the job was finished. When he finished, he thinks he brought the tools down insofar as he can remember, but he is not sure about that either. Then he went outdoors for more fresh air. He did not stay out too long because it was fairly near quitting time, about ten o'clock, and it was getting colder. He felt lousy and had a great deal of pain in his head at this time.

He wanted to go home and the shift boss coaxed him to say for another shift, guaranteeing him there would be very little work. The shift boss's name is immaterial. Now, Connelly, the supervisor on the 12 to eight shift, who knew how Akkanan felt, sent him to the doctor right after shift in the morning. At the end of the shift he felt the same as before, lousy, headachy and so on.

Finally, two days later he went to see the doctor. Now, he was exposed to carbon

monoxide in this case. It is very difficult to establish a claim for this man because, although he had 25 per cent carbon monoxide hemoglobin, the doctor said he got it somewhere else.

Hon. A. F. Lawrence: Well, this was not a company doctor?

Mr. Martel: Just a report of his physician. This is the summary of information.

Hon. A. F. Lawrence: They can and do go to their own doctors or the union doctor.

Mr. Martel: Yes. He received some compensation for the first little while, but thereafter none. But it is interesting that they are so surprised at this high hemoglobin count of carbon monoxide. But try to establish a compensation claim—the fact that the man gave a report and so on.

Hon. A. F. Lawrence: Oh, now we are getting back on to the compensation. I cannot deal with that.

Mr. Martel: All right. I am concerned about the gas, forgetting the compensation completely.

The next case is of Dominico Natali, who—because of exposure to high concentrations of gas—experienced severe nose bleeding. And I read his statement to the compensation board.

Hon. A. F. Lawrence: Well what was the decision of the compensation board first of all?

Mr. Martel: He got paid. Because he had to end up with blood transfusions and so on. Again it is indicative of the suffering these men are going through—not just from SO_2 but from carbon monoxide, ammonia—everything that is in there. Everything in that plant is terrible. What frustrates me, Mr. Chairman, is that no one finds it.

Hon. A. F. Lawrence: What is the date on that?

Mr. Martel: This is May 9, 1968. That is not very long ago. The point is that nobody ever finds anything wrong in there. But it is there. I worked there for a year. I mean, the Minister's inspectors can kid him—if he does not mind the expression—until hell freezes over. But I worked in that plant for a year and I know that one of the reasons I left was the filthy conditions and the fact that I could not keep a lunch on my stomach.

This has to stop. It has to stop right away, because there are maybe 10,000 employees who are exposed to this. It is the same, Mr. Chairman, as the argument about the crushing plant. We know there is no gas in the crushing plant. It is not produced there, but it is all over this plant. If the wind is from the south and it is a humid day, we know that the conditions in that plant are going to be deplorable. And this is not a plant with a few men, as the Minister well knows. This is a plant with thousands of men in it.

Hon. A. F. Lawrence: We went into all this last year. I indicated to the member that I am not happy about it, but what is the alternative? We cannot come up with an alternative at the moment. The member cannot come up with an alternative at the moment. The company cannot come up with an alternative. There is one alternative, all right. There is one alternative—and surely to goodness nobody in their right mind would indicate to them that they have to close down.

Mr. Martel: Not close down.

Hon. A. F. Lawrence: All right, if the hon. member can give us a sensible alternative right now for them to stop what they are doing, I would be glad to hear it. I have asked the member this before.

Mr. Martel: Well, I can name several. First of all, I think the Minister agrees with me that most of their equipment is obsolete.

Hon. A. F. Lawrence: No, I would not say most of it.

Mr. Martel: A good portion of it, let us put it that way then. That is one of the problems. Secondly—and more fundamental—I have asked the Minister on more than one occasion to instruct the company that, if the men demand a gas test, if they feel the concentrations are too high, that a gas test be taken right in front of the men. And if the gas count is beyond five parts per million, they do not work in that part of the plant that day. And I guarantee the Minister, Mr. Chairman, with this sort of move that company would clean up, because they could not afford to go on in the way they have been going on in the last 35 years—because parts of the plant would be closed down all the time, and the onus would be on them, then, to find a replacement. They would find it in a hurry if they knew that the men could leave that portion of the plant where the gas concentrations were beyond the safety level.

Hon. A. F. Lawrence: Well, I think a far better way of looking at that particular prob-

lem is the one we hope to get going before very long—and that is a constant monitor.

Mr. Martel: I certainly agree with the Minister on that. That this is going to go a long way to prove what type of gas concentrations are actually there—and I think once you have this information, the company will move without you saying a word to them. This company is not going to move until somebody says something, there are no two ways about it. They continue to dump—

Hon. A. F. Lawrence: I have indicated to them—I have indicated right on the floor of the House here—that I do not think the conditions in that plant are as good as they should be. I have said it right now, and I say it again.

Certainly it should be cleaned up. The question is whether it can be cleaned up, and I do not have the technical knowledge and background to indicate what changes should be made in it. Quite frankly, I do not think the union does either, and I do not think the hon. member does. If he does, let us hear it.

Mr. Martel: Mr. Chairman, I would suggest to the Minister that one of the first bits of improvement has to be some new furnaces, and I think the Minister agrees there. The furnaces came over on the *Mayflower*.

Hon. A. F. Lawrence: Which plant are you talking about?

Mr. Martel: At INCO, the ones that all the gas escapes from. Not the new one. Not the one that was put in two years ago.

Hon. A. F. Lawrence: Well, even that—

Mr. Martel: They cannot get that one to work right. But if the Americans are going to set a man on the moon in the next two months, there is no reason why they cannot clean up that plant if they really set their mind to it. You know, if they spent more money there instead of putting phony advertising about their safety record, and what they are doing about pollution, and their "rye on the rocks."

Hon. A. F. Lawrence: Oh no, no. Do not get on that please, because I am hitting them every day to improve their public image too. I do not know why they cannot do both.

Mr. Martel: I would like to go on now, Mr. Chairman, to a point that I discussed with Mr. Smith at some length some time ago.

He was, I think, in agreement with me that we now have to come down with some type of policy that is binding with respect to safety glasses and helmets.

I have here a pair of safety glasses which a constituent of mine was wearing. One lens is full of scratches and the other lens is missing, and so is the man's eye. Now, as I understand it, every scratch on the surface of this safety lens tears down the resistance, and I think we have to come in with a very tough policy, because men are not aware of this, that every scratch breaks down the resistance, and they are very sure of themselves when they have these glasses on.

They are also very careless with them. I am not taking their side. They are very careless, they also throw them around, and unaware that by the time they reach this number of scratches, the glass is virtually useless.

The interesting thing about this pair of glasses, Mr. Chairman, having taken them to three different companies, is that the frames belong to one company. The company says it is not their lens, and the sides have been added to them to make the glasses look good.

Hon. A. F. Lawrence: You are leaving me behind. What is the point of that now?

Mr. Martel: Well, they try to make these glasses appear very useful.

Hon. A. F. Lawrence: Who is "they"?

Mr. Martel: Well, the company, Buttazzoni and Sons, who gave these to this Italian lad, just out from Italy. He wore them for one day and while hammering against a cement wall they were breaking down, a chip flew off the wall and pierced the glass and took his eye out.

He had received these glasses one day. A company was handing out a set of glasses in this condition, Mr. Chairman, and we cannot have men thinking that these are safe, or having them built up to appear as though they are new.

We have to come in with some type of tough policy that men be educated to what the dangers are, and to try to get them to protect their own glasses, to wear them, and to replace them, even if they have to pay for them.

At this point I could bring in the safety helmet aspect too. We must get a good deal more pounding from the department that after a certain period of time, they too lose their safety factor, which most men are not aware of.

The men tie them up with wire, and what-not, and the mesh inside becomes rotten, and they think they are wearing a safety helmet and they are not.

I think we have to start to improve the safety regulations with respect to safety equipment so that the men who think they are being protected become aware that after a certain period of time there is really no protection as was the case with this man, as there is the case of many men wearing helmets which are of really no value to them any longer. I would like to hear the Minister's comments on this portion.

Hon. A. F. Lawrence: If the facts are as the hon. member indicated I would agree with him.

Mr. Martel: Would the hon. Minister be willing to introduce legislation with respect to safety glasses?

Hon. A. F. Lawrence: I think the legislation is there now. I think we have the standards there now, and it is a question more of education than anything else. But on the other hand if the company is handing out glasses in a condition that are not safe, then maybe there should be a few more prosecutions.

Mr. Martel: Well, in the case of this man—

Hon. A. F. Lawrence: It is a two-barrelled thing. It is not only educating the employees, I think it is going after the company to make sure that glasses in an unsafe condition like that are not being handed out. Is that not right?

Mr. Martel: Yes, I agree with the Minister, because this Italian, I do not know where he is going to work now. He has only one eye, and has difficulty speaking English, and interestingly enough, he cannot claim any insurance. There is a $5,000 insurance policy with glasses like this. But in the fine print, it says if there are any scratches, then you cannot collect. A company buys a blanket policy and no one ever collects.

Hon. A. F. Lawrence: Well, I suggest to you that it is time the union negotiators got busy on that one then, is it not?

Mr. Martel: Well, I have taken this to one of the finest lawyers and he says there is just no way of breaking this one.

Hon. A. F. Lawrence: I am talking about the future.

Mr. Martel: Well, there are a few other points. I am wondering if the Chairman will let me get down now off this for a moment, and get to Mr. Dreisinger's report.

Hon. A. F. Lawrence: Well I wonder, could we not finish? Other members are anxious to get into the mines inspection thing, could we not finish and you sit down and have a rest while we go on?

Mr. Martel: I will get a recharge here.

Mr. Shulman: Mr. Chairman, on mine safety. The hon. Minister has suggested that no one knew what the solution was to the problem at the INCO plant.

Hon. A. F. Lawrence: Well, I should have corrected myself. I wonder if the member for High Park knows what the answer is?

Mr. Shulman: Well, perhaps if the hon. Minister had taken the trouble to ask me I could have saved him a great deal of trouble because there is a solution, and it is not just me that knows the answer.

If you had taken the trouble when you were having your little wrestling match with Texas Gulf Sulphur and asked them, they could have told you. Because when I was up going through the Texas Gulf Sulphur concentrator two weeks ago, I was overwhelmed by the cleanliness of this particular plant, as compared with anything at INCO. You could literally run your hand across the floor and not pick up any dirt. And this is a great huge place.

Mr. R. F. Ruston (Essex-Kent): They must have known you were coming.

Mr. Shulman: This could not have been cleaned up for this one trip. The place is a spotless plant, I do not think there is any question about it.

I was reaching up in all sorts of remote places to see if it was like that everywhere and it is. I was a little disturbed at the various implications of building the refinery in Timmins and I was wondering if we were going to have a pollution problem and a health problem as at INCO, and they assured me there would not be so such a problem if they decided to build the refinery there. At that time they had not made their announcement.

They said that these problems were solved years ago. It is exactly the same as they have no problem with fumes in the concentrators, similarly they have no problems with fumes in the refineries down in the States, and the

reason why is very, very simple. Mechanical and chemical means were developed way back in the forties, right after the war, to take all of these fumes out of the air and for the Minister to get up here and suggest—I hope jocularly—that nobody knows the answer is a little disturbing because I would hope that he knows the answer. If he does not I will be happy to help—I have just taken the trouble to invest $35 for suitable plans, Mr. Chairman, and I sent down to the United States to the company that builds refineries, the one in Nevada is the one I sent to—

Hon. A. F. Lawrence: Not a sulphide?

Mr. Shulman: It is a copper sulphide problem. And I would be happy to—

Hon. A. F. Lawrence: Not nickel copper?

Mr. Shulman: There is nickel there also—nickel and silver—that is where most of the fumes come from the sulphide compound regardless of what other metal is there.

Hon. A. F. Lawrence: Is it an electro process or is it a roaster process?

Mr. Shulman: It is a combination of three processes, but it cost me $35 and I wonder if the Minister would be willing to go half and half with me and we can go up to INCO and perhaps we might persuade them to make these changes which would—

Hon. A. F. Lawrence: I will do even better than that. If this book is one that we feel we should have in our library and we have not got it, we will buy it.

Mr. Shulman: Well, Mr. Chairman, because the Minister has indicated that no one knows the problem, I have decided I am going to make a donation to this department and I will bring that book down here tomorrow and perhaps we will get some action if the Minister will take the trouble to read the plans.

Hon. A. F. Lawrence: All right, but I should point out to you again, I am completely unknowledgeable of the technical details. My understanding is that there is a great wealth of difference in the processing methods and procedures in respect of these various ores. The process, of course, that Ecstall is going to put into effect at Timmins is completely different. It is not even a roaster process, and these things are quite different. You cannot compare Trail with it. You cannot even compare the Manitoba operations of INCO—I am told. Now maybe again I am being misled but—

Mr. Shulman: The Minister is not being misled in this particular point. I am sure you know Texas Gulf had a unique type of ore and they did research for a period of a year and a half to discover the best way to handle that ore, but these are not difficult problems. They are problems, but they are problems that can be worked out by the engineers in this field.

I find it disturbing—this is the only reason I got into this—for the Minister to get up and say nobody knows the answer. This is just not true, because the answers are known. The difference is that INCO does not want to spend the money. That is where the problem is and you are the one that has to put the pressure on them and make them do it. Nobody else can. The union cannot do it and we cannot do it. And all the publicity in the world is not going to make any difference unless you put pressure on them. That is what we are asking you to do.

On this very same subject, the member for Sudbury East mentioned cases of illness developing from air pollution. I would just like to add one more to this because this indicates the need for the Minister to take action.

This man's name is Bronco Tepuric and he worked for some years at INCO and developed, as a result of his work there, emphysema. This is a condition in the lungs where you cannot properly get your air. The doctor in Sudbury gave him a certificate stating that, in his opinion, this emphysema had developed as a result of working in the INCO plant.

Now I do not wish to go off on the compensation side issue. The only point I wish to make is that when this case came up before the compensation board, INCO—rather than pay this claim—sent three high-priced lawyers down to spend days and days in Toronto fighting this man's case.

This is INCO's attitude. Do not pay compensation if you can possibly help it; do not give these men the medical aids they need; do not even admit the problem exists, because if we admit that Bronco Tepuric was poisoned by the fumes, we are going to have to admit that all these other people are being poisoned by the fumes.

Now the answer is not going to come from INCO. And it is not going to come from the Compensation Board, or the Minister of Labour. We are well aware of that now. There is only one place it can come from and I do not mind giving a kudo when it is deserved—you are the one who can do it.

Here we have one of the few intelligent members in the Cabinet—we are aware of that, you are one of the very few who are willing to do their jobs.

Hon. A. F. Lawrence: A couple of weeks ago I thought you said I was one of the worst mines Ministers Ontario has ever had.

Mr. Shulman: Oh I never said that.

Hon. A. F. Lawrence: On the air? Oh golly —because I was going to reply in similar tones but I thought better of it.

Mr. Shulman: No, as a matter of fact I do not think I made that statement—

Hon. A. F. Lawrence: I have been told I had better get ready to duck.

Mr. Shulman: No, I have no hesitation in giving credit where it is deserved. He is doing a better job than his predecessors. We are not satisfied, of course, we want to go faster.

Hon. A. F. Lawrence: I thought I had achieved a level of notoriety being the worst Minister of Mines Ontario has ever had.

Mr. Shulman: Mr. Chairman, there are worse in that Cabinet, and there is no difficulty in picking them out.

Hon. A. F. Lawrence: You must admit that would have been an achievement?

Mr. Shulman: No, the Minister is doing a good job, but we want you to do a better job. There is so much more—and INCO is the blot in this province. They are willing to spend thousands of dollars to prevent men from receiving the benefits they should receive as a result of their poisoning. You are the only one who can force them to do it and that is why we are pleading to you. We know you have the ability. We know you have the muscle. For goodness' sake, step in there and do it.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Thank you, Mr. Chairman. Tonight there were perhaps some unkind remarks mentioned about International Nickel Company and I do not want to give the impression here that I am 100 per cent behind any of your programmes, but—

Mr. J. Renwick (Riverdale): You certainly are leaving that impression.

Mr. Haggerty: This is a report by the International Nickel Company—by the president, Stanley Wingate, president of INCO:

> We are concerned with environmental pollution and we must do our job and still meet with what society expects of us.
>
> Environmental pollution is an example. Mining companies have been accused of destroying lands, of poisoning the water and spewing fumes into the air. While those of us in the industry can directly point out that the effects of environmental pollution have not been fully understood, that there are numerous causes of pollution beyond industry, that public expectations change, that technology has not always been and may not be available to solve the problem, I think we must also concede that the improvement of practices of the mining industry has not always been sufficiently rapid.
>
> For the past decade for example our agricultural department has been experimenting with success, applying methods for reclaiming sterile mine tailings through the use of techniques for growing plants without soil. As a result, today hundreds of acres of tailing areas have been converted to pasture land and those who live in the vicinity are no longer plagued with dust storms—

So we can realize that INCO is concerned about pollution. It goes on further:

> We have recently announced plans to build a 1,250-foot chimney—tallest in the world, and approximately the same height as the Empire State building in New York —to serve our Copper Cliff smelter complex. The chimney, by hiding effective dispersion, will assure that the air in the Sudbury area will be clearer than that of any other industrial community in Ontario.

Then we come to the report by the Ontario Department of Mines on sulphur dioxide levels. It says on page 1, the introduction:

> Now as a result of INCO's announcement that they will construct a 1,250-foot stack at their Copper Cliff smelter, injury to vegetation from sulphur dioxide will eventually become a rare occasion, rather than a foregone conclusion.
>
> To say that no injuries will ever occur again from smoke emitted from the new stack we think is premature.

Mr. J. Renwick: One sentence out of a damning report about a future hope.

Mr. Haggerty: Well they are trying—let us put it that way.

A few weeks ago, Mr. Chairman, I was in Port Colborne visiting my brother's place. And looking across at International Nickel Company at Port Colborne there was a low cloud that hung—and I say it hung—about a half a mile long and perhaps a half a mile wide. But it travelled very slowly over the ground.

I have seen on many occasions where trees are burnt, crops are burnt, vegetables are destroyed, but I am concerned about the human part of it.

Mr. Martel: What have we been talking about the last hour?

Mr. Haggerty: Nonsense as far as I am concerned.

Mr. Martel: Yes, but you do not count.

Mr. Haggerty: I am concerned about the human part of this. What effect has it on persons outside the plant? What effect has it on personnel, persons employed inside the plant? Some 25 years ago I worked at INCO too and I will tell you it was not the best of conditions at that time—

An hon. member: It has not improved since.

Mr. Haggerty: But I will tell you this—it has improved 100, maybe, perhaps, 200 per cent.

Mr. Martel: Ask the Minister why they cannot get enough men in Sudbury—

Mr. Haggerty: That is your problem up there. But I am concerned about the human environments. Now I know that you have smudge pots, perhaps covering some seven miles southwest of the plant at INCO. I would like to know what the contamination level is that you take from these smudge pots. What damage do they have on human health?

I know of one case in particular, a farmer who used to farm east of Port Colborne. A member of his family became ill and the simple reason was that the contamination of the air from INCO travelled to their farm. His wife would come down with sores known as INCO nickel itch—that is the word that they use. Nickel itch, that is right. It is a serious skin disease.

But I would like to know—what about the checks you should be making on INCO in Port Colborne, the checks that should be made at INCO in Sudbury. When we go back to the McGillivary report—I think that came out in 1965—it was admitted that there were no regulations or standards as to the acceptable quantity of fresh air for ventilation in The Department of Mines. It says: "Periodical investigations are made" and then down further it says, and I quote:

> Counts are really spot checks taken at a series of working places in the mines. There is no standard practice as to how or when or where to take the samples. The government does not set any tolerable dust levels. Though in the past, it has used the standard of 500 particles per cubic centimeter set by the International Conference of Industrial Hygienists. In practice, the Mines Accident Prevention Association sets a much higher standard.

I think this is what the member for Sudbury East was trying to get through to the Minister, that there should be more checks, more inspection made into these plants.

Mr. MacDonald: I thought you said that what he said was nonsense?

An hon. member: Or the way he put it?

Mr. Haggerty: They way I put it, yes.

An hon. member: I did not say that.

Mr. Haggerty: But why are there not more inspections made? I know that persons come down with emphysema and other lung diseases and it is hard to prove who is at fault. But I know and perhaps you know, that the company is at fault. That many of these men, perhaps after 25 years' service, are put out into pasture with a pension of $60 to $85 a month, with no other income, no other income at all.

I know one of the first things—I have been informed by a patient in the sanitarium in St. Catharines—one of the very first things the doctor says is: "Have you ever worked at INCO?" There must be a reason for it. "Have you ever worked at INCO?"

I would ask the Minister if he would continue with more inspections around the clock, I think this is what is required, around the clock monitoring whatever equipment that you have. This is what is required in this type of a smelting company, not only here but perhaps other smelters throughout the province of Ontario. These men must be protected.

Hon. A. F. Lawrence: You have caught us right in a state of transition. First of all, this department has never been responsible for fumes outside the plant affecting human

life. This has always been, as I understand it —certainly ever since I have been around here anyway — the responsibility of The Department of Health.

Hon. M. B. Dymond (Minister of Health): Oh, no.

Hon. A. F. Lawrence: No?

Hon. Mr. Dymond: Only for the past two years.

Hon. A. F. Lawrence: In any event, it has not been The Department of Mines.

Interjections by hon. members.

Hon. A. F. Lawrence: My understanding was—and I stand to be corrected by my senior colleague here—that we were responsible for fumes affecting vegetation as far as the sulphur fumes arbitrator is concerned. Inside the plant, we are certainly responsible for the safety and health of the men. Therefore, we have interpreted this to mean looking after the fumes. There may be some question as to who is responsible for fumes outside the plant affecting human life. I have only been in the portfolio for a year, as my friend knows. If before that time there was some jurisdiction in The Department of Mines that may be, but certainly there has not been in my time.

Mr. J. Renwick: Not under the Act there is not. You are right.

Hon. A. F. Lawrence: I say quite honestly to my colleague that I had always thought that that fell under the jurisdiction of The Department of Health, but I may be wrong. In any event, I stand corrected. But at the moment we have also divorced ourselves of the outside plant vegetation matters as well, because the Act was passed this session changing the sulphur fumes arbitrator to The Department of Health and this is going to be in turn, transferred later on, according to the statement made a few weeks ago by the Prime Minister (Mr. Robarts).

I too have seen these clouds. I can remember 15 years ago working in the Timagami forest, up that far and seeing these clouds come over and come down and burn the evergreen, not the broad leaf plants, but the evergreens. I think that the situation is a lot better now than it used to be but again, it is not something that anybody can be proud of. I agree with this.

We have been talking here, for several months about the question of monitoring and how it is done. So when the hon. member pleads with me for more monitoring, we have been talking about this and as I said before in this House, I have been putting a lot of time over the last year, trying to find a monitor that would be acceptable to our standards and I hope at the same time, it would be acceptable to the union standards.

So far we have not come up with one. The union people are coming in to talk to me about what they think should be the standards and what they have in mind in respect of the monitors. So that we are progressing. It is pretty darn slow, granted we are moving but not very quickly. But believe me, the reason for it is the lack of technical knowledge on the part of everybody, as far as I know, as to how to really combat these fumes and what it is we are talking about.

The other things that I keep getting back to me all the time, are medical opinions from people—medical people within the government and without government—saying that so far there really is no statistical evidence available and very little circumstantial evidence available that these fumes ever, at any time, reach the level where they do damage to the human tissue, because the fumes—

Mr. Martel: What study has been done?

Hon. A. F. Lawrence: —because the fumes themselves are—I do not know the medical terms for it, I am sorry—but as I understand it the fumes themselves are so much of an irritant that do not cause damage. They will bring on nausea at a time, but they are still not harmful enough to do damage. These are some of the stories that have been told to me. I am not capable enough, quite frankly, of knowing whether they are true or not. But as I say, these opinions have come to us from both within and without government.

The hon. member I know, if he feels this emotionally about it, must be aware, of course, that there has been a medical statistical report commissioned within the government relating to this matter. So far, I have not seen that report or the results of that report. But we can find out just what the past histories of these men are. Nobody is trying, in government anyway, to keep any lid on anything, sweep anything under the rug, whitewash anything. This is not in our interest or anybody else's interest.

But just the same, sometimes a lot of very loose allegations are made. We have heard some of them tonight, quite frankly, that are one-sided and biased opinions only. Some-

times they come from people whose judgements we really do not have that much faith in.

Mr. Martel: Well, Mr. Chairman, I have had my rest so I can start again, even though the Minister is not going to believe it because it is too biased. I get the impression that is what he is saying. I would just like to straighten the member out on the tailings area. Tailings. The rye on the rock was quite an accomplishment. Give International Nickel credit for doing it. Of course, the dust from there entered the homes of the officials, and the day they showed the rye on rocks I asked them what they intended to do about Coniston. And I can assure the Minister that the answers I received were very vague.

Like, you know, there is a bad watershed there, and a bad water table, and they do not have a conservation authority, and it is pretty hilly so you cannot plant grass and a whole host of other reasons. I just want to straighten the member from wherever he is, out. The tailings is an accomplishment, but that was not the purpose. The survey was not to rectify the whole pollution problem in the area.

Hon. A. F. Lawrence: If you would permit it, I really did not get the connection. Are you indicating that there is a tailings problem in Coniston?

Mr. Martel: No, it is a vast barren desert where you could make the best moon movie in the world.

Hon. A. F. Lawrence: Right. You are talking about the vegetation problem again?

Mr. Martel: Yes, well, before I get into the vegetation problem I would like to ask the Minister a couple of straight questions: (a) What is he willing to do about helping with respect to a good safety programme at INCO? They are not going to move on their own, Mr. Chairman.

Hon. A. F. Lawrence: A good safety programme where?

Mr. Martel: At INCO. You know, Falconbridge, and I must compliment Falconbridge, as a result of the battle that went on here last year, have called in the Mine Mill and Smelter Workers, and said to them: "We might as well get you involved in safety before it becomes another political football in the House".

Now, I am not particularly overjoyed at their motive, but I must compliment them that they saw fit at last to involve the union in drafting a safety programme with both union and company involved.

They have set up a committee where the union could make its complaints, with respect to conditions that are bad, and they will make a report at the subsequent meeting indicating what they have done to rectify those situations. I am sure, in talking to the union men, they are very happy with this move, and I think you are going to see the unions doing what the Minister suggested here a year ago, only he left a step out.

Hon. A. F. Lawrence: Can I interrupt you again? This is one reason why before I said I thought Falconbridge had a good Canadian corporate image picture. Again, my words were twisted by your friends sitting in front of you.

Mr. Shulman: You have twisted yours again, now.

Hon. A. F. Lawrence: No, I said I thought they were a good Canadian corporate citizen. I think that is exactly what I said.

Mr. Martel: This, I think, will work, Mr. Chairman, because it is a joint programme, and this is where I disagree with the hon. Minister on his INCO idea.

They are both drafting the policy together, and they are both going to have to adhere to it, and they are both going to have to work to live up to it. But with INCO, they want a single position where they make the rules, and the union does not get involved in helping to grasp the safety programme. You really cannot expect the union to help police this programme, can you, if they have no say in its formation, and in its implementation? How can you ask them to just become policemen for the company?

It has to be a joint programme, and I am wondering what influence the Minister could exert on the International Nickel Company or if he would be willing to exert some pressure on them to attempt this same type of programme with Local 6500 that Falconbridge has introduced with the Mine, Mill and Smelter Workers.

Hon. A. F. Lawrence: I had thought, from both my union friends—and you will be surprised to hear that I do have some in Sudbury in Local 6500—as well as from management people that this time there was a much better spirit of co-operation and friendliness and feeling of mutual trust between the two parties in these current negotiations that are taking place. Much better than before. Maybe you

could classify this as a 1,000 per cent improvement, because maybe there was none. I do not know.

Nevertheless, it sounds to me as though the thing is perking along very well without any interference from us. When you start talking about joint duties, you know, this also means joint responsibilities, and I had a talk with the executive of Local 6500 not too long ago about this point of responsibility. To be quite frank, the Falconbridge people trust the Mine Mill executive a damn sight more than the INCO management trust the Steel workers executive.

Now, I am not saying whether this is right or this is wrong, but this may be a key to the whole factor, and if there is more trust being shown between the parties right now than has been shown in the last decade between them, then perhaps this might be a very good place for government to keep its nose out of it, at least until the negotiations are over and something mutually acceptable comes along to them both and we can see what the situation is.

Mr. Martel: I agree—

Hon. A. F. Lawrence: You do agree?

Mr. Martel: I agree that we cannot get involved right now. I think I indicated this to the Minister in a letter the other day, that we cannot get involved right now because there is a much better atmosphere than has ever existed.

I think it is due to a combination of factors, however. I think this Minister has, as I said earlier, put some pressure on them. The fact is that they do not like bad publicity. I think the Minister has convinced them that bad publicity is not good for them, and maybe they are starting to see the light there.

This is my hope, anyway, but this great unilateral policy just will not be tolerated. I think the Minister agrees that it cannot be unilateral, it must be jointly adopted and jointly held responsible for seeing that it is carried out properly. We agree on this now, we disagreed last fall when it was a unilateral policy that I was concerned about and so was the union. That is the main objection.

I should like to get into the other aspect if we can now, the pollution of the vegetation in the area, and the Dreisinger report. This report, Mr. Chairman, last week, seemed to be—

Hon. A. F. Lawrence: I do not want to get unduly technical but; well no, I suppose the estimate is here. I was going to say that you are aware, of course, that we have transferred the jurisdiction of that to my colleague.

Mr. D. Jackson (Timiskaming): Shows how fast you shuffle.

Mr. Martel: The price for research is in the Minister's estimates, though.

Hon. A. F. Lawrence: No, you are right. Okay, go ahead.

Mr. Martel: This document—

Hon. A. F. Lawrence: I am sure on behalf of the Minister of Health, though, that I should say I think it is only fair as far as the duplication of debate in this House is concerned, that if we debate this matter here it will not be dragged all through again when the Minister of Health comes in with his estimates.

Mr. Martel: Well, I think the Minister of Health will wake up in a few minutes after he has a little rest there, and maybe he will get involved in this, because this very hot document was very difficult to get last week. I tried Wednesday in the Minister's department and I tried Thursday in the Minister of Health's department, and your department knew nothing of it and—

Hon. A. F. Lawrence: Well, I thought I did apologize for that.

Mr. Martel: The Minister of Health's department would not give it without the Minister's consent, and I had difficulty. The only thing I had to work with was this photostat copy last Friday, and I had some difficulty. The interesting part is that this is a condemnation of the government. I cannot use any more drastic term, because there has been denial all along of the knowledge of what was causing the damage.

You know, people have been saying that the damage resulted from 25 or 30 years ago, when they first started to do heavy mining in the Sudbury area. Everything has been attributed to that and nothing since then really has been bad, and this is not true.

This document indicates that there have been readings going on in the Sudbury area for 16 years now and I think the fact that the government never moved against the companies who were fumigating the area for the last 16 years, has to be a condemnation of the government.

They were aware that this was going on; the government was aware of the damage to the vegetation and, needless to say, if it is detrimental to vegetation, I am sure it is detrimental to the health of the people.

The government always denied knowledge, or certainty at least, that the damage being racked on the vegetation was attributable to the companies as they exist today. It was blamed on the past, as I said.

Well, what does this document say? This document tells us that last year alone, there were 696 fumigations, 50 of which exceeded the level, if you want to call it the safety level, but 50 of these fumigations were beyond the level where vegetation was safe.

To me, it is rather difficult to understand why the government did not move. Why did the government see fit, for example, in the Ontario Water Resources Commission, to fine the CNR $500, and a farmer on Manitoulin Island $500 for dumping a little manure in the water, and yet they knew full well that the International Nickel Company in Falconbridge were creating damage to vegetation, and no fine, no nothing.

There must be a reason for this, Mr. Minister. Why this refusal? You go against a Crown Corporation, in one type of pollution and yet you do not move against the company we have known year after year after year was damaging. Now, why not?

Hon. A. F. Lawrence: Well, because of the legislation that was and is still in existence. It is as simple as that.

Mr. Martel: But, could not the government—

Hon. A. F. Lawrence: If there is SO_2 damage to vegetation, then The Sulphur Fumes Arbitration Act comes into play. It is as simple as that. That is the only reason.

Mr. Martel: Mr. Minister, really, you know what the farmers are getting from the International Nickel Company. I talked to a farmer last year who got the sum total of $60 for the damage.

They were ravaging not just the farmers though, what about the Crown land? Who should have gone after them for the damage done to the Crown land, or un-Crown land? Should that have been the government?

Hon. A. F. Lawrence: All I can say to you is that it has been the policy of this government, and previous governments before it, to follow the terms of The Sulphur Fumes Arbitration Act in respect of SO_2. I think there will be some perhaps drastic changes to this policy fairly shortly, but—

Mr. Martel: I hope so.

Hon. A. F. Lawrence: —until now this has been the policy of the government; there have been sulphur fumes and it has been damage to vegetation in respect of private lands; then the Arbitration Act applied, and if it has not been private lands, there has been nothing done about it whatsoever.

Mr. Martel: In other words, a licence to pollute.

Hon. A. F. Lawrence: No, I would not say that. I may not necessarily agree with the underlying principle of the Act, but, nevertheless, it has been there and it has been followed by previous governments, not only this one, as I say, but previous ones.

Mr. Martel: Well, Mr. Minister, for example, who goes into the Penage area where 28 per cent of the 100 trees tagged in 1968, 28 per cent of the white pine are dead?

Who brings action against the International Nickel Company on some of that Crown land? Or the 68 miles away from the city of Sudbury which was damaged last year, in other words, within seven miles of North Bay. The International Nickel Company is now fumigating and killing the vegetation to within seven miles of North Bay.

If this is Crown land, who really brings the pressure to bear against the company to stop this sort of procedure then?

Hon. A. F. Lawrence: Well, I have already indicated to the member that the policy has been that, if it is private lands, you move under The Arbitration Act and, if it is Crown lands there has been no action.

Mr. Martel: Right!

Hon. A. F. Lawrence: I mean, it is as blunt as that. I am not saying that I agree with that policy. As a matter of fact, I have already indicated that I think there will probably be some drastic changes to that policy. But that has been the policy up until now. Do not forget that all of these investigations, of course, which are not particularly cheap to undertake either, that the companies themselves have been penalized to the extent, although perhaps it has been a slight extent, that they have been paying for the investigation.

Mr. Martel: Well, I hope, I really hope—You see, the unfortunate part, Mr. Minister, you are taking the brunt of an attack that your senior colleagues in the Cabinet have chosen to ignore for 24, for 25 years of Tory domination.

Hon. A. F. Lawrence: No, I do not think that.

Mr. Martel: Oh yes, because there was a licence, really, there was a licence for this company to continue pollution despite the fact that, for the last 16 years, you have monitored. The Department of Mines has known that the vegetation was being ravaged by the SO_2, and the company was given a licence to continue to do that to Crown property.

For example, what is the damage of SO_2 to the wildlife, to the aquatic life where we have the Wanapitei Lake, which is a vast lake, and the Minister has seen it, where you cannot catch a fish.

It is interesting, Mr. Minister, that during the week that the tourist outfitters were in and we met in committee over in the MacDonald block, I guess it is, that the man who owns Killarney Lake Lodge indicated to us that, just as soon as he hit Parry Sound by airplane, he could see this white smog. And when he landed, he had before him all these beautiful lakes, fresh lakes, with absolutely no fish in them.

It goes beyond just vegetation, Mr. Minister, it hits every aspect of our life, and the very refusal of the government, of the Minister of Health, who for years have denied such things as how it can be affecting the health—

Hon. A. F. Lawrence: Oh, now, I do not think that—

Mr. Martel: Oh yes, Mr. Minister. I have been speaking to people who have been coming making the—what should I call it—pilgrimage to Toronto, year after year after year. Even the studies being done now, as I understand, on the health of people, is being done from statistics in Toronto.

How many people are being examined in the Sudbury area by a team of doctors? How many people? None.

Well, if we want a report, a conclusive report on the effects on the body, on the lungs, I am sure the best way—and I know medical men—but I am sure the best ways to conduct this study, would be on the men working at the International Nickel Company in Copper Cliff.

So, this report really—it is a very simple report, it is very, I think, devastating—it indicates that .25 parts per million can injure vegetation. I am wondering what 200 parts per million in the plant can do to the human body.

These are the statistics that the men are taking when they run the risk of taking gas tests—because, you know, the International Nickel Company has threatened the men with firing them if they are caught taking readings with the draeger meter. They have threatened to fire them. I wonder why?

This is a pretty terrible state of affairs when the men are trying to protect their health, trying to present facts to the government, and doing this under the threat of being fired if they are caught with a draeger meter in their lunchpail, or if they are caught taking a reading with the draeger meter.

Now, if, as I say, .25 parts per million will kill vegetation, I wonder what 200 parts per million does to the human body.

It is a fairly lengthy document and is a condemnation of this government's refusal to do more on air pollution, towards vegetation. The inaction of this government in the plants is a further condemnation and an indication that they just do not give a damn what is happening to the men in those plants because they would never tolerate it, never. Because I am sure there is not one member on that front bench who would go to work for a year at the International Nickel Company plant at Copper Cliff and last a year. In fact, I would say that most of them would not last five days.

Hon. A. F. Lawrence: Wait a minute. It is rude to point, use everybody in the House.

Mr. Martel: Pardon?

Hon. A. F. Lawrence: The member would not last either.

Mr. Martel: Oh, I spent a year in it. I probably would not last now.

Interjection by an hon. member.

Mr. Martel: All right, I am just saying—well, we could back to the "Air of Death" or, not the "Air of Death" but the programme that was filmed two years ago. Two of the television crew, Mr. Chairman, two of the crew were taken to the hospital within less than eight hours.

Hon. A. F. Lawrence: What poisoning was that?

Mr. Martel: SO_2, I guess, some poisoning. But in less than eight hours. Imagine the men working there day after day for 30 or 35 years. And it is my hope that starting with the Minister of Health, who is responsible for the health of the people of this province, to all of those involved in any way, shape or form with sulphur dioxide and pollution—I do not want to use too harsh a term—but let us say, get up off their backsides and do something about the thing.

Hon. Mr. Dymond: This is The Department of Mines.

Mr. Martel: Do not pass the buck, that has being going on for 25 years.

Hon. Mr. Dymond: Ask the Minister, we offered to do it for him.

Mr. Martel: To do what for him?

Hon. Mr. Dymond: We offered to take over the care of the health.

Mr. Martel: Did you offer to take it?

Hon. Mr. Dymond: Sure, we did. Ask him.

Mr. Martel: And you would not give it to him? You offered it back to him and he would not take it? It is like a ping-pong game, nobody wants the ball.

Hon. Mr. Dymond: We do.

Mr. Martel: Would the Minister give it to him, he would love to get rid of it, would he not?

Hon. A. F. Lawrence: All right, I might as well make this clear. We feel that the health safety of the people in the mines and the mining plants is a very specialized thing. We feel it is specialized enough that—and we have some plans—that there should be a specialized department to look after it. If not, there is no reason—

Mr. Martel: Do you have a medical staff?

Hon. A. F. Lawrence: No, I am talking now about in-plant, I am not talking outside the plant.

Mr. Martel: No, no, inside the plant. Does the Minister have, say, three or four doctors who conduct an on-the-site test or examination of the men who who are working there?

Hon. A. F. Lawrence: One of our problems at the moment is that we do not have medical staff. We use as consultants medical people from The Department of Health.

Mr. Martel: Would the Minister agree with me that no satisfactory study on the effects of SO_2 can be made here in Toronto, but must be made investigating the men who are working under the conditions from day to day, let us say, over the last ten years?

Hon. A. F. Lawrence: I understand from the statistical study that has been made they have been looking at the statistics and interviewing people up there. They have been collated and set in their computers, or whatever it is they are doing with them down here, but the actual gathering of the information is taking place up there.

Mr. Martel: Yes, but how many medical examinations, for example, are taking place?

Hon. A. F. Lawrence: I cannot tell the member, I have not seen the reports yet.

Mr. Martel: Well, I understand from some questioning of the Minister of Health last year that most of this study was going to be on data that was already on file down here in Toronto. If I am wrong, would the Minister of Health check me up on this, I disagreed with him at that time and said the tests should be conducted on the men in the Sudbury area if we are going to get an accurate picture of the effects of SO_2 and other gases, in fact, and dust, on the men in the Sudbury area, it would have to be conducted there. Am I wrong?

Hon. Mr. Dymond: Yes, the member is wrong.

Mr. Martel: Well, would the Minister straighten me out then, if I am wrong?

Hon. Mr. Dymond: No, no, this is The Department of Mines.

Mr. Martel: You see, Mr. Chairman, the Minister of Health really does—

Mr. MacDonald: We will have to repeat it when we get to each of the estimates.

Mr. Deans: I sense a little rift in the front row.

Mr. Martel: I am kind of glad, Mr. Chairman, the Minister has kept that to himself and maybe the Minister of Mines would agree that this testing should be done on the men who are actually involved in working at the plant at the present time.

Hon. A. F. Lawrence: My understanding is that the statistical report is being prepared on the basis of employment records and health

records of people who have been employed in the mines.

Mr. Martel: Does it involve actual examination of men?

Hon. A. F. Lawrence: This I do not know.

Mr. Martel: I understand there are ways of using a needle, for example, to find out what is coating the lungs on the inside. Perhaps I am wrong.

Hon. Mr. Dymond: No, no; the member is way out of his depth.

Mr. Martel: Oh, I am a way out—now the Minister is into the game. Either get in or get out. If he is going to get in, he should get in all the way.

Mr. Chairman: Order! Are we dealing with mine inspection? Was the mine inspection programme carried?

Mr. MacDonald: Pollution is the topic under discussion.

Mr. Chairman: That comes under the research programme.

Mr. Martel: But does the Minister think there should be investigation—

Mr. Chairman: Order, please!

The Chairman would like to know what we are dealing with. Are we dealing with research, or mine inspection?

Hon. A. F. Lawrence: No, I think, in all fairness, Mr. Chairman, we have completed the mines inspection. I suppose we are on the research item.

Mr. Chairman: If there is nothing further on mines inspection, then that is carried. We are on research, item 4. It was agreed we would deal with these estimates by programme under vote 1303. How did we get on to pollution? Anything further on mines inspection?

Hon. J. H. White (Minister of Revenue): Speak up.

Mr. MacDonald: This Minister has been here for only five minutes.

Mr. Pilkey: We are going to be here all summer anyway, what is the hurry now?

Hon. A. F. Lawrence: Speak for yourself, I am not going to be here all summer.

Mr. J. Renwick: Speed it up!

Mr. Chairman: Mine inspection.

Mr. Pilkey: Mr. Chairman, I want to talk about this question of safety and the whole question of the application and who should have this safety programme or the safety statute in what department.

As I understand it, in Part IX of The Mining Act, this is the whole section that relates to mine safety and—

Hon. A. F. Lawrence: That is the main part.

Mr. Pilkey: Right. Part IX is the part that governs, or the statute that allows this Minister to perform or head up the safety factors in The Mining Act. But in addition to that, in the statute, or in The Industrial Act, it says that this is an exclusion; it names a number of exclusions and for safety reasons The Mining Act does not include this question of—or the safety Act does not include the mines.

As I understand from my colleague, there were a number of complaints and they have been continually rejected by the safety engineer. The Minister himself said that the safety record could be improved. He did not say it was the worst in the world but he said, as I recall earlier in this debate, he said that the safety record could be improved.

Hon. A. F. Lawrence: Is the member talking about a particular company or what?

Mr. Pilkey: No, I am talking in general now. I think the point the Minister was making was in relationship to INCO, but I make this as—

Hon. A. F. Lawrence: The member means in general? Any safety record can be improved. The hon. member's safety record can be improved.

Mr. Pilkey: The Minister also went on to say that really in his department he had no record of this question of safety and said that he did not have the number of injured workmen, as this was in The Department of Labour.

Hon. A. F. Lawrence: No, I did not say that at all.

Mr. Pilkey: You made reference to the Department of Labour and you did not want to talk about workmen's compensation—

Hon. A. F. Lawrence: I did not want to talk about applications by claimants to workmen's compensation because I assume the hon. member was not only attempting to give information but seek information. We are in no position in this department to talk

about claimants as far as the workmen's compensation board is concerned. We are here to talk about accidents in the mine and safety regulations within the mine but this may be a totally different thing as to whether or not they have got "Fernando's Hideaway" where somebody goes for two days. I do not see what that, quite frankly, has to do with mine safety unless the point which the hon. member could not make but on which his leader came to his rescue—

Mr. MacDonald: He made it before I came to the rescue.

Hon. A. F. Lawrence: —was that this was something that was not being recorded somewhere. Of course, as I understand it in which there is an application to the workmen's compensation board, this eventually has to get recorded before the board, as an accident.

Mr. Pilkey: No. No. I only—

Hon. A. F. Lawrence: I did not understand. If you are trying to clear up any misconception in my mind about it, I am glad you are here, go right to it. I did not understand the point the man was trying to make.

Mr. Pilkey: I am only making the point that you did say that this whole question was in The Department of Labour.

Hon. A. F. Lawrence: No, no! Well, if I said that, I apologize to the House and to the hon. member. I am, to use a phrase that is current tonight, I am misleading the House then, because I certainly did not mean to say that. Obviously we keep safety records.

Mr. Pilkey: I only assume by those statements that you were not in a position to talk about this question of injured workmen, and particularly the numbers of injured workmen, because it was not in your department when you made reference to The Department of Labour.

I do want to say that there is an answer to this question. In my opinion, the whole question of safety should come under The Department of Labour and under The Industrial Safety Act. Now I know that most Ministers are a little reluctant to let go of a little of their empire—

Hon. A. F. Lawrence: I am not.

Mr. Pilkey: —but if it is going to serve the people better in terms of providing a better safety record, then I think we should agree that this whole question should come under that authority. I want to make a point in that regard as far as safety committees are concerned. Last year we passed—in The Workmen's Compensation Act—a section that should be adopted even in stronger terms in The Industrial Safety Act so that it has some meaning as far as the mines are concerned. I just want to refresh your memories in that regard. It stated:

> Where the work injury frequency and the accident cost to the employer are considerably higher than that of the average in the industry in which he is engaged, the board—as provided by the regulations—may increase the assessment for that employer by such a percentage thereof the board may deem just and may assess the levy the same on the employer.

It goes on to say in addition to that—

Hon. A. F. Lawrence: That is applicable right now in the mining industries.

Mr. Pilkey: Right.

Hon. A. F. Lawrence: That is The Workmen's Compensation Act you are—

Mr. Pilkey: Yes. But it goes on to say that:

> The board may deem just and may assess and levy the same upon the employer—

And this was the point—

> —and they require the employer to establish one or more safety committees at the plant level.

Now it seems to me that there should be a joint safety committee at the mine level and at the plant level as well.

I want to make another observation before I forget that point. As I understand it, under The Mines Act, part 9—and this not only applies to the mine, but to certain sections of the plant in Port Colborne and in Sudbury —this could very well apply to some of the basic steel plants in Hamilton. So what we have in effect in these plants is your section of The Mines Act in terms of safety applying to part of the plant. Then you have The Department of Labour's Industrial Safety Act applying for the rest of the plant.

This seems to be utter nonsense and unnecessary. It appears to me that it should come under one department with the proper enforcement. I also understand that The Mining Act, in terms of safety, is totally inadequate and in addition is frequently not enforced. This is the impression I get from some of the people that are working in this industry.

I am really saying two things: one, that this Mining Act should come under The Industrial Safety Act; and two, that we need to set up, once and for all, joint management-labour safety committees. Safety should not be considered purely as a management issue so that they have all the unilateral rights to determine what is a safe condition and what is not.

We are not going to get the real solution or get to the crux of the problem until we set up these joint management-labour safety committees.

As I said, there was some recognition last year by the workmen's compensation board and The Department of Labour that there could very well be instances where it was necessary to set up such joint safety committees. But they only did it on the basis that the incidence of injuries had gone beyond some mythical point. I do not know at what point they are going to introduce them.

Nevertheless, this is the point I am making. I am suggesting that if you are going to get the solutions that are necessary, then there will have to be this joint effort. You are going to continue to get into a position where the people who are working in the industry are going to be continually making representations to your department on the various shortcomings of safety in that industry until you do make them part of the whole programme.

These are the fellows who are having to work on the programme. True, management have to run an efficient operation and they have to have some managerial rights to determine how that operation is going to proceed. Nevertheless, we have reached a point where the employee who has to work in these conditions should have some say as to how those regulations are going to be enforced.

It is all right for these employers to walk around in white shirt and tie and make those determinations. They are not the guys who are really doing the work in that specific industry. They are not doing the work and it is very simple for them to walk around, half the time with eyes closed, and say everything is all right, everything is fine.

But it is not fine! As my colleague from Sudbury East has pointed out, it is not fine in the INCO situation and it is not fine in many industries across this province. I would think—and I do not stand up and talk as any expert in the mining industry because I do not know that much about it—but I do know the situation as it prevails here in the industrial front.

In my opinion there just has to be someone of importance to tell the mining industry—and I am talking about the processing plants as well—that you have to set up a joint safety committee. I want to tell this Minister, through you Mr. Chairman, very frankly that these companies are not going to relinquish that right without a great fight—make no mistake about it.

And the unions are not going to win this without very, very lengthy strike situations at the collective bargaining table. This battle has to be won at the legislative front. It is not going to be won on the collective bargaining front, and it is going to take a Minister with a little courage.

Hon. A. F. Lawrence: Well, it is going to take a Minister who is convinced that what you are saying is right.

Mr. Pilkey: Well, if he is convinced that I am right—

Mr. MacDonald: Your government became convinced and put this into an amendment to The Workmen's Compensation Act.

Hon. A. F. Lawrence: All right, now we are dealing with mine safety. We are dealing with human beings in a heck of a job. Let us look at it. My friend from the back row there says that the INCO safety record is suspect. All right. Leave INCO out of it. Take a look at the mining industry as a whole. It has a darn sight better safety record than any other comparable industry in this province.

Mr. Martel: I disagree with you.

Hon. A. F. Lawrence: You talk about the auto workers, in the assembly line business.

Mr. Martel: It is only because they do not recognize an accident when they see one.

Hon. A. F. Lawrence: A much better record. The mining industry has got a better record. You talk about construction—the mining industry has got a better safety record. And if what we are reaching—

Mr. Martel: On a point of order, Mr. Chairman.

Mr. Chairman: Point of order.

Hon. A. F. Lawrence: He interrupted me in full flight.

Mr. Martel: I did not interrupt. The point of order, Mr. Chairman, is the fact that I tried to relate a while ago are the same as

the Minister is saying now that they have a good record.

Mr. Chairman: That is no point of order. Order. The Minister of Mines has the floor.

Mr. Martel: Mr. Chairman, on the point of order.

Mr. Chairman: What is the point of order?

Mr. Martel: The Minister said that the record of the company is good.

Mr. Chairman: That is the Minister's opinion, the hon. member is simply arguing with his opinion.

Mr. Martel: The hon. Minister is misleading the House, Mr. Chairman.

Mr. Chairman: The hon. member has no point of order. The hon. Minister of Mines has the floor.

Mr. MacDonald: He is ignoring all the statistics in Fernando's Hideaway.

Hon. A. F. Lawrence: I said forget about INCO and Fernando's Hideaway, or whatever it is, if such a place exists.

I have been in the place, you know. I have been in it, for heaven's sake, and you know what it is. It is a place where they put these fellows who are on part time and half time and rehabilitative work. I have been in the place. But in any event, where was I? I was working myself up there. Just a minute, I have got to crank here.

The industry—leave INCO aside then—you are not making these allegations about the whole industry are you? Are you making these allegations that the whole safety record and accident record as compiled in this department and workmen's compensation board and the industries safety management thing—all of these records for the whole industry—are corrupt, wrong, falacious?

Mr. Martel: I never said corrupted. Mr. Chairman—

Hon. A. F. Lawrence: No, no. I am referring to this so-called point of order.

Mr. Martel: I do not think that just because—

Hon. A. F. Lawrence: All right. All I am saying is, the mining industry safety record matches or exceeds any other comparable industry. And this is what we are reaching for, is it not? We are reaching for good and better safety records and the prevention of accidents and circumstances that lead to accidents. I am saying that certainly you have to look at that. I do not give a darn, quite frankly, whether unions have got any responsibility in the thing or whether we hold management responsible for the thing or not. I am not worried about these formulations of procedures and who has more power over anybody else. I am looking at the actual safety conditions in the thing. And what the hon. member is talking about in respect of assembly line work and industrial concerns may not necessarily be applicable to mine work.

Mr. Pilkey: Let me say this, and obviously I do not have the statistics broken down for the mines in terms of injuries. But I think the hon. Minister recognizes that the ratio of injuries in the province of Ontario has increased. In other words there were more injuries in 1968 than there were in 1967. Our record for safety in this province is going backwards.

Hon. A. F. Lawrence: Not per capita in the mining industry, it has not.

Mr. Pilkey: As I said, I do not have the figures to break down the mining industry *per se*. The point that I am trying to make is that if we are going to get a solution to this whole thing—

Hon. A. F. Lawrence: Let me just add this one other restriction there. They have increased by number, (a) because of the increased number of people working in the mines; but (b) also because the day-long thing has gone from seven to five to three to two, and now down to one day, as far as the accident time. But if you go back and use the same ratio as it used to be, at whatever period of time, and you also look at the number of people employed in the mining industry, there has definitely been an improvement over the years in the mining industry.

This may not be true in industry as a whole in Ontario, but that certainly is no argument—which, as I understand it, my friend is trying to relate it to—for the mining industry to join the same procedures that are applicable in other industries. As a matter of fact it may well be an argument the other way round.

Mr. Pilkey: The other point that I am trying to make in this regard is just to illustrate the number of man days lost in accidents. You know, there is always a great hue and

cry about the man hours lost in terms of strike situations in the province of Ontario, but I want to remind the Minister that there is twice as much time lost through accidents as there is through strikes in this province. So if we cut down 50 per cent of the lost time of accidents, then obviously we have eliminated all the lost time in terms of strikes. So that—

Hon. A. F. Lawrence: We would also like to eliminate strikes.

Mr. Pilkey: Okay, you are right! But I just make that observation.

A solution to this question of safety has to be found, and from my experience I want to say to the Minister that where the companies have recognized joint labour-management committees, their record is much better than those industries that refuse to recognize them. And let me tell you that there are more industries, obviously, that do not recognize the joint committees than do. I make that observation, and that is why I say to this Minister that this is a valid point—that we have to have these joint safety committees which will have some say in terms of the necessary provisions to eliminate accidents to the very minimum. I think that is a joint desire, not only of the Opposition, but of the government as well. I think we are all looking in that direction.

The other observation I made was that I think that this should come under The Department of Labour, so that we can get some uniformity in terms of safety legislation throughout the province, and that obviously our party has said in the final analysis that there is a relationship between workmen's compensation and safety, and therefore it really should come under The Workmen's Compensation Act as well. But at this point in time the government have not seen fit to do that.

The only other thing that I wanted to say to the Minister, and I will be very brief, is that he was talking about these Fernando Hideaways. I want to say to the Minister that this is happening, not only in the mining industry but in many industries, where the companies hide these people for very obvious reasons, because the incidents increase their rates for compensation.

They do not want their rate increased, so they tuck people off in a corner some place. This is prevalent all through our industries in the province of Ontario. Obviously, the companies do not want the rates increased. This really has nothing to do with the unions at all. This is the companies' way of keeping their rates down because of the incident figures.

Mr. Chairman: Anything further on mine inspection? The hon. member for Port Arthur.

Mr. Knight: Mr. Chairman, I am just wondering about this business of uranium mines and radioactivity. I see there is some short mention made in the annual report, on page 161, under the title, Radio Activity in Uranium Mines, which covers a total area of two paragraphs.

Mr. Chairman: Does this come under research or mine inspection?

Mr. Knight: Yes, it is mine inspection. The annual report, "Ontario Mineral Production Reaches New Peak."

What I want to know, Mr. Chairman, is the value of these inspections. In the time that uranium mines have been under development in the province of Ontario, how many cases of uranium disease or deaths from diseases contracted from miners working in uranium mines have been recorded? Have there been any deaths or any unusual number of cases?

Hon. A. F. Lawrence: I am speaking strictly from memory here, but the danger involved here was, if I can use a layman's term, I think it is bone cancer. This was initially the—am I correct in that? In the lungs? I am sorry. I am corrected, it is carcinoma in the lungs.

The research that has been done, not only by us but by others, shows that this is carried really by the dust within the mines. The experience that we have come up with now is simply: if there is decent good ventilation, then there is no danger at all. There were some unfortunate occurrences very early in the uranium mining business, years ago though, and my understanding is that there has been less incidence since then, once our rather strict regulations respecting ventilation came into effect.

This is something, however, that we do not know all the answers about yet. I do not think the medical people do, but we are keeping a good close look on it and in the re-opening of these mines now and in the expansion of these mines, we are very strictly controlling the ventilation, looking at the ventilation very, very strictly. We think and, of course, we hope this is the answer to a problem now that really has not been with us for about a decade. We really have not had very much incidence at all in ten years.

Mr. Chairman: Mine inspection.

Mr. Knight: Mr. Chairman, what period of time is the Minister referring to? He said very much incidence at all. I do not think the Minister has been really very specific—

Hon. A. F. Lawrence: Well, I cannot give you the statistics since '55, let us say but my understanding is that there has been no worthwhile incidence at all of this since '55.

Mr. Knight: Well, I daresay then, the mines at Elliot Lake would be far safer than the INCO mines.

Hon. A. F. Lawrence: Well it is a different problem. But—

Mr. Knight: Different problem?

Hon. A. F. Lawrence: Well, I mean you are dealing with a completely different medical problem here.

Mr. Knight: One more thing, Mr. Chairman. This afternoon we spoke about gravel pits and quarries and so forth, quite at length and from the point of view of the aesthetic and from the point of view of conservation and we went into this area of whose responsibility it would be to see to it that companies restored the land area.

Now from the safety point of view, this matter can be brought up again. We hear many stories of children digging into some of these abandoned sand pits and so on and being buried alive—

An hon. member: Oh, not many stories—

Mr. Knight: —very tragic stories. We hear about children being drowned in pools in abandoned pits and quarries and so forth. Now—

Hon. A. F. Lawrence: We will not try to duck responsibility on that, that is our responsibility.

We fence these things, we inspect these things. You say you hear many stories of children falling into abandoned mine shafts. My goodness, I hope you do not hear many stories about it. We try to keep these things fenced—

Mr. Knight: Gravel pits.

Hon. A. F. Lawrence: It is a difficult problem, though quite frankly and obviously we put the onus first of all on the mining company itself. But in so many cases of these things there is not any mining company or it is an empty corporate shell and we have no comeback on them at all.

But we try to inspect these things periodically. We try to fence them. We first of all, of course, try to get the company itself to do it. But if they are not there, we do it.

Now this is something else that we are looking at. This has got to be changed for the future. The people who are getting the earnings today from these things—we are going to have to work out some scheme, some arrangement whereby they pay for these things in the future.

I think this is what the hon. member is getting at and if it is, I agree with him. Again, we have not worked these things out. There is a lot of work to be done in relation to a lot of these matters and as I say, there are just seven days a week and 24 hours a day—

An hon. member: You have got a big job ahead of you.

Hon. A. F. Lawrence: We are working on it.

Mr. Knight: Well, Mr. Chairman, I of course appreciate the hon. Minister's attitude and his reaction to what I have brought up but the fact remains, he speaks about what he proposes to do and—

Hon. A. F. Lawrence: No, we are doing it now.

Mr. Knight: —and I believe him, and I will look, I will await earnestly for this action that is going to come about. But I must take advantage and I would be remiss in my responsibility as critic over here if I did not emphasize how important it is that he carry out this responsibility. Because it seems to me that this estimate does not only have to do with mines safety but public protection. Wherever you have any of these excavations that are accessible to the public at large, even when they are not in operation, then someone has got to assume responsibility for them and this underlines the need to speed it up and get a policy, a very definite policy—

Hon. A. F. Lawrence: I am not dodging any responsibility right now. First of all, under The Mining Act itself, section 168, responsibility is put upon the owner or lessee of the unused or abandoned mine. But in so many of these cases as I say there is not anybody and therefore, it is our responsibility, our engineers' responsibility to see that these things are fenced and protected as far as the public is concerned.

It is a very difficult job in respect of children. No question about it. But the thing we are working on, or hope to work on in the

future, is to try to work out some scheme whereby the earnings today help to pay for these dangers tomorrow. This has never been tackled in this province or in any jurisdiction in this hemisphere. It has been tackled in other places, in Europe I gather, and these are some of the things we are looking at and want to look at, find out how other people do it.

But it is a real problem. But, I am not dodging any responsibility today. We try to obviously hang the responsibility on whoever owns the place. But so often, this simply is not possible because you cannot find them. Therefore, it is our responsibility to see that these things are fenced and are protected.

Mr. Chairman: Mine Inspection. The hon. member for High Park had been attempting—

Mr. Haggerty: Yes, Mr. Chairman—

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Thank you. One more question, the Minister mentioned something about carcinoma, that perhaps the only place you can pick this up is in the uranium mines.

Hon. A. F. Lawrence: Oh, I did not say that.

Mr. Haggerty: Well, I am asking you a question. Would you pick it up in any other mine? Would you pick it up in the smeltering operations of copper, nickel—rather, processing of minerals?

Hon. A. F. Lawrence: Boy, you have got me. My understanding is that the highest rate of incidence in the mining industry occurred, as I say, in the early days of mining, radio active materials in this province.

We were one of the first into the game and there was a fairly high incidence of radon gas at that time. I do not think there is any higher incidence of that particular disease in other mining operations than is normal in any industrial concern.

Mr. Haggerty: There would not be any more—

Hon. A. F. Lawrence: Well, no, asbestos is silicotic, and as a matter of fact there is an item here on it, where we are bringing our research up to date.

But there again, I think we have come to the conclusion that ventilation and proper filtering is the answer to the thing and this does hold it down. Mind you, we have been lucky—or unlucky, all depends on your point of view—in that we have not had any producing asbestos mines for a couple of years. But we have got a new one now into production this last year. This is one reason why we have in the estimate here $25,000 for Dr. John Patterson of Sunnybrook to bring his ten-year study up to date.

Mr. Haggerty: Would these agents be found in the process of mining?

Hon. A. F. Lawrence: No—

Mr. Haggerty: You are not aware of it?

Hon. A. F. Lawrence: No, I am not aware of it.

Mr. Haggerty: Would any of your staff be aware of it?

Hon. A. F. Lawrence: I am told that this is a result of radon gases in respect of radioactivity only. This is the only above-normal incident of this particular disease that we have found in the mining industry.

Mr. Chairman: Mine Inspection. The hon. member for High Park.

Mr. Shulman: Mr. Chairman, I would like to come back to the INCO problem. I see under this vote that there is some $483,500 offered for salaries, and of this, how many inspectors do you have?

Hon. A. F. Lawrence: We have a total complement of 47 in these particular estimates. Twenty-five inspectors, all of whom are mining engineers—all of whom are professional people, I should not say mining engineers because a couple of them are electrical and a couple are mechanical and a few things like that.

Mr. Shulman: Well, I have a suggestion which I would like to make through you, sir, to the Minister. We have heard a great deal of talk here about INCO, not just tonight but over this past year and a half that I have been here. I am sure that you would agree with me that if the problems of INCO would be solved, half of your problems or three-quarters of your problems here would be out of the way.

Certainly we hear many complaints about pollution both within and without the plant at INCO and if you took all of the INCO discussions out of Mine estimates, we would have been through long ago. I agree with you that the rest of the mining industry is doing a reasonable job. There are improvements that we want here and there, but

INCO is the great criminal in this whole matter.

Hon. A. F. Lawrence: Oh, I would not say that.

Mr. Shulman: Well anyway—

Hon. A. F. Lawrence: I just think there are a couple of vociferous members around here who keep referring to INCO, that is all.

Mr. Shulman: Well you may not agree. If you do not agree we can start going into some detail and we are going to be here for some days. I think that a large number of people on your staff would agree that INCO has been somewhat less than progressive in its attitude towards the various problems of air pollution. You only have to go up to the Sudbury region and look around there and see what INCO has done over the years.

Laurentian University has done a study and they found that people live five years less in Sudbury than they do in the rest of Ontario. This is INCO's doing. The pollution of the rivers and of the lakes and of the vegetation is INCO's doing. I do not think there is any question that INCO is really the major problem and I am surprised that the Minister would disagree with me on this.

However, the major problem as far as the pollution within the plant has been that nobody is exactly sure what is going on. We have had two fairly distant interested observers sneak in there in this past year bringing out certain—

Hon. A. F. Lawrence: In the form of whom?

Mr. Shulman: One of them was a chap named Starawicz from McGill University who was hired my the Toronto *Star* to climb over a slag heap holding his draeger meter bravely in front of him. When he got inside, he got his readings, but got caught by the INCO police.

Fortunately, they were rather inept, because when they interviewed him, he told them he was really coming there to work and did not quite know where to go. They escorted him home by car. It was a "Keystone cop" affair. By the time they figured out who he was, he was on his way back to Toronto.

Hon. A. F. Lawrence: Let us say that that might have been a qualified disinterested observer. Who was the other guy?

Mr. Shulman: His name slips my mind at the moment. In any case, these two individuals brought out some rather horrendous readings regarding the sulphur dioxide level at INCO, as they saw it and as they registered it on their draeger meters. Now in return for that, they were told, "Oh no, that is not true, you could not have read it right, it has all been a mistake," and your inspectors have gone up there and your inspectors could not find these readings.

Now the member for Sudbury East has pointed out—

Hon. A. F. Lawrence: No. No. I would not say that. Our inspectors can find those readings at any time they want in certain places, but not necessarily in the areas where the men are working or—

Mr. Shulman: Well let me say to the Mininster that the readings were taken in areas where men were working and this is what the problem is. Apparently, when your inspectors go there, the readings are nowhere near that high.

Now the member for Sudbury East has pointed out for many years that it was the custom for INCO to find out ahead of time when the inspectors were coming. Even now, if they come without prior notice, it is a rather large place and by the time the inspector arrives at the gate, announces himself and gets through into these areas, a good hour can pass—plenty time for INCO to open up the flue, get the fans going and clean the place out.

There is a simple solution to this whole problem that came to me in a stroke of genius this evening as I was sitting here listening to you elucidate on the problem. Why in the world—

Hon. A. F. Lawrence: I wondered what that roll of thunder was.

Mr. A. Carruthers (Durham): Saw a flash of lightning too!

Mr. Shulman: That is what it was. You have 17,000 people working in INCO, you have 90 per cent of your problems coming out of INCO as far as we know. Complaint, complaint, complaint. Why can you not take one of those inspectors, say $8,000 of the $480,000 we have in this particular vote—and put him in INCO and let him stay there all the time.

You have 17,000 men. It is not an unreasonable request. Let him wander around the plant at will with his little draeger meter. Then you could forget about your monitors. You could forget about your million complaints. You would have a disinterested

person on the spot all the time. It is going to cost a lot less than monitoring.

Hon. A. F. Lawrence: I would say to the hon. member that we must have at least one inspector every day on the INCO grounds or in the plant proper.

Mr. Martel: Why can they not find the readings?

Mr. Demers: You would never believe him.

Hon. A. F. Lawrence: We have a total of six engineers in the Sudbury area alone.

Mr. Martel: Why do they not get a 200 parts per million reading?

Mr. Shulman: Is the Minister telling me that one of his inspectors is presently at INCO daily?

Hon. A. F. Lawrence: Yes, there is.

Mr. Shulman: And are they spending their eight hours—

Hon. A. F. Lawrence: But not necessarily a mining engineer or one who takes draeger meter readings every day. But every day, unless something is wrong somewhere, there is an inspector of The Department of Mines on one or other of the INCO properties. This is pretty obvious, because—as I say—there are six engineers in there. I hope one of them is out every day somewhere on the INCO plant. I do not know what else they are doing if they are not.

Mr. Shulman: Well, I hope the Minister does find out what they are doing. But this is exactly what I am suggesting. I am quite sure your inspectors are visiting and getting readings or getting information. But what I am suggesting to you, and it is not a terribly expensive suggestion, you do not even need a trained engineer for this—put one man into the INCO smelter, full time, just going around with his draeger meter; nothing else, just wandering around the plant with this machine.

It will cost you a very small amount of money and think of all the aggravation it will save you here in the House, because this will stop the union complaints. If you have someone there on the spot who is neutral and who will be able to settle this problem once and for all, if truly there are heavy readings occurring. I believe there are because there were when I was up there on a very brief visit. You will clean it up because as long as INCO knows someone is wandering around, it will not be like that.

Hon. A. F. Lawrence: I think we have had a man in there taking these readings for constant periods of time like two or three weeks at a time.

Mr. Shulman: Well, would the Minister—

Hon. A. F. Lawrence: But if not, we will. And if we can afford the staff to get in there—you know it is a mammoth plant property and there are all sorts of problems every day.

Mr. Martel: We will provide the guides for him.

Hon. A. F. Lawrence: Well, tell Mr. Falkowski to keep the heat off them for a little while on some of these petty complaints, that they have no business investigating anyway. Leave them alone for a little while and maybe we can get back to some of these root problems. I think we would all be more satisfied.

Mr. Shulman: I do not want to leave this just yet. I think the suggestion I am making is not unreasonable, but would the Minister consider putting a man—he does not have to be an engineer, some junior man from his department—on a full-time basis, preferably three shifts a day.

Hon. A. F. Lawrence: I get the meat and the principle of what the hon. member is suggesting. I am reasonably convinced—although I cannot give you the dates—that this has been tried in the past by the department with no real difference in the conclusions that have come through to us. But if it has not been done lately, then maybe it is about time it was done again.

Mr. Shulman: I do not want the Minister to misunderstand what I am suggesting. I am not suggesting he put someone in for two or or three weeks, because we know that for that two or three weeks everything is going to be fine. But I am suggesting this on a permanent basis that someone be in there. You can put someone in for two weeks, and for two or three weeks everything is going to be lovely.

But would it not be reasonable to consider putting someone there on a full-time basis. This, I think, will solve your problem.

Hon. A. F. Lawrence: We will certainly give it very serious consideration.

Mr. Chairman: Anything further on mines inspection?

Mr. Martel: One final question, Mr. Chairman, the question of Mr. Falkowski keeps

arising, and of course his counterpart underground, Mr. McGuire, whom the International Nickel Company thinks are two real pests.

Is the Minister aware that International Nickel does not allow Mr. McGuire to leave a certain area, nor do they allow Mr. Falkowski to leave a certain area on threat of their job unless it is to go strictly to the washroom. Is this allowable, that the company can, for example, restrict Mr. McGuire all by himself underground and advise the rest of the men not to talk to him? He is the plague. He has been reduced to a point where he has a shovel and no one gets near him and this is company instructions. And the same applies to Mr. Falkowski. No one is to go around his area. You know, it is like—

Hon. A. F. Lawrence: You are not going to drag me into that argument.

Mr. Martel: Well, do I take it to the human rights people?

Hon. A. F. Lawrence: No. The question there is they obviously expect Mr. Falkowski and Mr. McGuire to do a day's work for a day's pay—I do not know, I assume that is the position of the company. That is something that the company and the union can work out between themselves. It has been solved in other industries in exactly the same way. These special representatives—I am sorry, I am not going to get into that one.

Mr. Martel: Then you are suggesting that I take this to the human rights people?

Hon. A. F. Lawrence: I am suggesting you take it to whoever you want.

Mr. Martel: You say "a good days work". Mr. Chairman, Mr. Falkowski does not have five minutes work a day. That is one of the things he cries about. What they have done is they have simply restricted him to a corner of the ball park and told him not to leave it despite the fact that there is no work.

Hon. A. F. Lawrence: I am not going to cry over Mr. Falkowski's trouble.

Mr. Martel: I am not crying over it. I am just saying that these are the two people who are primarily concerned with safety in those 16,000 men at the International Nickel Company.

Hon. A. F. Lawrence: That is nonsense.

Mr. Martel: That is not nonsense.

Hon. A. F. Lawrence: There are a lot of people concerned—

Mr. Martel: I am saying that these are the two men who are primarily concerned with keeping the health and safety committee going. I have a little more knowledge on that subject than the Minister does, I am afraid.

Mr. Chairman: Anything further on Mines Inspection?

Programme agreed to.

We move on to research; the second programme under the vote. The hon. member for High Park.

Mr. Shulman: The first item under research is investigation of the effect of sulphur dioxide fumes in the provincial forests. I believe my colleague from Sudbury East is going to have a great deal to say on this.

Hon. A. F. Lawrence: I thought we had covered that.

Mr. Shulman: There is just one brief item I wish to discuss under it, inasmuch as the effect on vegetation does come under this Minister, at least partially under this vote. The thing that disturbs me is the recent announcement by his colleague, the rather inept Minister of Health, and associated with INCO, of the huge new stack which was to solve the problem of pollution in Sudbury.

Mr. Chairman: May I interrupt the hon. member for a moment? It was my understanding that the air pollution outside of the plant was under a new department and it was not, if I remember correctly, to be discussed under these estimates.

Hon. A. F. Lawrence: We are in a difficult position here, Mr. Chairman, because since these estimates were printed and made up the decision has been made that this should go over to a different department. The only trouble is this item for the payment of this matter does not appear in that other department's estimates, so I think the understanding is we discuss it here and then maybe the Minister of Health can get off without discussion.

Mr. Chairman: Then the hon. Minister will entertain discussion regarding pollution outside of the plant?

Hon. A. F. Lawrence: As long as the hon. members do not mind being here until 3 a.m. or something, sure. Let us decide it now.

Mr. Chairman: And there will be no repetition then when we come to the Minister of Health?

Mr. Shulman: I assure you that I have so much to say on The Department of Health I could speak for a year without repetition.

Hon. A. Grossman (Minister of Correctional Services): We will bet on that too.

Mr. Shulman: I will be very brief. You will be delighted.

Hon. Mr. Grossman: That we will not bet on.

Mr. Shulman: The thing that disturbs me is that the Minister of Health rather proudly announces a great huge new stack, which you have heard discussed here today, which they say, quite properly and quite truthfully, is going to halve the amount of pollution falling on Sudbury proper. But it is going to double the area and the amount of pollution on the provincial forests, which are under this particular vote.

I was sort of hoping that the Minister of Mines in his somewhat more intelligent approach to this problem than his colleague, would exert some pressure on INCO and the other companies involved to put scrubbers in. It is absolute insanity to take $13 million to build a great big tower to double the area of pollution. I see the Minister is nodding, he obviously agrees with me. Everybody who has any sense in this whole field across all of North America—and I have taken the trouble to get a number of opinions which I will be happy to read into the record, if the Minister wishes them—think that the Minister of Health has slipped his marbles.

Now I am asking through you, sir, to the Minister of Mines—who I think must be aware of the problem—can you do something to persuade INCO to put scrubbers on their exhaling fumes?

Hon. A. F. Lawrence: My understanding is that not only are they building a larger stack—and the theory of this is that it disseminates it over a wider area granted—but also—again if I may use layman's terms—a much thinner concentration of it to the point where they say it will not cause any damage at all over this except in very exceptional circumstances. On top of this, they are also doing what amounts to extra filtering, or extra scrubbing. There is going to be built into it new equipment which will have the effect of eliminating a lot more of this from the stacks before it even gets into the stacks.

This is one point that you will notice I made no public announcement of whatever at that time because I was highly suspicious of the thing. And just again, from a layman's point of view, it seems idiotic to me that we are just spreading the stuff farther and wider. I have since been convinced by other material that I have read from other jurisdictions—not necessarily a biased INCO point of view—that this is a temporary measure and a very worthwhile temporary measure. This is all that the company is claiming it is going to be, a temporary measure. In the meantime they are still devoting an awful lot of money and an awful lot of effort and time—really, I am convinced of this—to research to find a permanent long-term answer to this thing. It really is not that simple, that you know they can do it if they want to. It is no percentage to them to continue to have this stuff spread around.

Mr. Shulman: Just money—dollars and cents.

Hon. A. F. Lawrence: No, no! If they could find a way of doing this I am honestly convinced that they would. I may be wrong, maybe they have pulled the wool over my eyes, but I am convinced they are bending every effort they can into research to try to come up with a way to do it.

Our job in government, I think, quite frankly, is to goad them until they do do the thing and I can assure the hon. member that as late as two weeks ago I had the chairman of the board of INCO up from New York and I was doing my duty. If you think the duty of the Minister of Mines is to goad these people into these things, I was doing my duty that day. But I am convinced that they are spending an awful lot of time and an awful lot of effort and I think they are doing more research in this than almost any other outfit in North America. They can well afford to do it too, granted, but I am convinced that they are doing it.

Mr. Shulman: This is the sad situation, Mr. Chairman. They are doing the research, there is no question about it, they are spending—I would not be surprised if it was up over $100,000 a year—on this particular problem of research and they are going to keep on doing this for some years. The sad thing is this research has already been done and INCO is willing to do it all over again over a period of five years and spend half a million dollars doing it if they have to. Because every year they do this they save themselves two or three million dollars in the cost of actually cleaning and scrubbing that air.

It is a pure matter of immoral dollars and cents. Sure, they are doing the research. They

will go to any lengths to save money, to produce extra dividends. This is their business. Their business is in making money. Your business is to make sure we have clean air and the people who work in the industry are not poisoned. This is the business of government. And it is not being done.

You are being fooled time and time again by INCO on this type of thing, and it bothers me to see them coming up and saying, "We are doing all this research"—sure they are, completely unnecessary research, completely unnecessary waste of time, when these problems have all been solved in the United States of America. You do not find this type of pollution anywhere in the United States now. In California they went through a similar episode back in—

Hon. A. F. Lawrence: They do not have the same type of sulphide ores.

Mr. Shulman: I beg your pardon, they do not have exactly the same percentages but they certainly have sulphide ores. They went through this in California in the 1950's. Sulphur dioxide was being poured into the air by the oil companies and by the mines, and the California legislators just passed a law that said, "You can't do it," and they do not do it any more. The research was carried out and completed.

The fantastic thing is, there are firms now in the United States, Monsanto is one that I wrote to, and I have the research work from the U.S. department of health and welfare, who are prepared to come in right now, today, and present International Nickel, within a period of four months, with a complete plan to clean up the whole sulphur dioxide problem. INCO is not bringing these people in who have done the research, they are starting all over to do the research all over again because it is saving them millions of dollars. I can understand the Minister of Health buying this, but I am surprised that this Minister has bought it.

I am asking him now—perhaps I will send some of this material to him—if he would at least look into it; if he will have his experts look into it, and I would be content to leave it at that. Perhaps we can come back again next year.

Hon. A. F. Lawrence: Yes.

Mr. Chairman: Anything further on research? The hon. member for Timiskaming.

Mr. Jackson: I will be very brief. Under this vote we have money allotted to investigate the incidence of silicosis and I understand it is carried out by a Dr. Patterson from Sunnybrook Hospital. What worries me with this vote is that silicosis is one of the hardest diseases in the mining industry to diagnose. When this doctor gets into the investigation, is he only going to consider the facts and figures that are on file at the workmen's compensation board, and the obvious cases? Or will he take into consideration the many thousands of cases of what we think is silicosis that have been turned down by the workmen's compensation board as not being silicosis? In many cases we have proved by an autopsy, after the man has finally died, that he did, in fact, have silicosis. I am a little worried that when this doctor does his investigation that we will end up with a whole set of figures that really do not give a true picture of the incidence of silicosis in miners.

I would just ask the Minister, perhaps as a personal favour, that he make sure that this does not happen. That when they investigate the incidence of silicosis they actually take into consideration the many miners who we suspect have silicosis, but has never been proven.

Hon. A. F. Lawrence: My understanding is that this is an updating and it is done about every ten years, or rather, this is a ten-year updating of a study of ten years ago by Dr. Patterson, and that he goes right into the cases of every person who has silicosis. Presumably it is an active medical examination of people now who have silicosis, X-rays, and what-not. Also, for that matter, people who have not, I suppose, but who have been working in comparable or similar working conditions. That is my understanding of it.

Mr. MacDonald: On whose words? The word of the workmen's compensation board?

Hon. A. F. Lawrence: Oh, I see what you mean. I do not know, I would imagine that would be a very good place to start. Whether that is also the end of it or not, I do not know. But, there is no question, is there, as to what silicosis is and I do not think they start combing through the records as to where he obtained it, I think this is the doctor's job. His study is, the conditions of where they think it was obtained. If you do enough of these things, presumably you are dealing with averages anyway. The member's point is it should not be restricted only to the decisions of silicosis from the mining industry?

Mr. Jackson: My worry is that what they are going to investigate and look into and

compile a set of figures on, are proven cases of silicosis, where it is our belief that there are many thousands of cases of silicosis in this province that have not been proven to be silicosis. If you carry on an investigation into this, we would like them to look into what we say—that there are a lot of cases of silicosis that have not been discovered because of the difficulty in diagnosing silicosis. We should look into new practices and procedures of diagnoses.

Hon. A. F. Lawrence: What we are reaching for here, is an effort to come up with some preventative remedy in respect of silicotic conditions in the mining industry. I really do not think that this argument of the member's stands up in that respect. We are not out in this study to assist individuals who claim one thing, while another thing has been decided by some governmental agency. We are looking at a statistical study, presumably of the people who have proven cases of silicosis, and who got in the mining industry. Then, presumably the doctor goes back to those areas where the proven cases came from and the conditions there and he is reporting to us on those matters.

If there is a certain percentage of cases, of people who claim they have silicosis from working in the mining industry, I would think for purposes of this study, that would all be gathered up in the final thing anyway. Do I make myself clear or not?

Mr. Jackson: Yes, you do, and maybe I do not make myself clear. What I see here is a person sitting down with a bunch of records and saying that the incidence of silicosis is only one per thousand. Yet it is our belief that the incidence is much higher than what the figures actually show.

Hon. A. F. Lawrence: As I understand it, this study is not going to deal with incidence or records and what-not. This is a study to try to come up with preventative remedies for conditions in the mines which breed silicosis, if I can again use layman's terms. It has nothing to do with this man dealing with the incidence of silicosis in the mines. He is out to try to remedy the conditions that create it.

Mr. Jackson: The estimate is very misleading.

Hon. A. F. Lawrence: Yes, you are right, it is misleading.

Mr. Haggerty: While we are on the subject of silicosis, what happens in a case in northern Ontario where you have miners who come in from the province of Quebec? They have worked in mines there and have come into the mines in Ontario and work and eventually come down with silicosis, who is responsible? Have you any joint programme between the two provinces? There is always an argument as to who is responsible for the silicosis, the province of Ontario or the province of Quebec.

Hon. A. F. Lawrence: Well, there again it depends on the investigation of the facts of the matter, I would assume, as to what the decision is as to where the silicosis was obtained. I am not too sure. Presumably, the medical science is a science that can determine that, if it is not, then I guess it is still the art of healing. I cannot give you the answer to that.

Mr. Haggerty: Mr. Chairman, this is the problem. I have a particular case here, before me, I do not want to get into detail with it but here is a man that was caught between two provinces, and he came down with silicosis. He receives no benefits at all.

Hon. A. F. Lawrence: How long had he been working in Ontario?

Mr. Haggerty: I think he came to the province of Ontario in 1943.

Hon. A. F. Lawrence: When was the silicosis condition diagnosed?

Mr. Haggerty: If I am not mistaken, 1958. But here is just an example of what can happen. Has the Minister any programme or any—

Hon. A. F. Lawrence: Was an application made to the workmen's compensation board?

Mr. Haggerty: The workmen's compensation board for the province of Quebec and the province of Ontario.

Hon. A. F. Lawrence: And he was turned down?

Mr. Haggerty: Turned down, again this is—

Mr. Chairman: Surely this matter is for workmen's compensation—

Hon. A. F. Lawrence: I really do think, again, that this is a discussion that should take—unless the member can indicate to me, what preventative measures as far as silicosis in the Ontario mines are concerned, again I think the member is relating this to a particular matter that should fall within the jurisdiction of the Minister of Labour rather than here.

Mr. Haggerty: No. I am afraid, Mr. Chairman, I have to disagree with those remarks, that when a man is employed into the mines he has to have an X-ray examination. That is when he begins employment. Now is it continued year after year? If not, why not?

Hon. A. F. Lawrence: I am told it is.

Mr. MacDonald: Well, surely there is no argument on the case raised by the hon. member for Welland-South. He has worked for the last two years with an Ontario firm, since he came to Ontario in '43 and the incidence came in '58. You have got enough leeway there to cover two years.

Hon. A. F. Lawrence: If those are the facts, then it sure would not sound black and white to me.

Mr. Chairman: Vote 1303 carried?

Mr. Jackson: I have one question of the Minister. It is my understanding that there are no levels of dust—

Hon. A. F. Lawrence: Dust control levels you mean?

Mr. Jackson: —dust control levels.

Hon. A. F. Lawrence: Oh, sure!

Mr. Jackson: There are no standards.

Hon. A. F. Lawrence: No, somebody said that. Was it you? If so, you are 100 per cent wrong. Sure there are dust levels.

Mr. Jackson: Do you have set standards for dust control?

Hon. A. F. Lawrence: Sure.

Mr. Jackson: Are they recent?

Hon. A. F. Lawrence: Yes.

Mr. Jackson: Well, were they put into effect recently?

Hon. A. F. Lawrence: No, no. We have had them for a—

Mr. Jackson: I am sure that there are no regulations.

Hon. A. F. Lawrence: —I do not know how old they are, do not get me wrong. Also, these things have undergone a review just in the last year. We are coming up, as I think I told the House, with a complete revision of the safety section of The Mining Act. It will be presented in the House later this session. So we will all have another go at it again.

Mr. Jackson: I intend to do that.

Hon. A. F. Lawrence: My understanding is that there are certainly dust concentration levels which we deem to be safe or unsafe, is this what you mean?

Mr. Jackson: Yes, but are they set out in solid terms or are they accepted without being written into the regulations?

Hon. A. F. Lawrence: No, I am told that they are not in the regulations. These are guidelines set out for our inspectors, I assume.

Mr. Chairman: Is vote 1303 carried?

Mr. Jackson: In the new regulations, will the Minister set out these in solid terms so that the company will be forced to—

Hon. A. F. Lawrence: I see the difficulty you are reaching for here. If there are guidelines for our inspectors, how do people in the industry know what those guidelines are, right?

Mr. Jackson: That is correct.

Hon. A. F. Lawrence: Now that I have—

Mr. Jackson: Something to make sure the companies obey those guidelines.

Mr. MacDonald: It is like our problem with pollution, if you have not got standards, you cannot set guidelines.

Hon. A. F. Lawrence: I am told they are published. They are not in the regulations but they are published.

Mr. Jackson: I accept they are published, accept the fact that they are published and most of the mines know what they are. But there is nothing to force the company to obey them or to keep their dust levels within those guidelines.

Hon. A. F. Lawrence: Oh, sure, there are—

Mr. Jackson: There are no regulations at this moment that set down solid terms under which the company must operate.

Hon. A. F. Lawrence: Oh, sure.

Mr. Jackson: This is regulated?

Hon. A. F. Lawrence: Oh, sure, again there are sections of the Act that are pretty woolly, I agree with you. But they are done that way with a purpose just so our inspectors do have this discretion of being able to say, because of this, this is a dangerous condition, clean it

up or else—bang, bang, bang. I mean he can do that.

Mr. Martel: Cannot.

Hon. A. F. Lawrence: He can, CAN—yes, and there have been cases where it has happened. Sure and there have been cases where we have closed mines up. Yes, and there have been cases where we prosecuted them.

Interjection by an hon. member.

Hon. A. F. Lawrence: Eh? Prosecute.

Mr. Chairman: Vote 1303 carried?

Mr. Pilkey: Mr. Chairman, are the same standards set up for pollution then or do you just have guidelines? If I could relate it to the—

Hon. A. F. Lawrence: Oh, you mean that? Well, let us talk about sulphur dioxide again.

Mr. Pilkey: Right.

Hon. A. F. Lawrence: No, we have not yet completely accepted the threshold value of five parts per million, is this what you mean?

Mr. Pilkey: Right.

Hon. A. F. Lawrence: No, that has not quite yet been—

Mr. Martel: Well, how would you get 200—

Mr. Jackson: Mr. Chairman, I am becoming a little woolly on what the Minister is saying. You say that you have guidelines but there are no regulations.

Hon. A. F. Lawrence: You are talking now about dust control.

Mr. Jackson: Just dust.

Hon. A. F. Lawrence: No, no. We know what they are and the industry knows what they are and the—

Mr. Jackson: Well, if the Minister will give me—

Hon. A. F. Lawrence: —the safety committees of the unions know what they are.

I do not know what they are. But they are published. They are available. If you want them, we will send them to you as soon as the House rises.

Mr. Jackson: Mr. Chairman, I think the Minister has not got my point clear yet.

Hon. A. F. Lawrence: You are right.

Mr. Jackson: What I am saying to him is they are guidelines, but how do you enforce those guidelines?

Hon. A. F. Lawrence: Yes, but they are—

Mr. Jackson: How do you enforce a guideline? You tell a person that this is what we would like, but you don't—

Hon. A. F. Lawrence: No, no.

Mr. Jackson: —sit right down and tell him that he must stay within those guidelines.

Hon. A. F. Lawrence: Sure, we tell him that.

Mr. Jackson: There are no regulations to say he must.

Hon. A. F. Lawrence: Oh, he has the discretionary power. I am not getting through to the member. I said he has the discretionary power to say, within his discretion, almost anything: "This is an unsafe condition, clean it up".

Mr. MacDonald: The inspector, you are talking about?

Hon. A. F. Lawrence: The inspector, yes.

Mr. Chairman: Is vote 1303 carried?

The hon. member for Timiskaming.

Mr. Jackson: I accept that for now and when it comes up in the new statutes I will have more to say.

Vote 1303 agreed to.

On vote 1304:

An hon. member: Is this going to be a long one?

Another hon. member: Oh, no, this is going to be a fast one.

Mr. J. E. Stokes (Thunder Bay): Mr. Chairman, I am interested in this particular programme of mining development for the simple reason that it is vital to northern Ontario.

Mr. MacDonald: You think this is going to be fast?

Hon. A. F. Lawrence: Really, is this going to be a long one?

Mr. Stokes: No, I do not intend to take too much time.

Mr. Shulman: He will not be long, but I may.

Hon. A. F. Lawrence: Well is there anybody who is going to take a longer whack than a couple of minutes, at it really?

An hon. member: Yes.

Another hon. member: Do you want a filibuster, that is what he is asking?

Mr. MacDonald: All right, do you really believe that mining development will not be long today?

Hon. A. F. Lawrence: All right. Well then, I would move that we report.

Hon. A. F. Lawrence moves that the committee of supply rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply rises and reports that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will consider legislation.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.20 o'clock, p.m.

No. 120



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Second Session of the Twenty-Eighth Legislature

Friday, May 16, 1969

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER
TORONTO
1969

Price per session, $5.00. Address, Clerk of the House, Parliament Bldgs., Toronto.

CONTENTS

Friday, May 16, 1969

Tabling report "Collective Bargaining in the Ontario Government Service," Mr. Welch 4513

On motion to adjourn on matter of resignations from Indian development branch, Department of Social and Family Services, Mr. Nixon, Mr. Yaremko, Mr. Deacon, Mr. Lewis 4513

On motion to adjourn to give Mr. Speaker the opportunity to consider question of privilege raised by Mr. J. Renwick re approval of estimates, Department of Social and Family Services, Mr. Pitman, Mr. Nixon, Mr. J. Renwick, Mr. Singer, Mr. MacDonald, Mr. Ben, Mr. Yaremko, Mr. Lewis, Mr. T. Reid, Mr. Grossman, Mr. White 4523

Cancer Act, bill to amend, Mr. Dymond, second reading 4531

Motion to adjourn, Mr. Welch, agreed to 4532

LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 16, 1969

The House met at 10.30 o'clock, a.m.

Prayers.

Mr. Speaker: This morning our guests in the galleries are: in the east gallery, students from D'Arcy McGee Separate School in Toronto; in the west gallery, from Lambton-Kingsway Public School in Toronto and Bickford Park High School in Toronto; and in both galleries, Parkway Vocational School in Toronto.

Later today we will be joined by students from Hillcrest Central School in Teeswater, from Wexford Public School in Scarborough, from Napanee District Secondary School in Napanee and from Parkway Vocational School in Toronto.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, on a point of order.

I have a matter of urgent public importance I would like to bring to your attention, Your Honour, and the attention of the House at the earliest possible moment. With your permission I would like to proceed at this time.

Mr. Speaker: I wonder if the hon. member would allow the presentation of a report. I believe the Provincial Secretary has one which all members will be anxious to have in case the debate should go on. Would the hon. leader allow that?

Presenting reports.

Hon. R. S. Welch (Provincial Secretary): Thank you very much.

Mr. Speaker, I want to table the report of His Honour, Judge Walter Little, entitled "Collective Bargaining in the Ontario Government Service".

Mr. Speaker: Now the hon. leader may have the floor.

Mr. Nixon: Mr. Speaker, I move, seconded by the hon. member for Downsview (Mr. Singer) that this House do now adjourn to consider a matter of urgent public importance, namely the matter of the resignation of officials of the Indian development branch of The Department of Social and Family Services which took place today.

Mr. Speaker: Of course I would draw to the attention of the hon. leader of the Opposition, and also to the hon. members of the House, that rule 38 provides that such a motion as this must be taken up previously with Mr. Speaker. I would say to the House that about 10.00 o'clock this morning, the chief Opposition Whip called on me. He was not sure exactly what had happened but he gave notice that some sort of a motion would be given and we could not discuss it.

At 10.24 this morning, the deputy Opposition leader called on me with this motion, and I asked him, since I had heard nothing of it, if he had proof of the definite matter, as the rule calls it, about which the motion was to be made, and at that time he had none. About three minutes later, he received and gave to me a copy of a press release, purporting to have been issued by the Indian development branch staff of the Ontario Government Services, dated May 16, 1969, in which it is said that the entire staff had resigned.

I have at the moment no further or other evidence. I have had no time to check it. I wonder if the hon. leader has further information which would assist me in deciding that it is a definite matter and not a matter of conjecture.

Mr. S. Lewis (Scarborough West): It is true, Mr. Speaker. The Minister knows they have resigned.

Mr. Nixon: Mr. Speaker, I have in my hand a copy of the statement issued by the people concerned. My colleague, the member for York Centre (Mr. Deacon), was in attendance and heard the statement. I am sure that the Minister, who received the resignations yesterday, perhaps could verify them.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I may say that the statement to the press that I received, I received upon my entry into this Legislature. The copy that I have is not signed, and I do not know whether the copy that the hon. leader of the Opposition has is signed, or who is alleged to be the "Indian development branch staff".

Mr. Lewis: The Minister knows they have resigned.

Interjections by hon. members.

Mr. Lewis: The Minister is misleading the House.

Hon. Mr. Yaremko: I am not misleading the House.

Mr. Lewis: There is a memorandum to that effect. It amounts to a vote of confidence in the government.

Hon. Mr. Yaremko: On a point of order—

Mr. Nixon: One of the members is present and is prepared to give authority to it.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I attended at 10.00 o'clock a press conference with Mr. Joe Dufour, Mr. Paul Wilkinson, Mr. Ross McLellan, Mr. James Schneider and Mr. Lightbown, all members of the staff who stated that this morning they had handed in their resignation to the Minister. They said they contacted by telephone four others of the staff of ten, who stated that they had mailed in today their resignations, and that they had not been able to reach one man, Mr. Seymour of Kenora, but that he had signed this document, and had indicated before that he was going to be resigning.

Five people definitely have resigned—have handed the Minister their resignations, or handed it in to this department—and four other people have mailed their resignation.

Hon. Mr. Yaremko: Did the member find out—

Mr. M. Shulman (High Park): That is right.

Hon. Mr. Yaremko: Mr. Speaker, on a point of order, the hon. member for Scarborough West indicated that I had misled the House. I had not misled the House; I had not entered upon a statement with respect to having received resignations. All I can say is that I made reference to the fact that this press release was headed "Indian development branch staff" with no signatures.

Mr. Lewis: On a point of order—

Mr. Speaker: Order.

Hon. Mr. Yaremko: I have made no statement with respect to any resignations received by me; they may have been directed to the department.

Mr. Lewis: Mr. Speaker, on a point of order, I, too, was in touch this morning with the executive-director of the Indian-Eskimo association who was at the press conference, who indicated that the entire branch—from what the hon. member for York Centre says, there is one person not yet contacted—but the entire Indian development branch of The Department of Social and Family Services had resigned. The Minister has their resignations; a full memorandum expressing want of confidence in the government has been submitted to the—

Mr. Speaker: What is the hon. member's point of order? He is merely now making a speech.

Mr. Lewis: My point of order, sir, is that the motion which has been placed by the leader of the Opposition is entirely credible and valid and the government knows it.

Mr. Speaker: I would like to ask if the hon. Minister would clarify for me on the point of the resignations, as to whether any resignations had been received by him, and if so, whether they were either of the entire staff or a sizeable proportion of the staff of this branch.

Hon. Mr. Yaremko: Mr. Speaker, upon entry to my office this morning at approximately 10.00 a.m., my secretary handed me letters of resignation, directed to the Associate Deputy Minister, of the director and of four, I believe, of the personnel of the Indian community development branch. My secretary had brought the matter to the attention at that time of the Associate Deputy Minister, who had not received the resignations although they had been directed to him. With respect to others, I have received no communication, and I believe there are four others, at least, within the particular scope of the Indian community development branch. I may say it is a matter of interest to me that these communications which have been released, did not come directly to the Minister's hands, except indirectly. That is the fact.

Mr. Speaker: Well, I think there is no doubt now in Mr. Speaker's mind, and I presume, in the mind of any member here, that there has been a resignation submitted by a significant number of the officials of this branch of The Department of Social and Family Services.

I am also of the opinion, however, that the resignation of a number of so-called public servants, normally called civil servants or staff of a department of the provincial administration, is not necessarily a matter

of such general public importance as would—until there were more and better facts available to the House, particularly after a very lengthy debate in this House ending only a few days ago—require the House again to go into all the matters which had been discussed at that time. That is my first view with respect to the matter.

Secondly, I would say that it is true that a significant segment of the population of Ontario, mainly our Indian fellow citizens and those who are intensely interested in their welfare, would be affected by this matter, and so perhaps it is of public importance. I am not, however, convinced that it is of such urgent public importance as to require debate at this time and I so rule.

Mr. Nixon: Mr. Speaker, I must inform you, sir, that it will be incumbent upon us to appeal this ruling. So that my position is abundantly clear, I would say to you, sir, that we did have a full discussion of this matter, but the matter in basis has completely changed because the announcement has come from the entire staff of the Indian development branch.

Hon. A. F. Lawrence (Minister of Mines): On a point of order.

Mr. Nixon: I am speaking on this matter—

Mr Speaker: Order. The hon. member has a point of order and has the floor.

Hon. A. F. Lawrence: Mr. Speaker, is your ruling debatable?

Mr. Speaker: My ruling is not debatable. I will not allow a debate on it but I will allow the hon. leader who places the motion to speak if he wishes in explanation. Then the motion must be placed.

Mr. Nixon: The matter certainly arose because of the feeling that these responsible public citizens of Ontario have expressed the view that the government policy is completely inept and not in keeping with the requirements of the province. There is no doubt in my mind that the resignation of these ten senior officials must be followed by the resignation of the Minister.

Interjections by hon. members.

Mr. Speaker: Order. The hon. leader, I am afraid, is allowing his feelings to carry him away. I had hoped he would speak to the matter of my ruling and not the matter of—

Mr. Nixon: If your ruling is not debatable, sir?

Mr. Speaker: Yes.

Mr. Nixon: I think I should put my position—

Interjections by hon. members.

Mr. Speaker: The hon. leader will please remember that when Mr. Speaker is on his feet, there is no one else who is entitled to the floor.

Interjections by hon. members.

Mr. Speaker: If the hon. members wish this matter to be dealt with, they will produce some order in the House or I will take the unusual step of suspending the sitting of this House for a period to allow us to come back and discuss it. It has not been done before but I propose to do it when there is disorder in this House in the future. I give the members warning, I have that power as your representative here. This House will meet and consider things in proper order.

Mr. Speaker has ruled that the motion submitted by the leader of the Opposition, seconded by Mr. Singer, that the House adjourn to discuss a matter of urgent public importance—namely the matter of the resignation of officials of the Indian development branch of The Department of Social and Family Services which took place this morning—is not one to be considered proper under the circumstances under the applicable rules.

As many as are in favour of the ruling of Mr. Speaker will please say "aye". As many as are opposed, please say "nay".

In my opinion, the "ayes" have it.

Call in the members.

The vote is on Mr. Speaker's ruling on the motion by Mr. Nixon, seconded by Mr. Singer, that this House do now adjourn to consider a matter of urgent public importance—namely the matter of the resignations of officials of the Indian development branch of The Department of Social and Family Services which took place today. The Speaker's ruling is that while it is a matter of public importance, as I previously stated, it is not a matter of urgent public importance.

The House divided on the ruling by Mr. Speaker, which was sustained on the following vote:

Ayes	Nays
Apps	Ben
Auld	Braithwaite
Bales	Deacon
Brunelle	De Monte
Carruthers	Farquhar

Ayes	Nays
Davis	Haggerty
Demers	Jackson
Downer	Lawlor
Dunlop	Lewis
Dymond	Martel
Evans	Newman (Windsor-Walkerville)
Gilbertson	Nixon
Gomme	Pilkey
Grossman	Pitman
Haskett	Reid (Scarborough East)
Hodgson (Victoria-Haliburton)	Renwick (Riverdale)
Hodgson (York North)	Renwick (Mrs.) (Scarborough Centre)
Johnston (Parry Sound)	Ruston
Johnston (Carleton)	Shulman
Kennedy	Singer
Kerr	Spence
Lawrence (St. George)	Stokes
MacNaughton	Trotter
Meen	Young—24.
McKeough	
Newman (Ontario South)	
Reuter	
Root	
Rowntree	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Welch	
Wells	
White	
Yaremko—37.	

Clerk of the House: Mr. Speaker, the "ayes" are 37, the "nays" 24.

Mr. Speaker: I declare the appeal to Mr. Speaker's ruling lost, and the ruling stands. The next order of business is petitions.

Mr. Lewis: On a point of order, and, I believe, privilege, Mr. Speaker. I would like to draw your attention, sir, to matters which are of exceeding importance and may have had an effect on the ruling which you made in response to the leader of the Opposition.

On May 11, Mr. Speaker, Sunday last, a memorandum was prepared by the Indian affairs development branch which was delivered—

Mr. Speaker: May I enquire what the hon. member's point of order is before he expands on it?

Mr. Lewis: Yes, I would like to give to the Speaker information which I think would have affected his judgment on—

Mr. Speaker: In my opinion that is completely out of order. Mr. Speaker made his ruling with the information available to him. Now is not the time to discuss that. I rule the hon. member's point of order is not one that can be entertained.

Mr. Lewis: Mr. Speaker, on that ground it is no doubt valid. I would therefore like to rise on a point of privilege to suggest that the Minister either inadvertently or deliberately misled the House and I would like to suggest why that was so.

On May 11, Mr. Speaker, the memorandum was prepared, as I said, and on May 12, Monday morning last, Mr. Dufour, head of the Indian community development services branch, delivered by hand, with witness, both to the office of the Prime Minister and to the office of the Minister of Social and Family Services, a complete memorandum outlining the position of the branch and its discomfort with government policy. At the end of that memorandum or, indeed, in the body of that memorandum, it was stated:

> As citizens of Ontario and public servants, our professional and personal commitment makes it impossible for us to continue on the present basis. We therefore respectfully request a definitive response to this paper by May 15, 1969.

That was yesterday, Mr. Speaker. It therefore becomes perfectly apparent that the Minister of Social and Family Services knew precisely what was occurring.

Interjections by hon. members.

Mr. Lewis: I would like to finish my point of order and then I shall sit down.

Hon. Mr. Yaremko: Mr. Speaker, on a point of order—

Mr. Lewis: I am on a point of privilege.

Mr. Speaker: Order! The hon. member has the floor to complete his point, and I think he has made his point, that he is alleging to the House that the hon. Minister has misled the

House. When he completes that I will be glad to yield the floor to the hon. Minister on the point of order, or to allow the hon. Minister to explain the situation so far as he is concerned.

Mr. Lewis: I shall complete my point of privilege, Mr. Speaker.

I would also point out to you, sir, that all of this information was in the Minister's hands during the course of time that this House was debating his estimates but was never made public. It seems to me that the Minister's assertion this morning that the resignations somehow found their way into his hands and were a surprise to him, I suggest to you, sir, was inadvertently or deliberately misleading the House, because he knew precisely what was in store, having received a memorandum as recently as last Monday indicating the outcome.

Hon. Mr. Yaremko: Mr. Speaker, attached to the press release to which reference was made earlier this morning, was a copy of that memorandum. That memorandum was a public document at the beginning of the debate; it was in the hands, I assume, of—

Mr. Lewis: No.

Mr. Shulman: No one had it but the Minister.

Mr. Nixon: We saw it for the first time this morning.

Mr. E. W. Martel (Sudbury East): Why does the Minister not resign?

Mr. Speaker: Order! A considerable amount of courtesy was extended to the hon. member for Scarborough West as he made his point of privilege, and I would ask that the same courtesy be extended to the Minister when he replies. He is entitled to that, and not to be unceremoniously interrupted. The hon. Minister has the floor.

Hon. Mr. Yaremko: Mr. Speaker, in the press release by the Indian development branch—copies of which I assume the leader of the Opposition had—the last two paragraphs state as follows:

> On Monday, May 12, a statement of what we consider must be done was presented to Prime Minister John Robarts as well as Social and Family Services Minister John Yaremko. A copy of that statement is attached to this. Because no response has been received, we have resigned.

So that document of May 12 is in the public realm.

Mr. W. G. Pitman (Peterborough): We did not have it.

Hon. Mr. Yaremko: It was in the public realm as of the time when I stood up and the question arose as to the receipt of resignations by me. I indicated, regarding the resignations and this statement to the press which said "Indian development branch staff", that I was unaware who purported to be the Indian development branch staff because the press release was not signed and I had not been invited to the press conference. I indicated to the House the resignations which I had received, from the branch director and four others. Then one of the hon. members, who had been present at the press conference, I do not know whether it was the member for—

Mr. Nixon: York Centre.

Hon. Mr. Yaremko: —York Centre got up and indicated that at the press conference somebody had purported to speak on behalf of the others in respect of whom I had not received resignations, and then we proceeded therewith. All the details of it have become public knowledge now.

Mr. Nixon: Mr. Speaker, on the point of order raised by the hon. Minister, I would refer to the fact that—

Mr. Speaker: Order! Surely the hon. leader of the Opposition can observe the niceties of the House.

Mr. Nixon: You talk about niceties.

Interjections by hon. members.

Mr. Speaker: I am about to rule, so far as I am concerned, that the point of privilege raised by the hon. member has been dealt with by the hon. Minister's reply, and the matter is closed. The next order of business is petitions, as I called moments ago.

Mr. Nixon: Mr. Speaker, I must get up to protest the ruling you have just made. Surely the point of privilege that was raised by the NDP a moment ago, which was responded to by the hon. Minister, brought into contention in this House whether or not the Minister had in his hands before this morning the indication that the people who had resigned had intended to do so, unless in fact there was some change in government policy by

yesterday's deadline. The letter that the Minister referred to, of which he said that surely the leader of the Opposition had a copy, came to me this morning—

Mr. Speaker: Order!

Mr. Nixon: Addressed to the hon. John Yaremko—

Mr. Speaker: Order!

Hon. W. D. McKeough (Minister of Municipal Affairs): Well, did you not raise it originally?

Interjections by hon. members.

Mr. Speaker: Order! The hon. leader of the Opposition is quite correct that if this matter proceeds we have circumvented the ruling of the Speaker upon which there was a vote. Therefore, so far as I am concerned, there is to be no more debate with respect to this matter. The point of privilege raised by the hon. member for Scarborough West, in Mr. Speaker's opinion, was dealt with by the Minister.

The next order of business is petitions.

Mr. J. Renwick (Riverdale): Mr. Speaker, I rise on a point of privilege. The privilege, which I want to be precise and accurate about, is that on Tuesday evening we completed the estimates of The Department of Social and Family Services. The completion of those estimates meant that this House voted a total of some $264,777,000 plus the Minister's salary of $12,000. We approved of his estimates.

Included in those estimates, Mr. Speaker, was a matter of $1,384,000 for the Indian community development branch of this department. The Minister had in his possession matters which affected the vote by this Legislature of the total amount of the estimates of his department.

My point of privilege, Mr. Speaker, is that it was his obligation, and the Minister misled this House when he permitted his estimates to be completed without fully apprising the House about the matter, which was of concern. Mr. Speaker, I make this point, not because we sat idly by during the discussions—

Mr. Speaker: The hon. deputy leader has now made his point and the Speaker will take it under consideration. We will now proceed with the next order of business which is motions.

Mr. Lewis: Mr. Speaker, on a point of order, what does that mean, "the Speaker will take it under consideration"?

Mr. Speaker: Exactly what Mr. Speaker said.

Mr. Lewis: Does that mean that the Speaker will report back on another occasion in this House?

Hon. A. Grossman (Minister of Correctional Services): If the hon. member does not like it he should resign.

Interjections by hon. members.

Mr. V. M. Singer (Downsview): We have no rights at all.

Mr. Speaker: The hon. members have every right to know, and as I know the hon. members, they will find a way to deal with this matter, I am quite sure.

Mr. Lewis: Mr. Speaker, on a point of privilege, sir, the way of dealing with this matter has been removed this morning.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. J. Renwick: Mr. Speaker, I respectfully submit that I have not completed the point of privilege.

Mr. Speaker: I would advise the hon. deputy leader that in order to emphasize his point of privilege he was making a speech on the matter which the House has ruled it would not consider. Therefore if the hon. member wishes to proceed with his point of personal privilege, as he called it, he will do so without bringing into discussion, matters which have been decided already by a vote of this House.

Mr. J. Renwick: My point of privilege, Mr. Speaker, certainly does not deserve or require any lengthy consideration on the part of Mr. Speaker. At the time at which on Tuesday evening, May 13 last, this House approved the total estimates of the Minister of Social and Family Services, did he, or did he not, have in his possession, following the lengthy debate on the matters related to the Indian community development branch, information which seriously affected the consideration by this House of the balance of his estimates and the approval of that total amount? That is a concise simple question of privilege, and I ask, Mr. Speaker, that you rule at this point on that question.

Mr. Speaker: Mr. Speaker has said that he will take that point under consideration, that is his ruling. The hon. member may deal with it as he wishes. The next order of business is motions.

Mr. J. Renwick: Mr. Speaker, I do not know what the procedures are in this House at this point. It is obvious that the rules are not designed to expedite the business of this province. What I am saying—

Mr. Speaker: The hon. member now realizes that first of all he has risen on a point of privilege in an endeavour to have the House debate something which the House has said it will not debate. Mr. Speaker, as a servant of the House, has made a ruling which has been upheld; the House has said properly that it will not debate this. All these various points are, in Mr. Speaker's opinion, attempts to debate something which the House has said it will not debate. I shall not allow any further discussion of the matter and I shall so rule, and that ruling again is subject to the opinion of this House.

I have advised the hon. member for Riverdale that I shall look into the matter which he has raised. It is something which no one at the moment can decide because, as a lawyer, he will know that there are many connotations to what he has said. The proof of it could perhaps lie in the House, and could perhaps not lie in the House. So therefore, I have made a note of it and I will proceed either, as someone asked me, to report to the House, or have the hon. Minister do so when I have had an opportunity of finding out from *Hansard* exactly what was said and what is required.

As far as Mr. Speaker is concerned there shall be no more debate on the matter which the House has said it will not debate.

Mr. J. Renwick: Mr. Speaker, I want to raise this point with you—

Mr. Speaker: Order!

Mr. J. Renwick: Mr. Speaker, I object to the suggestion which you made specifically that we were endeavouring to circumvent the ruling which you had just made.

Some hon. members: Oh, oh, oh.

Mr. J. Renwick: They can say "oh, oh, oh" all they want to. I am simply saying—

Mr. Speaker: The hon. deputy leader has heard Mr. Speaker's ruling. It is a ruling that is not debatable, there will be no more debate. If the hon. member wishes to challenge the ruling which I have made he is at liberty to do so.

Mr. J. Renwick: Mr. Speaker, I am simply saying—

Mr. Speaker: Order! Mr. Speaker has pointed out to the hon. member the proceedings he can take, if he wishes to deal with this matter further.

Mr. J. Renwick: Mr. Speaker, I have no recourse—since you imputed to me, knowledge which we did not have at the time at which you made your ruling—but to challenge the decision which you made on the question of privilege, only on the grounds that it requires your immediate decision. This House should stand recessed, if necessary, until such time as you have had an opportunity to consider and make your decision this morning on this question of whether this Minister has, or has not, misled the House at the time of the voting on his estimates.

Interjections by hon. members.

Mr. Speaker: I find that the hon. member is occupying too much of the time of the House in reiterating the same points which have been dealt with by Mr. Speaker. Mr. Speaker's view is still the same as it was originally—he will take it under consideration, he will report back to the House, or ensure that the report is brought back by the Minister whose actions are being impugned at this time. Further than that, Mr. Speaker will not allow any discussion. If the hon. member has another point of order or privilege, he is entitled to the floor, otherwise the hon. member for Humber has the floor.

Mr. Nixon: He obviously challenges the ruling and I would—

Mr. Speaker: He has not yet.

Mr. Nixon: Oh, he has.

Mr. J. Renwick: Mr. Speaker, I challenge the ruling of the Chair.

Mr. Nixon: In the light of the challenge that is now before the House, Mr. Speaker, I must regret to inform you that we will support the challenge. I believe that your approach to this important matter has not been in the best interests of open and free discussion. You have permitted the hon. Minister of Social and Family Services to read a part of this important press release into the record this morning, and if the hon. Minister of

Municipal Affairs is prepared to say that black is white, I submit to him that he is not confident of doing that. With your permission, sir, I would like to read—

Interjections by hon. members.

Mr. Speaker: I would point out to the hon. leader what I said a little while ago. If the Speaker's ruling is appealed, it is not debatable and the last time I allowed the hon. leader some leeway, he got into rather an impassioned address to the Chair—

Mr. Singer: Because this is an important matter and we want to debate it, that is why.

Mr. Speaker: Yes, but, it being against the rules, I rule there is no debate on this particular matter. It must be dealt with before the point of order of the hon. member for Humber.

Mr. T. Reid (Scarborough East): Mr. Speaker, on a point of order—

Mr. Speaker: The hon. member will not rise on a point of order when we already have one.

Mr. T. Reid: The Minister without Portfolio sitting there has no voice—

Mr. Speaker: Order.

Hon. Mr. Grossman: He can sit where he likes.

Mr. Speaker: Order.

Mr. Lewis: He has no voice whether he is in his place or out of it.

Mr. Speaker: I would advise the hon. member for Scarborough East that he is correct when he says that a member not in his place has no voice in this House, and I would expect that a member of this council would realize that.

Interjections by hon. members.

Mr. Speaker: Order. The Speaker has ruled that the attempts to debate the ruling or the motion which was turned down by the House on a division earlier this morning, by other means such as points of privilege or points of order, are themselves out of order and cannot be supported or allowed. This point was made by the hon. member for Riverdale, and he has challenged the Speaker's ruling.

The vote is on the Speaker's ruling that the point of privilege placed before the House by the hon. member for Riverdale was merely an effort to debate a matter which the House had already declined on a division to debate.

The House divided on the Speaker's ruling, which was sustained on the following vote:

Ayes	Nays
Apps	Ben
Auld	Braithwaite
Bales	Deacon
Brunelle	De Monte
Carruthers	Farquhar
Davis	Haggerty
Demers	Jackson
Downer	Lawlor
Dunlop	Lewis
Dymond	MacDonald
Evans	Martel
Gilbertson	Newman (Windsor-Walkerville)
Gomme	Nixon
Grossman	Pilkey
Haskett	Pitman
Hodgson (Victoria-Haliburton)	Reid (Scarborough East)
Hodgson (York North)	Renwick (Riverdale)
Johnston (Parry Sound)	Renwick (Mrs.) (Scarborough Centre)
Johnston (Carleton)	Ruston
Kennedy	Shulman
Lawrence (St. George)	Singer
MacNaughton	Spence
Meen	Stokes
McKeough	Trotter
Newman (Ontario South)	Young—25.
Reuter	
Root	
Rowntree	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Welch	
Wells	
White	
Whitney	
Yaremko—37.	

Clerk of the House: Mr. Speaker the "ayes" are 37, the "nays" are 25.

Mr. Speaker: I declare Mr. Speaker's ruling upheld.

Motions.

Mr. Pitman: Mr. Speaker, I would like to make a motion, seconded by the member for York South, that this House adjourn immediately, to reconvene later this day on the

ringing of bells, to give Mr. Speaker the opportunity to consider the question of privilege raised by the member for Riverdale—namely that the Minister of Social and Family Services permitted his estimates in the amount of $260,789,000 to be approved by this House on Tuesday evening, May 13, when he was fully aware—after the debate in this House on a vote of the Indian community development branch and being in receipt of a memorandum signed by the director and eight members dated May 11, delivered by hand on May 12—the imminent resignations of the entire branch.

Mr. Speaker: I have had the opportunity of looking at the motion as presented by the hon. member for Peterborough, seconded by the hon. member for York South, and it is my opinion that this is no more than an attempt to circumvent the Speaker's rulings which have been upheld twice—

Mr. Pitman: We wish to hear the Speaker's ruling.

Mr. Speaker: Order: The Speaker's ruling has been upheld twice in the House. I think that is quite obvious. However, I do not wish to have either the two members who are moving it—or the House—feel that I take these decisions too unilaterally. I have no objection and I shall put the motion to the House. I would caution the House that the debate on this motion will be very strictly confined to the motion and will not be allowed to stray into the fields of debate which the House has already stated it would not allow this morning.

So, the motion is by the hon. member for Peterborough, seconded by the hon. member for York South, that this House adjourn immediately, to reconvene later this day on the ringing of the bells, to give Mr. Speaker the opportunity to consider the question of privilege raised by the member for Riverdale—namely that the Minister of Social and Family Services during his estimates, asked that the amount of $264,789,000 be approved by this House on Tuesday evening, May 13, when he was fully aware, after the debate in this House on a vote of the motion of the Indian community development branch and being in receipt of a memorandum signed by the director and eight members dated May 11, delivered by hand on May 12, indicating the imminent resignations of the entire branch.

Hon. Mr. Welch: Mr. Speaker, I would like to rise on a point of order—

Mr. Speaker: The hon. House leader has—

Hon. Mr. Welch: I would not want anything I am about to say on this point of order to have any reference to your consideration of the motion but, more by way of direction. It was my understanding that by unanimous agreement of this House it was clearly understood that at 12 o'clock, this House would consider the resolutions of the private members. It now being 12 o'clock, and now drawing your attention to this procedure, should we not now honour—

Mr. Shulman: That is a pretty weak ploy.

Hon. Mr. Welch: I am asking for some direction. Since this has been the procedure of the House by unanimous agreement, should we not honour that unanimous agreement and now, as a matter of courtesy to those who have prepared, move into the private members' hour of the House?

Mr. Speaker: Is the hon. member for Peterborough—

Mr. Pitman: No, I am speaking on the point of order which the hon. Provincial Secretary has brought up. I do not think that his point is well taken, in view of the fact that this motion specifically indicates that the House will reconvene on the ringing of the bells by Mr. Speaker, and that there will indeed be an opportunity for those who wish to speak on that motion before this House at 12 o'clock to do so at a later time during this day.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, first of all I do believe that the deputy leader of the House may have a point. But I would also point out to you, Mr. Speaker, that the bill for discussion during the private members' hour is a bill that stands in my name and which would be moved for second reading by myself. Because of the urgency of the matter that has been brought before this House, I am quite willing to waive any rights which I may have in some speakers' minds to move this second reading and to permit this debate to proceed.

Mr. Nixon: Mr. Speaker, it is my understanding that a motion for adjournment takes precedence over all others. You have already indicated you will permit some debate on the usefulness of the suggestion, and I want to inform you, sir, that when you put the motion we will support the motion to adjourn

until the bells ring, so that you can have an opportunity to consider the matter that has been placed before you.

A few moments ago you indicated that you did not want further material read into the record on this matter. Yet I think it would be important that the memorandum that is referred to, dated May 11, be put before you, sir, so that you can consider whether or not, under these circumstances, the adjournment would have some usefulness. The memorandum is address to "John P. Robarts, Prime Minister, with a copy to the hon. John Yaremko, Minister of Social and Family Services," and it is from the staff of the Indian development services branch of The Department of Social and Family Services.

Mr. Speaker: Order. You see the problem that we have—if the hon. leader will yield me the floor—is that the House, by two votes, already has declined to consider the matter that the hon. leader is now trying to place in debate again. I am rather dubious of the propriety of that particular approach to this motion that we have, which I think that the Speaker is quite able to consider, because it is for the Speaker to consider and not for the House or the public to consider. The Speaker has a copy of this particular statement, and I think he is quite capable of reading it and making his decision without having it read to him by the hon. leader. Therefore, I would suggest to the hon. leader that that particular approach is not either in order or suitable under the circumstances.

Mr. Singer: Mr. Speaker, on a point of order, insofar as the point made by the hon. Provincial Secretary about getting into the 43rd order, I would point out to you, sir, that we have not, as yet, on the agenda reached the point of orders of the day, so that it will be impossible to call the 43rd order until we reach the orders of the day.

Mr. T. Reid: Mr. Speaker, I would like to speak on that point of order.

Hon. T. L. Wells (Minister without Portfolio): Mr. Speaker, on a point of order.

Interjections by hon. members.

Mr. Speaker: Order. The hon. member for Scarborough East has the floor on a point of order, I believe.

Mr. T. Reid: The point of order is raised by the hon. House leader. I would like to remind the Speaker that several months ago when I had a resolution on the order paper I was not able to put that resolution until 12.30 p.m. during the members' hour. I would like to say, Mr. Speaker, that there certainly is ample precedent for delaying the private members' hour, and I would suggest that now is another time to do it.

Hon. Mr. Wells: Mr. Speaker, on a point of order. For your consideration, I would like to read rule 38 of our rules which says:

> A motion to adjourn the House or the debate shall always be in order except that no such motion for the adjournment of the House shall be made until the orders of the day or notices of motion shall be entered upon, without the leave of the House, unless a member of the House rising in his place shall propose to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, which matter has previously been submitted to and approved by the Speaker.

Therefore, Mr. Speaker, I would submit my point of order is that this motion to adjourn is out of order. The motion for adjournment of the House on urgent public business was handled by yourself, and according to this rule, since we have not approached the orders of the day yet, this motion to adjourn is out of order.

Interjections by hon. members.

Mr. Ben: Mr. Speaker, if I may slowly read the exact section that the hon. member who just sat down read, it might be worthy of your consideration. The section reads:

> A motion to adjourn the House or the debate shall always be in order except that no such motion for the adjournment of the House shall be made until the orders of the day or notices of motion have been entered upon.

Mr. Speaker, on your statement, we entered upon notices of motion. As a matter of fact, the member rose upon that.

Interjections by hon. members.

Mr. Lewis: The first contribution from the Minister without Portfolio and look what happens.

Mr. Speaker: Does the hon. member for York South wish to speak?

Mr. D. C. MacDonald (York South): Mr. Speaker, on a simple point of order. You asked for debate on this motion and the leader of the Opposition has contributed to the debate on this motion. By what strange

perversion of the rules have we now reverted to some other point of order that has been dealt with?

Mr. Speaker: Of course, I could also say that the motion that is before the House is to revert to something that I thought had already been dealt with by the House. But I would draw to the attention of the House and the hon. Minister, that in the opinion of myself, and in that I am substantiated, we have not entered into either the orders of the day or notices of motion. The order calling motions is not the notice of motions on the order paper and therefore the interpretation urged upon me by the hon. Minister is quite correct.

Therefore, even though Mr. Speaker has attempted to put this motion to the House, he is quite out of order and quite improper and the motion is not in order until we reach either of those two stages. That is the way the rule is properly interpreted. Therefore, once again Mr. Speaker, having been in error, apologizes to the House, but says that we must as far as possible follow the rules of the House, particularly when they are pointed out on both sides of the House.

Motions.

Mr. Pitman: Mr. Speaker, we seem to be going through the sequences rather strangely. You made the statement "motions". I rose on motions and made the motion which you now have in your hands, Mr. Speaker.

An hon. member: He said upon the orders of the day to rise.

Mr. Pitman: Would you like, Mr. Speaker, that I retain my seat until you have started orders of the day and then I might rise and make my motion?

Mr. Ben: On a point of order.

Mr. Speaker: The hon. member for Peterborough is on a point of order. A point of order or personal privilege is always in order. I am always glad to hear the members. The routine business of the House and the business covered by the rules must follow the rules, and it has been pointed out to Mr. Speaker that he was not following the rules. Therefore any ordinary business of the House or extraordinary business of the House not provided by the rules to be dealt with before the orders of the day, is at the moment out of order because I have not yet called orders of the day. Is the hon. member speaking on a point of order or on something that should follow?

Mr. Pitman: I am ready to stand by your rules, Mr. Speaker.

Mr. Ben: Mr. Speaker, on a point of order, in that I am asking your guidance. You did earlier, and have again, called for motions. The motion which the hon. member for Peterborough tried to put is an extraordinary motion in that it does not fall under the title "motion" in the ordinary course of House business.

The question I ask of you, Your Honour, is this: Should he not now be entertained, because this is not the motion contemplated by the terms "notices of motions" and "orders of the day". Will Your Honour, after he calls orders of the day, then preclude the hon. member from putting the motion that he wishes to put because he ought to have brought it under the term "motions".

Mr. Speaker: Perhaps I might help myself and the House if I would say that the interpretation of the rules which I accept is this, that a motion to adjourn, such as the motion which was presented to Mr. Speaker, is in order at any time after the orders of the day have been called, but it is not the type of motion which is received under the heading on the order paper, and the orders of this House, as a motion. Therefore, at the moment, we have not yet come to that point in the orders of the day where this motion can be entertained. Does that assist the hon. member for Peterborough?

Motions.

Orders of the day.

Mr. W. G. Pitman (Peterborough): Before the orders of the day, I move, seconded by the member for York South (Mr. MacDonald), that this House adjourn immediately, to reconvene later this day on the ringing of the bells, to give Mr. Speaker the opportunity to consider the question of privilege raised by the member for Riverdale, namely, that the Minister of Social and Family Services (Mr. Yaremko).

Hon. J. H. White (Minister of Revenue): Mr. Speaker, I heard the House leader (Mr. Rowntree), call the order.

Mr. Speaker: The hon. member for Peterborough had the floor. The hon. House leader called an order of the day, but the rules state that at any time after we have reached the orders of the day a motion to adjourn is in

order, and therefore the motion to adjourn is now being placed before the House by the member for Peterborough. That is my understanding of the rule.

Mr. Pitman: Thank you, Mr. Speaker. May I continue—namely that the Minister of Social and Family Services—

Mr. Speaker: We have another point of order.

Mr. G. Ben (Humber): Mr. Speaker, I appreciate what you are trying to do is to facilitate the business of the House, but I would not want your last statement to appear on the journals of this House as a precedent. You indicated in reply to the Minister of Revenue that it is in order at any time to place a motion to adjourn. I suggest it is only when the Speaker has the floor. I would suggest that the reason the member for Peterborough has the floor is because you did not recognize anybody on the right side of the House.

Mr. Speaker: I would point out that the hon. House leader did not rise in his place to get the Speaker's attention to call the order in the first place, although the custom is that the House leader does do that without rising. In this instance he did follow normal custom, and secondly—

Mr. V. M. Singer (Downsview): He has called the order, what difference does it make?

Mr. Speaker: —secondly, I would point out to the hon. member for Humber that there is quite a difference between what is known as the journals of the House and *Hansard*. What we say in this House in debate and on this occasion is inscribed in *Hansard*, and when the printing strike is over, will appear in print. The journals of the House contain only the business transacted by the House and formal rulings as such given by Mr. Speaker.

Therefore, I would allay the fears of the hon. member for Humber that any of these inconsequential or consequential matters to which Mr. Speaker has referred will reach the journals. They will be in *Hansard* so that all may read that Mr. Speaker was not as well acquainted with rule 38A as he might have been, and that the hon. Minister was quite correct. There is nothing in the journals of the House, no formal ruling having been made. Now the hon. member for Peterborough, having caught Mr. Speaker's eye and having risen on an adjournment motion, is entitled to continue.

Mr. Pitman: Thank you, Mr. Speaker. To continue:

—Namely that the Minister of Social and Family Services permitted his estimates in the amount of $264,789,00 to be approved by this House on Tuesday evening, May 13, when he was fully aware after the debate in this House and the vote on the Indian communities development branch and being in receipt of a memorandum signed by the director and eight members dated May 11, delivered by hand on May 12, that the resignations of the entire branch were imminent.

May I say, Mr. Speaker, that this motion is not in any way an attempt to circumvent the rules of this House—

Interjections by hon. members.

Mr. Speaker: The hon. member has made his motion, this is not the time to speak to it. He will pass it up to the Speaker.

Hon. A. Grossman (Minister of Correctional Services): That is one of the reasons the hon. member said he was glad to get away from the House of Commons.

Mr. Pitman: I think the hon. Minister is putting a lot of words in my mouth.

Interjections by hon. members.

Mr. Speaker: If the hon. members on my left wish to have their motion put, they will give silence to the Chair and I trust that the hon. members on my right will do likewise.

Moved by Mr. Pitman, seconded by Mr. MacDonald, that this House adjourn immediately, to reconvene later this day on the ringing of the bell, to give Mr. Speaker the opportunity to consider the question of privilege raised by the hon. member for Riverdale (Mr. J. Renwick), namely that the Minister of Social and Family Services submitted his estimates—

Mr. E. W. Martel (Sudbury East): Resign.

Mr. Pitman: My apologies for my writing.

Mr. Speaker: My apologies for I do not have my spectacles.

—Permitted his estimates of $264,789,000 to be approved by this House on Tuesday evening, May 13, when he was fully aware after the debate in the House on the vote of the Indian community development branch, and being in receipt of a memorandum signed by the director and eight members dated May 11, delivered by hand on May 12, that the

resignation of the entire branch was imminent.

I will state again to the House what I stated earlier when this motion was received by me improperly, that I am inclined to believe that this is but an attempt on the part of some members to debate something which the House already, on two votes on division, has declared it did not wish to debate. I say again, as I said then, that I am the servant of the House, and such a ruling may or may not commend itself to the House. Therefore, rather than have the problem which we had earlier today over the Speaker's ruling, I will put the motion and we will endeavour to ensure that the debate is confined and I would ask the hon. members to confine themselves to the motion. I would say again that I have been in for previous discussions when this came up improperly earlier this day, so that I do not feel that the reading of any of the statements referred to in this motion will be of assistance to Mr. Speaker. The motion is to allow Mr. Speaker to consider not to allow the House or the public or anyone else to consider this particular problem.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, if I might be allowed—

Mr. Speaker: The hon. Minister.

Hon. Mr. Welch: We are having a very good exercise in rule procedure today, and in fact I am finding it very helpful. I rise on this point of order, first of all, questioning whether or not any of the words after the word "adjourn" are really in order in a motion of adjournment; secondly, whether a motion to adjourn is debatable at all.

Mr. Speaker: There is no question about the debatability, if that is a good word, of the motion to adjourn. It is debatable and always has been, but I will consider for a moment now the other submission of the hon. Minister.

I have already dealt with the matter of debate on a motion for adjournment and I am not persuaded that the motion as it is worded is in order or out of order. Without the opportunity to consult the precedents, neither I nor my advisors can rule on that. The matter being of urgent importance—because the normal hour for conclusion of the sitting of this House is approaching and it may well be that the members would wish to deal with this matter in that time, although there is nothing that says that the House cannot sit longer. Therefore I will accept the motion, even with reservations, as it has been placed.

Mr. Pitman: Mr. Speaker, I wish to say at the outset that this motion is not in any sense an affront to your previous ruling. It is the opinion of myself and others, I think in this House, that at the time of the placing of the original motion that we should discuss a matter of urgent public importance, the Speaker was not in receipt of information which would have allowed him to make a decision about the urgency and the importance of this particular matter. Since that motion has been voted on, this information has, I think, come to the Speaker and I think at this time, the Speaker is in a better position to decide. However, this is a matter which should be debated in this House at this time.

The Speaker, throughout his years in the Chair, has indicated the importance of making this Legislature relevant. We feel that this is a matter of extreme importance. I think members must truly realize that the resignation of an entire branch of a department means that something of extreme importance is taking place. We have heard a great deal about the fact that Indians in this province have not received their proper concern and interest in this Legislature. We in this party wish to have an opportunity to debate this matter, when it is important both to the Indian people of this province and to the Legislature. We would like you to have the opportunity, Mr. Speaker, of adjourning this House, and of being able at your pleasure to meet with either your staff or leaders of the other political parties, and take under advisement the whole problem of dealing with this debate at this time, in this place—I should say, later this day in this place. I hope that you can see fit to accept that motion.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, this is really the second time I have had an opportunity to advise you of the position of the Liberal Party in this matter, and I cannot help but bring to your attention that much of the information that has been conveyed to Your Honour, in the many points of order that he has entertained in the last few minutes, could have been entertained in a more orderly way under the first motion. But I do want to say to you, sir, that the proposition put forward by the member for Peterborough is a solution to the situation that we find ourselves in in this Legislature—this Parliament, in which it is surely our right and our responsibility to discuss matters of this nature.

The responsibility of the Minister of Social and Family Services is a very great one, and there has been an indication put forward by press releases and other publications that are in Your Honour's hands that there are those in important positions of the public service who are not prepared to continue under this leadership. It best falls upon Mr. Speaker to find some means whereby this matter can be properly discussed. The one before him, at the present time, calling for an adjournment so that he can consider whether or not the hon. Minister was directly and purposely misleading the House, since information was in his hands during the discussion of his estimates last week, could be undertaken by Mr. Speaker.

I submit that this is a matter of grave importance. Mr. Speaker has said that it is not urgent. I happen to disagree with him and I have already indicated my disagreement in the vote. But here is an opportunity where Mr. Speaker can consider that this House be reconvened later in the day, so that we can get details from the Minister. As we understand the information that has been provided to us, as we discuss those matters leading to the vote of considerable sums of money in support of the Indian community, we will know whether this debate and this vote was undertaken without the information being available to all members of the House—which was our responsibility to have, and it was the responsibility of the Minister to place before us.

Mr. J. Renwick (Riverdale): Mr. Speaker, I just have two comments to make. I think that my colleague, the hon. member for Peterborough, would not have placed this motion had the House been in a position to reassemble, for example, tomorrow. But we are faced, at this particular point, with a four-day adjournment before this House again reassembles on May 20.

I therefore submit, Mr. Speaker, that the motion should be supported and that the government benches should be prepared to support this motion, because it is in the public interest that this matter be dealt with expeditiously and effectively by this Chamber. I would suggest to the ministry that they seriously consider voting in favour of the motion, in order that the matter can be dealt with and not left for speculation and rumour and inadequate consideration outside this Chamber, before next Tuesday.

Four days would do nothing but permit a serious condition of turmoil in those persons who are interested in this problem, not only the persons who are members of this assembly, but certainly within the Indian community in the province of Ontario. Four days of speculation and rumour and turmoil as the result of this matter, is not in the public interest.

The second point that I would like to make is that the information which the Speaker would have available to him, in order to take under consideration this serious question about whether or not the Minister of Social and Family Services has misled the House, is available now. It can be placed in Mr. Speaker's hands, and is a matter which can be dealt with expeditiously by Mr. Speaker along with his advisors and such others as he may choose to consult. For that reason, Mr. Speaker, I urge the government to permit this motion to carry and the debate to continue at a later point during the course of the day.

Mr. Singer: Mr. Speaker, if I may speak to the motion. As my leader said, we are going to support the motion. There have been a lot of technical arguments backwards and forwards this morning about the interpretations of your rulings, sir—two of which were challenged and supported by the majority of the House as to how one reads and properly interprets rule 38, is a very difficult task for anyone. I think, sir, when you whip away all of the froth that has surrounded what has happened this morning, we are really talking about the right of the Opposition to know what has happened in a matter that is of very serious concern.

Technically, the matter of urgent public importance, which my leader wanted to raise, has never been before the House. You ruled it was not proper that it come before the House and the majority of the House upheld your ruling. The vote revolving around the position of the hon. member for Riverdale again did not touch that problem. The closest we can come to it—and I am satisfied that it is quite in order, and you, sir, must be because you are allowing this debate to go on—is this motion on adjournment.

The motion relating to the adjournment of this House, presently before us, surely relates simply to a basic democratic right that we as members of this Legislature must have. A serious and an unusual event took place in the province of Ontario this morning. We had no other opportunity to get at it; no Minister has seen fit, on behalf of the government, to explain the government's position. Certainly, as far as we are concerned, if we have to stay here for the balance of this day

thinking up other matters which are within the rules, sir—because we would not want to go outside the rules—we are going to continue to do this in order that we can hear what the government's position is in relation to this very urgent matter.

Mr. D. C. MacDonald (York South): Mr. Speaker, the whole objective and purpose of this amendment is to give you some time to consider this matter, and I think that the need for that is surely very obvious. If this is not a matter of urgent public importance, what conceivably can be within the framework of the rules of this House?

Mr. Singer: No, we have not decided it at all.

Mr. MacDonald: Well, the purpose is to permit the resumption of this debate and to give Mr. Speaker time that this shall be done—adjournment so that the Speaker can consider this issue and, with the ringing of the bells, we will resume to discuss this matter of urgent public importance.

Mr. Speaker: I must point out to the hon. member that the motion is not for that purpose. The motion is for the purpose of adjourning the House so that Mr. Speaker may consider the point of privilege raised by the member for Riverdale, which was directed towards the actions of the hon. Minister of Social and Family Services. It has nothing whatsoever to do with the original motion.

Mr. MacDonald: Mr. Speaker, the substantive nature of the whole issue and the Minister's part in it is what we want to debate in this House. But the Minister's part in it is the vital, important thing. The Minister withheld information from this House.

Hon. Mr. White: Mr. Speaker, on a point of order, rule 38, subsection C, is very clear:

> When a motion is made for the adjournment of a debate, the debate thereupon shall be confined to the matter of such motion.

I would suggest to you, Mr. Speaker, that the leader of the NDP is embarking on quite a different subject, and is very definitely out of order in so doing.

Mr. MacDonald: Mr. Speaker, I suggest that you need not give any particular credence to the latter comment. I think that it is in order and indeed—

Hon. T. L. Wells (Minister without Portfolio): Oh, no more than is usual.

Mr. MacDonald: The Minister has withheld vital information from this House.

Hon. Mr. White: On a point of order, may I ask for your ruling on this point. The rule is very clear on—

Mr. Speaker: I must confess that when the hon. member was speaking I only heard part of his point of order, and I wonder if he would place it again.

Hon. Mr. White: I should be very glad to do that, sir. I draw your attention to Lewis's "Parliamentary Procedure in Ontario", page 111, section 38, subsection C, which reads:

> When a motion is made for the adjournment of a debate, the debate thereupon shall be confined to the matter of such motion.

I listened with very great interest to the hon. member for Riverdale and the hon. member for Downsview, who did confine themselves to the motion to adjourn. The hon. member for York South, however, is departing from the confines of this debate, as clearly set forth in the rules, and is embarking upon a debate which earlier you yourself, sir, with the support of the House, ruled to be out of order.

Mr. MacDonald: Mr. Speaker, do you wish time to consider your ruling?

Mr. Speaker: All I would say is that I was on the point of rising to draw that to the attention of the hon. member, because I felt that he had strayed away from the point, but at that particular time I was being inundated by written aid from the left and spoken aid from the right.

I apologize to the House. My attention was not on what was in it. So I would suggest, if the hon. member wishes to speak to the point of order, that he continue his discussion of the motion to adjourn, but confine himself to that motion.

Mr. MacDonald: Mr. Speaker, perhaps I can deal with this in very simple terms that can be acceptable. This is a motion for the House to recess so that the Speaker can consider an earlier motion affecting the privileges of this House. The privileges of this House were that the Minister deliberately withheld information from this House, information that he had, information that he knew about, information that he could have presented to the House, Mr. Speaker—

Hon. Mr. White: Mr. Speaker, on a point of order, if I may. The hon. member does not

understand the nature or the intent of this particular motion, apparently. The intent of the motion is to adjourn the House so that you, sir, can consider the point of privilege raised by the member for Riverdale. The debate, according to the rules, clearly set forth, must be confined to this motion to adjourn The hon. member for York South is embarking upon a debate on previous motions which have been ruled out of order and those rulings have been supported by the majority of the House.

Mr. Speaker: I would point out to the hon. members and to the member for York South exactly what I said, when one other member was speaking earlier, that this is a debate on the motion to adjourn, that the gist of the motion is that Mr. Speaker should have an opportunity to consider this matter, and therefore, it is not for debate in the House.

The reasons for adjournment, as stated in the motion, are quite debatable, but not the facts and figures and whatnot that go behind the motion. Those are for consideration by Mr. Speaker on the adjournment of the House, as the motion says, and therefore, I would say to the hon. member for York South that I think that the course of debate upon which he was embarking recently is out of order. I would ask him to come back to the actual motion for adjournment, which is an adjournment to allow Mr. Speaker to deal with the matter.

Mr. MacDonald: Mr. Speaker, I think you have stated the purpose so clearly that nobody can mistake it. And I want to make three points. The first one is that you did not have the opportunity in your earlier consideration to have all the information available, and I would like to have sent up to you the memorandum released by the civil servants who resigned.

Hon. W. D. McKeough (Minister of Municipal Affairs): Because the member did not give it to him earlier.

Mr. Speaker: Order.

Hon. Mr. McKeough: The member for York Centre (Mr. Deacon), could have given that to him and then—

Mr. Speaker: Order.

Mr. MacDonald: The substance of it we cannot deal with, but you can examine it, sir. The second point that I wanted to make, and which requires further consideration, is the point that the Minister has misled this House and that affects the privileges of this House.

Hon. Mr. White: That is out of order, it is out of order.

Mr. MacDonald: Furthermore, Mr. Speaker, my third and final point is that not only has he misled this House but he has done nothing since, so that the deadline—

Hon. Mr. White: It is out of order, out of order.

Mr. MacDonald: —the deadline was reached and the whole department resigned. That is the reason why this is a matter that must be debated this day, in this House, and not delayed by the obstructionism on the government side.

Hon. Mr. Grossman: A shameful contempt of the Speaker's ruling.

Interjections by hon. members.

Mr. Speaker: The hon. member for Humber.

Mr. Ben: Mr. Speaker, I cannot understand the obstruction and the opposition on the part of the government members to the resolution put forward by the hon. member for Peterborough. Mr. Speaker, you have never held yourself out to be infallible. You have never tried to impress upon this House that you are the last word on the rules of procedure, and have many times shown your humbleness as a servant of this House by pointing out that you stand to be corrected and are willing to seek advice.

Hon. Mr. Grossman: Dictatorial.

Mr. Ben: I cannot understand, therefore, Mr. Speaker, why the members of the government and their backbench cacklers there should try to impute to you that which you yourself do not claim.

All the resolution asks for, all the motion to adjourn asks for, is that this House adjourn to give Your Honour an opportunity to consider the propositions put. It does not say how you shall consider them. It does not say what conclusion you shall arrive at, neither does it say how long you shall consider the proposition. All it is asking is that you be given time to consider.

It may be, Mr. Speaker, that you have already come to a conclusion. That is not for me to say. I will not put myself in the position of the government and try to read your mind. However, surely in the interest of proceeding with the business of the House and with the business of the people of this province—and I point out to Your Honour

that the Opposition parties in this House represent an overwhelming majority of the people in this province: two-thirds—surely, the business of the people should come first, and for the members of the government to spend two hours obstructing the affairs of the House is beyond my comprehension.

Mr. Speaker: The hon. member must speak to the motion, which is a motion for adjournment, not a motion of obstruction.

Mr. Ben: Very well, Mr. Speaker, all I want to say in closing is this, I beseech this government and its followers and cohorts to have consideration for the position of Mr. Speaker, and support this resolution to give Mr. Speaker the opportunity to consider the proposition that has been put to him, without all the interjections, the cackling, the hissing and the noise making from over on the Speaker's right.

Mr. Speaker: The hon. Minister.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, really this is on a point of order, perhaps, more than directly to the motion. The looseness of the wording of the motion and the extreme language of the leader of the NDP might lead the—

Mr. MacDonald: What, for example?

Hon. Mr. Yaremko: I will come to that. They might lead to the inference on the part of those listening to this debate, or as recorded in today's proceedings, that the Minister had this information at the time of the discussion of the vote, in respect of which these matters which we are discussing had relevance. I bring to your attention, Mr. Speaker, for the records of the House, that the Indian community development branch vote had been carried on May 8, 1969. The government policy had been carried, the position of the government had been stated, in relationship to the matter, which had a very full discussion.

Mr. S. Lewis (Scarborough West): That is why they all resigned.

Hon. Mr. Yaremko: This Legislature voted the estimates, and the moneys are there in the department and the work will be carried on. The fact that changes take place in the civil service during the course of any particular estimate or the course of the year, I suggest to you, is of no relevance. The work will be done.

Mr. Lewis: Mr. Speaker, on the motion which is before the House, I would suggest to you, sir, that the resignation of an entire branch of government is without precedent here in this Legislature—

Mr. Speaker: Order. I allowed the hon. Minister to speak—and he stated it was perhaps not on the motion—because I felt that all of us, including Mr. Speaker, wished to hear from the Minister. I would ask the hon.—

Mr. MacDonald: He is out of order?

Mr. Speaker: I said that the hon. Minister stated that he was rising perhaps on a point of order, and his point of order was that he had not misled the House, as had been alleged, in that a statement was made on May 8, or a vote was carried rather than on May 11, as the motion reads. But in any event, I would suggest to the hon. member, who had the floor and will resume it, that he confine himself again to this particular motion which is for adjournment for Mr. Speaker's consideration of it, not consideration now by the House.

Mr. Lewis: Mr. Speaker, I too exercise the patience of Job on occasion. I had one sentence out of my mouth and I would like to pursue it, to complete the thought I have, which was to offer respectfully to the Speaker —a submission in respect of this adjournment motion. I was making the point, sir, as other members have made, all of which you have accepted, that this matter is of some urgent importance and the privileges of the House are therefore of urgent importance. It is without precedent that an entire branch of government should resign—

Hon. Mr. Grossman: No, it is not.

Mr. Lewis: Let a member rise and indicate when else it has occurred.

I want to put to you, Mr. Speaker, that as has been suggested earlier, certain information was not privileged to you, sir, when you you made your earlier rulings. I think that information is worthy that it be presented to you when you make this ruling. I am pleased that the leader of the New Democratic Party has given you the memorandum, because I think you will see therein contained why it is that the members of the Opposition feel that their privileges have been seriously violated by the Minister, and indeed, the content of the memorandum indicates facts about the nature of the operation, on which basis these civil servants resigned, which were

never revealed to this House and are astonishing in themselves.

Mr. Speaker, I would point out to you, sir—the Minister's intervention on a point of order notwithstanding—I would not want it to unduly affect you. Our motion indicates quite explicitly that we think the privileges were offended by these matters not being raised before the end of the Minister's estimates.

Mr. E. Dunlop (York-Forest Hill): Why did the member not ask a question about it?

Mr. Lewis: On Tuesday, May 13, there was a full five hours of discussion on these estimates, and when one passes the estimates in total one votes the entire amount of money. I suggest to you, Mr. Speaker, that it is incumbent upon the part of any Minister to rise in his place prior to the final passage and say, "I have in my possession a document threatening mass resignation on Thursday next and I submit it to the House for discussion".

Hon. Mr. Grossman: That is nonsense.

Mr. Lewis: And to not do that when it affects his department is to violate the privileges of the House.

Mr. MacDonald: Maybe this is preferable, what happened.

Mr. Lewis: It may be that secrecy is viewed as a function of government, but secrecy leads to debates of this kind.

Mr. Speaker, I want to put one other point. I want to suggest to you, sir, in consideration of your ruling, that the Conservative majority should give very serious consideration to supporting the motion—not the usual simple political consideration, but rather more than that. I would think that the Conservative majority would want an opportunity to explain publicly what has occurred, and this motion gives them this right of reply and affords them the opportunity to do so.

It may be, Mr. Speaker, if I can conclude this way, that uneasy lies the head that wears the crown. The crown already having fallen, the head, however perilously placed on the shoulders, might at least have an opportunity to state its case. In your consideration of the amendment, that is what we are trying to afford—before the head falls as well.

Mr. T. Reid (Scarborough East): Mr. Speaker, I just have one comment to make on this in support of the resolution and it is this. In my opinion the Minister will have to make some sort of statement on the resignations of those who have resigned, whether or not it is a full branch or only part of that branch. I suggest that the proper place for him to make that would be this afternoon in this House when he has had time over a quiet lunch to think about it—to make it in this House and not at a press conference before this House reassembles next Tuesday.

Mr. Speaker: Is there any other member who wishes to speak?

Hon. Mr. Grossman: Mr. Speaker, I just want to make it quite clear that I think the argument of the hon. member for Scarborough West in respect of his proposition that if someone is threatening to resign in any department that it is incumbent upon a Minister to get up in this House and announce it.

Mr. Lewis: It was ten.

Hon. Mr. Grossman: Well, even if ten do, it is utter nonsense that I or any other Minister should have the responsibility or duty to get up in this House and announce to this Legislature that X number of people are threatening to resign.

Interjections by hon. members.

Hon. Mr. White: Mr. Speaker, further to the motion to adjourn, the leader of the Opposition did move at the beginning of today's session that the regular proceedings of the House be postponed and a debate be embarked upon.

Mr. Singer: Mr. Speaker, on a point of order, the leader of the Opposition made no such motion. Mr. Speaker announced that representations had been made to him and he found them not to be in order, and the only vote that was taken was whether his ruling should be supported or not. I wish the Minister would correct himself.

Mr. J. B. Trotter (Parkdale): Wrong again over there.

Hon. Mr. White: Mr. Speaker, the leader of the Opposition, at the beginning of today's session, moved a motion to debate a matter of urgent public business—

Interjections by hon. members.

Mr. Speaker: I would point out to the hon. Minister that the leader of the Opposition presented a motion to the Speaker which was not accepted by the Speaker.

Hon. Mr. White: At any rate, Mr. Speaker, you ruled that the motion was not in order

and the House sustained that ruling. The subsequent motions which have come to us have been a subterfuge to frustrate your ruling and the will of the majority of this House. This particular manoeuvre is the second or third in this succession of parliamentary tricks to circumvent the expressed will of the House.

I would say, and I would hope, that the thoughtful members of the House on each side would defeat this motion now when the question is put, it being recognized surely by them that similar trickery could be used in the future once again to circumvent the will of the majority. I hope that we can defeat this motion unanimously.

Mr. Speaker: Having been afforded the opportunity of a newer edition of the rules in the clerk's handwriting, and with my spectacles on, I hope that I will be able to read, and the hon. members will be able to understand, the motion which I now place before the House.

Mr. Pitman moves, seconded by Mr. MacDonald, that this House adjourn immediately, to reconvene later this day on the ringing of the bells, to give Mr. Speaker the opportunity to consider the question of privilege raised by the member for Riverdale—namely, that the Minister of Social and Family Services permitted his estimates in the amount of $264,789,000 to be approved by this House on Tuesday evening, May 13, when he was fully aware after the debate in this House on the vote of the Indian community development branch, and being in receipt of a memorandum signed by the director and eight members, dated May 11, delivered by hand on May 12, that the resignations of the entire branch were imminent.

As many as are in favour of the motion will please say "aye". As many as are opposed will please say "nay".

In my opinion the "nays" have it.

Call in the members.

Mr. Speaker: The vote is on the motion by Mr. Pitman, seconded by Mr. MacDonald, for the adjournment of the House in accordance with the terms of the motion previously read by Mr. Speaker. I would remind the members that this being a vote on adjournment, it is a vote by numbers only.

All those in favour of the motion to adjourn, will please rise.

All those opposed, will please rise.

Clerk of the House: Mr. Speaker, the "ayes" are 24 and the "nays" 40.

Mr. Speaker: I declare the motion lost.

Clerk of the House: The 20th order, second reading of Bill 141, An Act to amend The Cancer Act.

Mr. J. Renwick (Riverdale): Mr. Speaker, on a point of order—

Mr. Speaker: The hon. member will state his point of order.

Mr. J. Renwick: My point of order is that my understanding now is that the question of privileges which I raised and which you determined that you would take under consideration now remains under consideration by Mr. Speaker to be dealt with in due course. I assume, as a corollary of that, that it would be unwise for the Minister or any other member of the government, while it is under your consideration, to make any statement or otherwise about the matters which—

Mr. Speaker: The hon. member is completely out of order.

Interjections by hon. members.

Mr. Speaker: I trust the members of the House are well aware of the rules and precedents and rules of proper procedure, and I am quite sure that the hon. member for Riverdale does not need to elaborate upon them. I am sure that the hon. members are as well aware as he is, that his understanding of what becomes of the point of privilege is quite correct. It is now under Mr. Speaker's consideration to be dealt with in due course.

The hon. Minister was moving a bill?

THE CANCER ACT

Hon. M. B. Dymond (Minister of Health) moves second reading of Bill 141, An Act to amend The Cancer Act.

Motion agreed to; second reading of the bill.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, perhaps by way of explanation, on Tuesday when we reconvene we will be carrying on with the consideration of the estimates.

Mr. Speaker: Does the hon. leader wish to—

Mr. R. F. Nixon (Leader of the Opposition): I was just going to bring to your attention, sir, there has been nothing in the motion to adjourn that took into account the fact that

Monday is a day that we would normally be sitting.

Mr. Speaker: The hon. leader is quite correct.

Mr. M. Shulman (High Park): Mr. Speaker, on a point of order, what happens to our question period?

Hon. W. D. McKeough (Minister of Municipal Affairs): Ask your deputy leader.

Mr. Speaker: Order! I would point out to the hon. member for High Park that questions are questions before the orders of the day, and in order to entertain the motion from the hon. member for Peterborough (Mr. Pitman), we had to be in the order of orders of the day, so therefore the question period melted away before the motion which was placed before me.

I must say that that problem bothered me, and you may have seen the Clerk of the House and the House leader and Mr. Speaker in consultation, and that is what we were trying to decide—what had happened to the questions. That is the advice I received and I think it is quite correct.

Does the hon. House leader wish to indicate in his motion the next sitting?

Hon. Mr. Welch moves the adjournment of the House until 2.00 o'clock on Tuesday afternoon, May 20, 1969.

Motion agreed to.

The House adjourned at 1.10 o'clock, p.m.

JOURNALS AND PROCEDURAL RESEARCH BRANCH
DIRECTION DES JOURNAUX ET DES RECHERCHES EN PROCEDURE
ROOM 1640, WHITNEY BLOCK
QUEEN'S PARK, TORONTO, ON M7A 1A2